

25 August 2023

**Enquiries:** Daniel Lamond  
**Our Ref:** ROL 2023\_5492/1(1179246)

Administration Office  
64 - 66 Front St Mossman  
P 07 4099 9444  
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Gull Nassau Pty Ltd  
C/- ProUrban Advisory, Mangmt & Planning  
Suite 3, Level 2, 99 Coventry St  
SOUTHBANK VIC 3006

**Email:** tim.retrot@pro-urban.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 02/08/2023.

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

**Applicant Details**

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**Name:** Gull Nassau Pty Ltd  
**Postal Address:** C/- proUrban Advisory, Mangmt & Planning  
Suite 3, Level 2, 99 Coventry St  
SOUTHBANK VIC 3006  
**Email:** tim.retrot@pro-urban.com.au

**Property Details**

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**Street Address:** 52-80 Coral Sea Drive MOSSMAN GORGE  
**Real Property Description:** LOT: 10 RP: 887362  
**Local Government Area:** Douglas Shire Council

**Application Details**

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**Application Number:** ROL 2023\_5492/1  
**Nature of Development Proposed:** ROL - Reconfiguring a Lot  
**Description of the Development Proposed:** Reconfiguring a Lot (Two lots into 98 lots)

## Reasons why the application is not properly made

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

- The applicable fee of \$56,244 for administering the application has not been provided.
- There is no clear statement that covers the consent of the landowners attached to the application.

The owners consents from all company directors in ownership of the land is required to be given to Council for Lot 10 on RP887362 and Lot 45 on SP183690.

In addition, the owners consent for Lot 401 on SP317071 is required in order to make the development application properly made as the land is being relied upon for stormwater discharge. There is no formalised tenure arrangement. Alternatively, the applicant may choose to re-design the discharge solution so that no stormwater is discharged via concentration to Lot 401 on SP317071.

## Actions to be undertaken

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

- The application is to be made under the *Planning Act 2016*;
- The required fee is to be paid; and
- Written consent of all owners of all premises to the application be submitted.

## Due Date

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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

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Please quote Council's application number: ROL 2023\_5492/1 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**