



DSDMIP reference: TUL 2020/0038
Local government reference: 10021/2020

16 April 2020

Spinal Life Australia Limited
c/- Gilvear Planning Pty Ltd
PO Box 228
Babinda QLD 4861
kristy@gilvearplanning.com.au

Attention: Kristy Gilvear

Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Dear Kristy

Temporary use licence Decision Notice – Extension of operating hours for a Food and Drink Outlet – 2 & 4 Smith Street, Cairns North

(Decision Notice given under section 275J of the *Planning Act 2016*)

As a delegate of the chief executive of the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP), I advise that your application for a temporary use licence for an extension of operating hours to a Food and Drink Outlet at 2 & 4 Smith Street, Cairns North is approved.

Applicant details

Applicant: Spinal Life Australia Limited
c/- Gilvear Planning Pty Ltd

Applicant contact details: Kristy Gilvear
PO Box 228
Babinda QLD 4861
kristy@gilvearplanning.com.au

Premises details

Street address: 2 and 4 Smith Street, Cairns North

Real property description: Lot 1 on SP305279

Local government area: Cairns Regional Council

Existing use: Food and Drink Outlet

Decision details

Decision: Temporary use licence is approved under section 275I of the *Planning Act 2016*.

Conditions: This approval is subject to the condition in **Attachment 1**

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Brisbane QLD 4000
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Telephone +61 7 3452 7100
www.statedevelopment.qld.gov.au
ABN 29 230 178 530

Details of relevant change: Change to a condition for a development approval for a material change of use

Approved changes: Amend condition 4 of Cairns Regional Council's Decision Notice dated 31 March 2020 and reference 10021/2020

Date of decision: 16 April 2020

Timing: This temporary use licence is in effect for the period of the COVID-19 emergency applicable event declared in accordance with section 275K of the *Planning Act 2016*.

Applicable event name: COVID-19 emergency

Applicable event declaration: 20 March 2020

Applicable event end date: 20 June 2020 (unless extended under s275F of the *Planning Act 2016*)

This temporary use licence is effective under section 275L of the *Planning Act 2016*. It does not constitute a development approval under section 63 or change to an existing development permit under section 83 of the *Planning Act 2016*.

This temporary use licence authorises the use of premises within the jurisdiction of the *Planning Act 2016*. A temporary use licence does not remove the need to obtain any other approvals that might be required by local, State and/or Commonwealth jurisdictions.

It is the responsibility of the holder of this licence to determine whether other permits or approvals are required before the use can lawfully commence.

If you require further information, please contact Duncan Livingstone, Principal Planner, Development Assessment Division, Department of State Development, Manufacturing, Infrastructure and Planning, on (07) 3452 7180 or duncan.livingstone@dsdmip.qld.gov.au who will be pleased to assist.



Steve Conner
Executive Director
Development Assessment Division

cc: Cairns Regional Council - TownPlanner@cairns.qld.gov.au

Attachment 1 – Temporary use licence condition

No.	Condition of Temporary use licence
Altered condition of 10021/2020	
4	<p>The approved Food and Drink Outlet is permitted to operate between 6:00am and 8:00pm, Monday to Sunday, including Public Holidays.</p> <p>The kitchen may operate outside of the above hours, where for onsite catering purposes only.</p>

Note: The above condition and its associated timing overrides condition 4 of the Cairns Regional Council's Decision Notice dated 31 March 2020 and reference 10021/2020. All other conditions of the Cairns Regional Council's Decision Notice remain applicable to the approved use.