

20 November 2017

Enquiries: Daniel Lamond
Our Ref: MCUC 2355/2017 (834399)
Your Ref: J00518

M T Martin & P S Martin
C/- Gilvear Planning Pty Ltd
PO Box 228
BABINDA QLD 4861

Dear Madam

DEVELOPMENT APPLICATION
MATERIAL CHANGE OF USE (HOME BASED BUSINESS-B&B) & BUILDING
WORK OTHER THAN MINOR BUILDING WORK NOT ASSOCIATED WITH A
MATERIAL CHANGE OF USE
94R NICOLE DRIVE CAPE TRIBULATION
LOT: 18 RP: 738897

Thank you for lodging the above Development Application with Council on 3 November 2017.

Please note that this is an **Action Notice** in accordance with section 3.1 of the *Development Assessment Rules*.

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

- There is no clear statement that covers the consent of the landowner attached to the application. Further, the application relies upon the existing access through the adjoining property. The owners consent of the adjoining property must be included if no proposal for direct access from Nicole Drive is included in the application.

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

- Written consent of the owner of the premises of the application is required to be submitted to Council.

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. 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.

After a preliminary review of the application, the following points are considered to require further consideration.

1. Practical access needs to be formalised.
2. Three additional designated parking spaces need to be catered for on-site.
3. It appears that clearing is required for the development of the bedroom bungalows and that with the balconies attached to each bedroom the setback requirements could be breached. The site plan should indicate the extent of remnant vegetation on site and should accurately display the footprint of the detached bedrooms and patios.
4. The on-site effluent disposal system trenches appear to potentially conflict with the siting of the patio of the northern most detached bedroom.

Should you require any further clarification regarding this matter, please contact Daniel Lamond of Development Assessment and Coordination on 07 4099 9456.

Yours faithfully

PAUL HOYE
Manger Sustainable Communities