

29 May 2024

Enquiries: Jenny Elphinstone
Our Ref: MCUI 2024_5612/1(Doc ID 1229524)
Your Ref:

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

Charlie Smith Enterprises Pty Ltd
PO Box 131
PORT DOUGLAS QLD 4877

Email: fngair@gmail.com

Attention Mr Nathan Smith

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 22 May 2024.

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

Applicant Details

Name: Charlie Smith Enterprises Pty Ltd
Postal Address: PO Box 131
Port Douglas Qld 4877
Email: fngair@gmail.com

Property Details

Street Address: 28 Barrbal Drive Bonnie Doon
Real Property Description: Lot 267 on SP336777
Local Government Area: Douglas Shire Council

Application Details

Application Number: MCUI 2024_5612/1
Nature of Development Proposed: Development permit for a Material Change of Use for a Dual occupancy.

Description of the Development Proposed: Material Change of Use (Dual Occupancy)

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. The Form 1 provided to Council is not the current version of the form;
2. The landowner's consent is not provided. Council's records indicate the registered landowner is currently another;
3. The report refers to any further enquiries to contact a planning consultancy. The consultancy has advised Council that it does not act for the applicant. The report appears to conflict with the Applicant's declaration on the submitted Form 1, that all information in this development application is true and correct; and
4. The accompanying planning report is missing the assessment against a number of relevant planning scheme codes.

Actions to be undertaken

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

1. The current form 1 is to be submitted – see the link to the State Forms: [Development application forms and templates | Planning \(statedevelopment.qld.gov.au\)](https://www.statedevelopment.qld.gov.au/development-application-forms-and-templates);
2. Provide the written landowner's consent to the application;
3. Documents / supporting information as required by the relevant approved forms is to be submitted having regard to the requirement for the Applicant's declaration; and.
4. Provide an assessment against all relevant Planning Scheme codes.

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: MCUI 2024_5612/1 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 be 'Neil Beck', with a small dot at the end.

Neil Beck
A/Manager Environment & Planning