

**YOUR REF:** PR108240/OCK/MD/L76441  
**OUR REF:** ROL 1952/2017 (D#814975)

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25 May 2017

Byron and Vicki Kurth  
C/ RPS Australia East Pty Ltd  
PO BOX 1949  
CAIRNS QLD 4870

Attention: Mr Owen Caddick-King e: [owen.caddick-king@rpsgroup.com.au](mailto:owen.caddick-king@rpsgroup.com.au)

Dear Sir

**EXTENSION OF DECISION MAKING PERIOD AND  
WITHOUT PREJUDICE ADVICE  
DEVELOPMENT APPLICATION – RECONFIGURING A LOT  
59R CREES ROAD CRAIGLIE**

**Extension of Decision Period**

In accordance with section 318 of the *Sustainable Planning Act 2009*, you are advised that Council has extended the decision period for a further 20 business days to 28 June 2017. The extension of time is required to enable Council to complete its assessment of the application.

**Without Prejudice Advice**

Council officers are of the opinion that the application should not be supported due to:

- a. the development conflicts with the current Planning Scheme Codes, the proposed Planning Scheme Codes, the Far North Regional Plan 2009-2031 and the State Planning Policy 2016;
- b. the development is incapable of achieving compliance with the above codes and policies by way of conditions;
- c. there is no planning need for the smaller lots; and
- d. there are insufficient grounds to approve the development despite these conflicts.

Please note that in response to submissions to the exhibited planning scheme Council resolved to change the Rural Zone Code deleting Performance Outcome 7 (c), that is, the ability to subdivide land where the land is severed by a road that was gazetted before 9 May 2009.

Should you wish to provide a further written submission regarding the above issues please advise the officer below and lodge this submission by close of business Friday 2 June 2017.

It is anticipated that the application will be reported to the Council's Ordinary Meeting to be held on Tuesday 20 June 2017 for determination and the determination is a matter for Council resolution.

Should you require further information or assistance, please contact Jenny Elphinstone of Development Assessment and Coordination on telephone number 07 4099 9482.

Yours faithfully

  
Paul Hoyer  
Manager Sustainable Communities