

16 March 2022

Enquiries: Daniel Lamond
Our Ref: MCUC 2022_4699/1(1074763)
Your Ref: KRDP5:MURPHY

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
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K P Cullen & N G Biddle
C/- Kelly Reaston Development & Property
44 McLeod St
CAIRNS QLD 4870

Email: kelly@kellyreaston.com.au

Dear Sir/Madam

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

Reference is made to the development application lodged with Council on 3 March 2022.

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

Applicant Details

Name: K P Cullen & N G Biddle
Postal Address: C/- Kelly Reaston Development & Property
44 McLeod St
CAIRNS QLD 4870
Email: kelly@kellyreaston.com.au

Property Details

Street Address: 12 Murphy Street PORT DOUGLAS
Real Property Description: LOT: 113 TYP: PTD PLN: 2094
Local Government Area: Douglas Shire Council

Application Details

Application Number: MCUC 2022_4699/1
Nature of Development Proposed: Material Change of Use
Description of the Development Proposed: Material Change of Use (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:

- There is no clear statement that provides the consent of the landowner attached to the application component for a private driveway involving building work within the road reserve.

Actions to be undertaken

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

- Provide written consent of the owner of the land area where the building work for the private driveway is sited outside of the allotment.

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: MCUC 2022_4699/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



For
Paul Hoyer
Manager Environment & Planning