

YOUR REF: 33762-001-01
OUR REF: MCUI 723/2015 (731184)

6 October 2015

Mr & Mrs John & Joanne Wootten
C/- Brazier Motti Pty Ltd
PO Box 1185
CAIRNS QLD 4870

Dear Sir/Madam

**DECISION NOTICE UNDER S 324 OF THE SUSTAINABLE PLANNING
ACT 2009: DEVELOPMENT APPLICATION FOR
188R & 190R TREZISE ROAD, MOWBRAY**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 29 September 2015, please find attached the Decision Notice.

The notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

Should you have any enquiries in relation to this Decision Notice, please contact Neil Beck of Development and Environment on telephone number 07 4099 9451.

Yours faithfully

Donna Graham
Manager Development & Environment

Att

DECISION NOTICE DETAILS
SECTION 324 SUSTAINABLE PLANNING ACT 2009

APPLICANT DETAILS

John & Joanne Wootten
C/- Brazier Motti Pty Ltd
PO Box 1185
CAIRNS QLD 4870

ADDRESS

188R & 190R Trezise Road, Mowbray

REAL PROPERTY DESCRIPTION

Lot 115 on SP199697 & Lot 49 on N157479

PROPOSAL

Undefined Use (wedding and reception venue)

DECISION

The Development Application was refused.

PLANNING GROUNDS FOR REFUSAL

1. The proposal is in conflict with the Desired Environmental Outcome 12 of the Planning Scheme in that the semi-rural character and high standard of amenity of the area will be adversely impacted upon by:
 - (i) amplified noise and other noise associated with and generated by large gatherings of people when celebrating events such as a wedding ceremonies and associated reception events;
 - (ii) noticeable increase in traffic movements on local roads that provide access to the site on days leading up to, and on the day of events. The increase in traffic movements is not consistent with current traffic movements or the current semi-rural character of the area.

The development is considered an incompatible use to establish at this location and would be to the detriment of the residential community of Mowbray Valley if approved.

2. The development is in conflict with the purpose of the Rural Planning Area Code in that the proposed development is not consistent with the rural character and high standard of amenity enjoyed by surrounding residents.

The development would adversely impact on the rural character and amenity of the locality and is not consistent with the intent of the Rural Planning Area; or give due consideration to the surrounding Rural Settlement Planning Area.”

DECISION NOTICE DETAILS
SECTION 324 SUSTAINABLE PLANNING ACT 2009

DECISION DATE

29 September 2015

TYPE

Material Change of Use (Development Permit)

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

There were six (6) properly-made submissions for this application.

Cathie & Graham Jones	Shop 3, 21-23 Warner St	PORT DOUGLAS QLD 4877
Darroch McMonnies	80 Spring Creek Rd	MOWBRAY QLD 4877
Emily Archbold (in support)	81 Reynolds Rd	OAK BEACH QLD 4877
Kym Dickens & Scott Nelson	352 Mowbray River Rd	MOWBRAY QLD 4877
Mick & Pippa Hopper (in support)	22 Grays Creek Tce	MOWBRAY QLD 4877
Iain & Sue Ralston	82 Spring Creek Rd	MOWBRAY QLD 4877

RIGHTS OF APPEAL

Attached

End of Decision Notice