

13 October 2020

**Enquiries:** Daniel Lamond  
**Our Ref:** MCUC 2020\_3711/1(973856)  
**Your Ref:** 12526901-55512-2

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

Chiodo Corporation  
C/- GHD  
PO Box 930  
TOWNSVILLE QLD 4810

**Email:** erin.campbell@ghd.com

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 7 September 2020.

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

**Applicant Details**

---

**Name:** Chiodo Corporation  
**Postal Address:** C/- GHD  
PO Box 930  
TOWNSVILLE QLD 4810

**Property Details**

---

**Street Address:** 71-85 Port Douglas Road PORT DOUGLAS  
**Real Property Description:** LOT: 1 SP: 150468  
**Local Government Area:** Douglas Shire Council

**Application Details**

---

**Application Number:** MCUC 2020\_3711/1  
**Nature of Development Proposed:** Material Change of Use  
**Description of the Development Proposed:** Material Change of Use (Resort complex)

## 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 development application relies on adjoining lot 132 on SP160477 for stormwater discharge. It is noted that no detailed storm water design has been prepared for the development. Provide owners consent for land that the proposal relies upon or provide an alternative solution detailing how Council can be satisfied that owners consent is not required for the adjoining land inclusive of calculations and design plans.
2. The proposal constitutes the 'Resort complex' land use in accordance with the land use definition from the 2018 Douglas Shire Planning Scheme version 1.0. The application is not considered to constitute the three separate land uses proposed as Short-term accommodation, Food and drink outlet and Function facility.

## Actions to be undertaken

---

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

1. Provide relevant owners consent or justify otherwise.
2. Amend DA Form 1 with the correct land use definition of Resort complex and provide statements addressing the relevant parts of the planning scheme with regard to the Resort complex land use requiring impact assessment.

## 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.

Please quote Council's application number: MCUC 2020\_3711/1 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



**Paul Hoyer**  
**Manager Environment & Planning**