

13 June 2023

Enquiries: Jenny Elphinstone
Our Ref: CA 2023_5309/1(Doc ID 1162525)
Your Ref: 23-04/001230

Administration Office
64 - 66 Front St Mossman
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NV & JS Pty Ltd
C/- Planning Plus
PO Box 399
REDLYNCH QLD 4870

Email: evan@planningplusqld.com.au

Attention Mr Evan Yelavich

Dear Sir

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

Reference is made to the development application lodged with Council on 8 March 2023 to which the Applicant advised of a change to the application on the 6 June 2023. Council considers the change, made under s.52 of the *Planning Act 2016*, to be a substantially different development. It is not a minor change.

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

Applicant Details

Name: NV & JS Pty Ltd
Postal Address: C/- Planning Plus
PO Box 399
REDLYNCH QLD 4870
Email: evan@planningplusqld.com.au

Property Details

Street Address: 30 and 32 Warner Street Port Douglas.
Real Property Description: Lots 418 and 419 on PTD2091.
Local Government Area: Douglas Shire Council.

Application Details

Application Number: CA 2023_5309/1

Nature of Development Proposed:	Development Permit for a Combined Application for a material change of use for two dual occupancies and short-term accommodation and for a reconfiguration of a lot (2 lots into 4 lots).
Description of the Development Proposed:	Development Permit for a Combined Application for a material change of use for two dual occupancies and short-term accommodation and for a reconfiguration of a lot (2 lots into 4 lots).

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 Form 1 needs to correctly state the intended material change of use has not been made using the approved forms.
- Mandatory supporting information has not been supplied / required sections of the forms have not been correctly completed.

Actions to be undertaken

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

- The current forms 1 are to be submitted that correctly state the intended material change of use as two dual occupancies and short-term accommodation);
- Documents / supporting information as required by the relevant approved forms (part 8 of Form 1, Item 24, Supporting information addressing any applicable assessment benchmarks is with the development application. This assessment should be as an amended or new report.

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 note, Council charges an additional fee of \$1,021.00, for a change to the application prior to the decision being made. An invoice will issue once the application is properly made.

Please quote Council's application number: CA 2023_5309/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'P. Hoye', with a small dot at the end.

For
Paul Hoye
Manager Environment & Planning