

12 August 2022

Enquiries: Jenny Elphinstone
Our Ref: ROL 2022_4962/1(Doc ID 1102103)
Your Ref: ARO0188

Administration Office
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John Stuart William Donald
C/- Kelly Reaston Development & Property
44 McLeod Street
CAIRNS QLD 4870

Email: kelly@kellyreaston.com.au

Attention Ms Kelly Reaston

Dear 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 29 July 2022. The application is not a properly made application in accordance with Section 51(5) of the *Planning Act 2016*.

Applicant Details

Name: John Stuart William Donald
Postal Address: C/- Kelly Reaston Development & Property
44 McLeod St
Cairns Qld 4870
Email: kelly@kellyreaston.com.au

Property Details

Street Address: 368-380 Port Douglas Road Port Douglas
Real Property Description: Lot 3 on RP729037
Local Government Area: Douglas Shire Council

Application Details

Application Number: ROL 2022_4962/1
Nature of Development Proposed: Reconfiguring a Lot (One lot into nine lots and new road)
Description of the Development Proposed: Reconfiguring a Lot (One lot into nine lots and new road)

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. There is no clear statement that covers the consent of the landowner attached to the application. The development seeks to utilise the neighbouring Lot 10 on RP729037 for stormwater drainage infrastructure and discharge and for sewerage infrastructure. No neighbouring landowner's consent has been provided and the application form 1 does not currently include this lot.

Actions to be undertaken

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

1. The form 1 should reflect all land necessarily involved in the application and the written consent of the owner of the premises to the application is provided.

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: ROL 2022_4962/1 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



For
Paul Hoyer
Manager Environment & Planning