

19 April 2024

Enquiries: Jenny Elphinstone
Our Ref: CA 2024_5594/1(Doc ID 1223150)
Your Ref: 2023-03-48

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
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Young Street (No 137) Pty Ltd (Tte)
C/- Daniel Favier (Aspire Town Planning)
PO Box 1040
MOSSMAN QLD 4873

Email: admin@aspireqld.com.au

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 15 April 2024.

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

Applicant Details

Name: Young Street (No 137) Pty Ltd (Tte)
Postal Address: C/- Daniel Favier (Aspire Town Planning)
PO Box 1040
MOSSMAN QLD 4873
Email: admin@aspireqld.com.au

Property Details

Street Address: 279 and 292 Syndicate Road Miallo.
Real Property Description: Lot 5 on RP731070 and Lot 112 on N157666,
Local Government Area: Douglas Shire Council

Application Details

Application Number: CA 2024_5594/1
Nature of Development Proposed: Combined Application for a Development Permit for Reconfiguration of a lot for an access easement to a Road and Building work Made Assessable Against the Planning Scheme for Extension to a Dwelling House.

Description of the Development Proposed: Combined Application for Reconfiguration of a lot for an access easement to a Road and Building work Made Assessable Against the Planning Scheme for Extension to a 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:

1. The application has not been made using the approved forms and where the intent is to provide short-term accommodation a material change of use is required. Where there is the intent to use the property as a dwelling-house, a minor change is required to the existing development approval MCU 3B 045/00. The application has not been made using the approved forms.
2. The applicable fee for administering the application has not been provided.
3. There is no clear statement that covers the consent of the landowner attached to the application.

Actions to be undertaken

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

1. The application needs to be made for either a minor change application to MCU 3B 045/00 where the dwelling is only to be used as a dwelling-house (no short-term rental accommodation). Where the dwelling is to be used for short-term accommodation a material change of use is required.
2. The required fee is to be paid; and
3. Written consent of the owner of the premises to the application if required.

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: CA 2024_5594/1 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 read 'P. Hoyer', with a small dot at the end.

For
Paul Hoyer
Manager Environment & Planning