

DEVELOPMENT WATCH INC

PO Box 1076, Coolum Beach, QLD, 4573
ABN 53 627 632 278

24 July, 2006

The CEO
Maroochy Shire Council

Dear Sir,

INADEQUATE PUBLIC NOTIFICATION **MCU05/0245 AND REC05/0190**

I have been asked to bring to your attention what appears to be another inadequate public notification for two impact assessable applications. Ken Hicks & Associates (on behalf of Lend Lease Developments Pty Ltd) has initiated the public notification stage for MCU 05/0245 and REC05/0190 by placing notices in the press and on the road frontages of the land. However, the notices do not meet the requirements of IDAS guidelines.

The proposal is described in the public notification as "Preliminary Approval for Material Change of Use of Premises (Master Planned Community - Coolum Hyatt Master Plan) & Development Permit for Reconfiguration of a Lot (Creating 55 Lots)". The proposal in fact covers two applications. The first is for a "Preliminary Approval for Material Change of Use" that proposes the construction of 575 dwellings, housed in buildings ranging from two to six storeys. The second is for "Reconfiguration of a Lot" that will create 55 lots to house 85 dwellings.

The public notice does not make clear that two applications are involved. A casual reader of the notice may conclude that the proposal is merely to create 55 lots. There is certainly no indication of the number of dwellings that are proposed by the preliminary approval application. The confusion is compounded by the omission of the file number REC05/0190 from the public notice.

"IDAS Guideline 1: Implementing the Integrated Development Assessment System - IDAS" clearly states in the note to section 6.5.2 that "The notice should clearly identify the nature of the proposal ... rather than simply specify the aspects of development being proposed." The note also cites a court case that upholds this view. Ken Hicks & Associates' failure to clearly identify the number of dwellings proposed is in breach of the IDAS Guideline.

Would you please examine our claim that public notification of MCU 05/0245 and REC05/0190 was inadequate, and advise us accordingly. If our claim is valid, would you please require Ken Hicks & Associates to restart the notification period.

Yours sincerely,

Brian Raison
President
DEVELOPMENT WATCH INC