

5 June 2024

Enquiries: Daniel Lamond
Our Ref: MCUC 2024_5615/1(1230842)
Your Ref: J001500:B:SM

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
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Gilvear Planning Pty Ltd
PO Box 228
BABINDA QLD 4861

Email: selina@gilvearplanning.com.au

Dear Madam

ACTION NOTICE
(in accordance with Section 3.1 of the Development Assessment Rules)

Reference is made to the development application lodged with Council on 24 May 2024.

The application is not a properly made application in accordance with Section 51(5) of the *Planning Act 2016*.

Applicant Details

Name: Gilvear Planning Pty Ltd
Postal Address: PO Box 228
BABINDA QLD 4861
Email: selina@gilvearplanning.com.au

Property Details

Street Address: 4 Wharf Street PORT DOUGLAS and 6 Wharf Street PORT DOUGLAS
Real Property Description: LOT: 22 TYP: PTD PLN: 20925 and LOT: 21 TYP: PTD PLN: 20925
Local Government Area: Douglas Shire Council

Application Details

Application Number: MCUC 2024_5615/1
Nature of Development Proposed: MCU - Material Change of Use
Description of the Development Proposed: Material Change of Use (Dwelling house)

Reasons why the application is not properly made

The following is a statement of reasons why the application is not a properly made application:

- The applicable fee for administering the application has not been provided.
- The consent of the adjoining land owner of Lot 26 on PTD20925 has not been provided. This owners consent is required to be submitted as part of the application because the retaining works forming part of the driveway construction cannot be constructed without utilisation and access to the adjoining Lot 26.

Actions to be undertaken

The following actions must be undertaken in order to make the application a properly made application:

- The required fee is to be paid; and
- Written consent of the owner of Lot 26 on PTD20925 is to be provided or an amendment to the design is to be undertaken.

Due Date

Please note that in accordance with section 3.7 of the *Development Assessment Rules*, the application will be taken to have been not made if the above actions are not complied within 20 business days of this action notice unless otherwise agreed.

If the requirements within this notice are not undertaken within this period, Council will return the application and refund any paid application fee as soon as practicable.

The assessment period for the application will not commence until the application is taken to be properly made.

Other

Please quote Council's application number: MCUC 2024_5615/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Daniel Lamond on telephone 07 4099 9444.

Yours faithfully



Neil Beck
A/ Manager Environment & Planning