

15 December 2020

Enquiries: Neil Beck
Our Ref: MCUC 2020_3867/1(987401)
Your Ref: 20-12

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

Gurner TM Nominee Pty Ltd
C/- Planning Plus
PO Box 399
REDLYNCH QLD 4870

Dear Sir

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

Reference is made to the development application seeking approval for Multiple Dwellings, Short Term Accommodation and Food & Drink Outlet lodged with Council on 2 December 2020.

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

Applicant Details

Name: Gurner TM Nominee Pty Ltd
Postal Address: C/- Planning Plus
PO Box 399
REDLYNCH QLD 4870
Email:

Property Details

Street Address: 69-73 Murphy Street PORT DOUGLAS
Real Property Description: LOT: 516 on PTD2094 & Lot 2 on RP724386
Local Government Area: Douglas Shire Council

Application Details

Application Number:	MCUC 2020_3867/1
Nature of Development Proposed:	Material Change of Use
Description of the Development Proposed:	Material Change of Use - Multiple Dwellings, Short-Term Accommodation & Food & Drink Outlet

Reasons why the application is not properly made

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

- DA Form 1 does not detail all of the land relied upon to accommodate the proposed development, namely the unconstructed road reserve adjacent the eastern boundary of Lot 2 on RP724386;
- Owners Consent has not been obtained for all land, the subject of the application;
- The prescribed fee of \$17,782.00 remains outstanding at the time of preparing this Action Notice.

Actions to be undertaken

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

- Please amend DA Form 1 to include all land subject of the application. That is, reference to the unconstructed road reserve adjacent Lot 2 on RP724386;
- Obtain Owners Consent for all land subject of the application. It is acknowledged that an application for road closure is being pursued through Department of Natural Resources Mines & Energy;
- Payment of the application fee.

Due Date

Please note that application will be taken to have not been made if the above actions are not complied with by 31 March 2021 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 in accordance with the fee schedule as soon as practical.

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

Other

It is noted that the supporting material lodged with the development application also requested a Prelodgement Enquiry that will be presented to a Council Meeting. Contact will be made by Council Officers in January 2021 to provide advice when the Prelodgement Enquiry is likely to go to a Council Meeting or if any other information is required to assist with gaining an appreciation of the development as proposed.

Please quote Council's application number: MCUC 2020_3867 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Neil Beck on telephone 07 4099 9451.

Yours faithfully



For Paul Hoyer
Manager Environment & Planning