

Liza Dowling

From: Kristy Gilvear <kristy@gilvearplanning.com.au>
Sent: Friday, 9 March 2018 2:38 PM
To: Jenny Elphinstone
Cc: Allen Perry; Christine Perry; CairnsSARA
Subject: Re: Douglas Shire Council Agreement to extend referral period MCUI 1599/2016
Your Ref: J000049:NQL:KLG Andreassen Road, Mowbray

Hi Jenny,

I hope you are well.

I refer to previous correspondence regarding the above-described application, and advise that unfortunately, the Applicant has instructed us to withdraw same in accordance with Section 356(1) in the repealed *Sustainable Planning Act 2009*, and / or Section 52(1) of the *Planning Act 2016*.

Notification is required to be provided to both the Assessment Manager and any Referral Agency for the Application.

It is noted that referral of this Application has yet to be effected, and will now not be effected, however, notification has also been provided by this email copied to Cairns SARA.

Council's Application fee in the sum of \$9,189.95 was paid on submission of the Application via SEDA in July / August 2016. Within Council's schedule of fees and charges, a 60% refund of that amount (\$5,513.97) is payable where an Application is withdrawn in the "Information and Referral" stage of an Application process. I look forward to receiving advice as the fee being refunded as required in due course.

In the meantime, should additional information be required, please call or email.

Thanks and regards,

Kristy Gilvear **DIRECTOR**

0448 897 991
PO Box 228 Babinda QLD 4861

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Please note: From 9 May 2018 to 2 June 2018, I will be overseas. During this period, emails will be monitored, and responded to as promptly as possible. Active matters will be managed to ensure compliance with relevant statutory obligations. I appreciate your patience during this time.



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From: Jenny Elphinstone
Date: Monday, 15 January 2018 at 1:30 pm
To: 'Kristy Gilvear'
Subject: RE: Douglas Shire Council Agreement to extend referral period MCUI 1599/2016 Your Ref: J000049:NQL:KLG Andreassen Road, Mowbray

Good afternoon Kristy,

Council agrees with the applicant's request to extend period for which the application is to be referred to the 30 March 2018.

Kind Regards

Jenny Elphinstone | Senior Planning Officer

Development Assessment & Coordination | Sustainable Communities | Douglas Shire Council

P: 07 4099 9482 | **F:** 07 4098 2902

E: jenny.elphinstone@douglas.qld.gov.au | **W:** douglas.qld.gov.au

Mail: PO Box 723, Mossman Q 4873 | **Office:** 64-66 Front St, Mossman Q 4873

From: Kristy Gilvear [mailto:kristy@gilvearplanning.com.au]

Sent: Monday, 15 January 2018 11:12 AM

To: Jenny Elphinstone

Subject: Re: Douglas Shire Council enquiry to applicant time frames MCUI 1599/2016 Your Ref: J000049:NQL:KLG
Andreassen Road, Mowbray

Morning Jenny,

Thanks for your email on Friday regarding this project.

I have been liaising with representatives of the Applicant, and understand FNQ representatives are meeting with Tom Chapman in South Australia shortly to discuss the project and timeframes. I understand that Tom's health has not improved, unfortunately.

In these circumstances, acknowledging the Application was lodged under SPA and the Superseded Scheme, on behalf of the Applicant I request a short extension of 2months, or until 30 March 2018, for referral of the Application to the State. No extension to the Information Response period is sought at this stage, and I hope to have clarity regarding a strategy to progress the Application in the next month or so.

I would be grateful to receive Council's response to this request, and ask that if further information is required, please let me know.

Thanks in advance,
Kristy

Kristy Gilvear **DIRECTOR**

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Please note: From 10 May to 31 May 2018, I will be overseas. During this period, emails will be monitored, and responded to as promptly as possible. Active matters will be managed to ensure compliance with relevant statutory obligations. I appreciate your patience during this time.



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From: Jenny Elphinstone <Jenny.Elphinstone@douglas.qld.gov.au>
Date: Friday, 12 January 2018 at 10:56 am
To: 'Kristy Gilvear' <kristy@gilvearplanning.com.au>
Subject: Douglas Shire Council enquiry to applicant time frames MCUI 1599/2016 Your Ref: J000049:NQL:KLG Andreassen Road, Mowbray

Good morning Kristy,

It is noted, as below, that the referral is required by 31 January 2018 and a response to Council's information response due by 30 March 2018.

Please advise whether a further extension is necessary. Council is mindful that the application was lodged under SPA and a new planning Scheme has come into effect on 2 January 2018.

Kind Regards

Jenny Elphinstone | Senior Planning Officer

Development Assessment & Coordination | Sustainable Communities | Douglas Shire Council

P: 07 4099 9482 | **F:** 07 4098 2902

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From: Kristy Gilvear [<mailto:kristy@gilvearplanning.com.au>]
Sent: Wednesday, 4 October 2017 12:30 PM
To: Jenny Elphinstone
Subject: Re: Douglas Shire Council Agreement to requested extensions MCUI 1599/2016 Your Ref: J000049:NQL:KLG

Thanks Jenny, much appreciated.

Cheers,
Kristy

Kristy Gilvear **DIRECTOR**

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From: Jenny Elphinstone
Date: Wednesday, 4 October 2017 at 12:17 pm
To: 'Kristy Gilvear'
Subject: Douglas Shire Council Agreement to requested extensions MCUI 1599/2016 Your Ref: J000049:NQL:KLG

Good afternoon Kristy,
Council agrees to the requested extensions.

Kind Regards

Jenny Elphinstone | Senior Planning Officer

Development Assessment & Coordination | Sustainable Communities | Douglas Shire Council

P: 07 4099 9482 | **F:** 07 4098 2902

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From: Kristy Gilvear [<mailto:kristy@gilvearplanning.com.au>]

Sent: Wednesday, 4 October 2017 11:22 AM

To: Jenny Elphinstone

Subject: Re: Douglas Shire Council Advice MCUI 1599/2016 Your Ref: J000049:NQL:KLG

Hi Jenny,

Thanks for your email.

Unfortunately, I have been advised that Tom's health has continued to deteriorate. Treatment is ongoing, but I am simply not able to confirm instructions at this point. I would therefore be grateful if Council could in these circumstances consider extensions to the Referral and Information Request period, as outlined below:

Referral – extension to 31 January 2018

Information Request response – extension to 30 March 2018.

I look forward to receiving your advice regarding the requested extensions, and ask that if additional detail is required, please call or email.

Thanks and regards,

Kristy Gilvear **DIRECTOR**

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From: Jenny Elphinstone <Jenny.Elphinstone@douglas.qld.gov.au>

Date: Wednesday, 4 October 2017 at 10:57 am

To: 'Kristy Gilvear' <kristy@gilvearplanning.com.au>

Subject: Douglas Shire Council Advice MCUI 1599/2016 Your Ref: J000049:NQL:KLG

Good morning Kristy,

How is the application tacking in reference to the referrals (required by 12 October 2017) and response to information request (5 November 2017)?

Kind Regards

Jenny Elphinstone | Senior Planning Officer

Development Assessment & Coordination | Sustainable Communities | Douglas Shire Council

P: 07 4099 9482 | **F:** 07 4098 2902

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From: Kristy Gilvear [<mailto:kristy@gilvearplanning.com.au>]

Sent: Wednesday, 5 April 2017 1:40 PM

To: Jenny Elphinstone

Subject: Re: Douglas Shire Council Agreement to extend referral period MCUI 1599/2016 Your Ref: J000049:NQL:KLG

Thanks so much for the quick reply Jenny. Greatly appreciated!

I will pass your advice and wishes on to NQL and Tom through his family.

Have a good afternoon,
Kristy

Kristy Gilvear **DIRECTOR**

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From: Jenny Elphinstone

Date: Wednesday, 5 April 2017 at 1:18 pm

To: 'Kristy Gilvear'

Subject: Douglas Shire Council Agreement to extend referral period MCUI 1599/2016 Your Ref: J000049:NQL:KLG

Good afternoon Kristy,

Council agrees with the request below to extend the Applicant's referral period to the 12 October 2017.

Council thanks the Applicant for agreement to extend the Assessment Manager's information request period. It is anticipated that a decision on the information request can be finalised by the last week in April 2017.

Should further information be required consideration can be given at this time to the Applicant's response period in light of the anticipated delay below.

Council wishes Mr Chapman the best for a healthy recovery.

Kind Regards

Jenny Elphinstone | Senior Planning Officer

Development Assessment & Coordination | Sustainable Communities | Douglas Shire Council

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From: Kristy Gilvear [<mailto:kristy@gilvearplanning.com.au>]

Sent: Wednesday, 5 April 2017 1:05 PM

To: Jenny Elphinstone

Subject: Re: Douglas Shire Council request for agreement to further extend information request period MCUI 1599/2016 Your Ref: J000049:NQL:KLG

Hi Jenny,

Thanks very much for your email.

The Applicant has no issues extending the Information Request period.

In terms of referral to the State as required, I am advised that Mr Chapman, Director of NQL Properties, is currently suffering significant ill health, requiring treatment and deferral of a number of business matters, including this Application.

Would Council be amenable to extending the Referral period (noting the fees payable, and Mr Chapman's ill health) for six months, or until 12 October 2017?

I am instructed that the Applicant remains committed to the project, but seeks this additional time to allow Mr Chapman to undertake treatment as required.

If Council wishes to extend its information request beyond the suggested couple of weeks in light of the requested extension to the referral period, please let me know.

I look forward to receiving your advice in due course.

Cheers,

Kristy Gilvear **DIRECTOR**

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From: Jenny Elphinstone <Jenny.Elphinstone@douglas.qld.gov.au>

Date: Wednesday, 5 April 2017 at 9:55 am

To: 'Kristy Gilvear' <kristy@gilvearplanning.com.au>

Subject: Douglas Shire Council request for agreement to further extend information request period MCUI 1599/2016 Your Ref: J000049:NQL:KLG

Good morning Kristy,

Please see attached advice from Council seeking agreement for a further extension to the period for a request for further information.

It is noted that the Applicant has yet to refer the application as per the Acknowledgment Notice.

Does the Applicant need agreement to extend the time for the referral for a further twenty days as per section 272 (2)(b) *Sustainable Planning Act 2009*?

Kind regards

Jenny Elphinstone | Senior Planning Officer

Development Assessment & Coordination | Sustainable Communities | Douglas Shire Council

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