

18 September 2019

Enquiries: Jenny Elphinstone
Our Ref: CA 3238/2019 (Doc ID 913959)
Your Ref: C1114

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

Niramaya Developments Pty Ltd
C/ Victor G Feros Town Planning Consultants Pty Ltd
PO Box 1256
CAIRNS QLD 4870

Attention Mr Nick Hardy

nick@ferosplanning.com.au

Dear Sir

**Development Application CA 3200/2019
Lot 906 Port Douglas Road, Port Douglas
Development on Lot 906 on SP277141**

Council acknowledges receipt of advice regarding the application received 17 September 2019 (Council document reference Doc ID 920074) provided by Body Corporate Law Queensland. It is noted that the advice confirms the following matters regarding the application.

- "1. It is proposed that Lot 906 is to be developed as further lots in Community Title Scheme CTS 34781 as is contemplated and sanctioned by the CMS to the Scheme, as a subsidiary scheme. Our client agrees with your comment that a new CMS will be required and we refer to the obligation on the Body Corporate pursuant to 5.3 of Schedule B to the CMS upon the development of Lot 906 the Body Corporate is obliged to execute a new CMS.*
- 2. A building format plan is contemplated.*
- 3. It is not proposed to rely on any services "in the Nirayama development to the north."*
- 4. The development will be "stand alone" in relation to infrastructure and services.*
- 5. The arrangements in relation to Council's water supply extending through Lot 906 to service land to the north can be retained or other suitable network arrangements can be established. Any provision of water services would be subject to future detailed engineering investigations. "*

Council notes the conditions of the Development Approval to reconfigure the land that created Lot 906 on SP 277141 was subject to access to Lot 906 being via Bale Drive, Port Douglas.

Council notes the provision of water services in respect to properties under the Community Title Scheme CTS 34781 is via a single water service from Council to the CTS 34781 and this has a single discharge point on Lot 906 on SP277141. While the applicant owns the premises of Lot 906 Council understands the infrastructure is owned and is the responsibility of the Body Corporate.

Please note it is Council's practise to provide a single connection to a CTS scheme and any division of services beyond the original discharge point is the responsibility of the overarching Body Corporate. The provision of infrastructure in this matter refers to both water and sewer services.

Please note stormwater drainage from all development must discharge to a lawful point.

Please find enclosed the respective Confirmation Notice.

Other

Douglas Shire Council intends to make an information request that will issue separately.

Please quote Council's application number: CA 3200/2019 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter, please contact Jenny Elphinstone on telephone 07 4099 9482.

Yours faithfully



Paul Hoyer
Manager Environment and Planning

Copy to:

CairnsSARA@didmip.qld.gov.au

Body Corporate For Bale Port Douglas Residential CTS-34781
C/- Archers BCM Cairns
PO Box 2676
CAIRNS QLD 4870

Encl
Confirmation Notice

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**Development Application CA 3200/2019
Lot 906 Port Douglas Road, Port Douglas
Development on Lot 906 on SP277141
Confirmation Notice**

This confirmation notice confirms that the following development application was properly made on the 17 September 2019 pursuant to section 51(5) of the *Planning Act 2016* by the payment of the application fee on the 1 September 2019 and clarification of the nature of the application by correspondence dated 17 September 2019.

Applicant's details

Name: Niramaya Developments Pty Ltd
Postal Address: C/- Victor G Feros Town Planning Consultants Pty Ltd
PO Box 1256
Cairns Qld 4870

Location details

Street address: Lot 906 Port Douglas Road, Port Douglas
Real property description: Lot 906 on SP277141
Local Government Area & Assessment Manager: Douglas Shire Council

Application details

Application number: CA 3200/2019
Approval sought: Development Permit

Nature of development proposed:	Combined application for: a Material Change of Use for Multiple Dwellings/ Short Term Accommodation Units, Food and Drink Outlet and a Function Centre.
Description of the development proposed:	A Material Change of Use for 141 Multiple Dwellings/ Short Term Accommodation Units, Food and Drink Outlet and a Function Centre.

Public notification details

The application is not required to be publicly notified.

Referral details

Part 2 of the Development Assessment Rules is applicable to the development application.

The development application must be referred to all relevant referral agency(s) within 10 business days starting the day after receiving this notice, or a further period agreed with the Assessment Manager; otherwise the application will lapse under section 31 of the Development Assessment Rules.

The development application must be referred to the following referral Agency.

Referral Agency and Contact Details	Referral Trigger
Department of Infrastructure Local Government and Planning State Assessment and Referral Agency (SARA) E: CairnsSARA@dsdmip.qld.gov.au P: PO Box 2358 Cairns Qld 4870	<i>Planning Regulation 2017, Schedule 10</i> Part 9 Infrastructure-related referrals Division 4 State transport infrastructure— referral agency's assessment: <ul style="list-style-type: none"> Subdivision 1 State transport infrastructure <ul style="list-style-type: none"> Table 1—Aspect of development stated in schedule 20. Subdivision 2 State transport corridors and future State transport corridors: <ul style="list-style-type: none"> Table 4—Material change of use of premises near a State transport corridor or that is a future State transport corridor

Other details

Douglas Shire Council intends to make an information request that will issue separately.

Please quote Council's application number: CA 3238/2019 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter, please contact Jenny Elphinstone on telephone 07 4099 9482.

Yours faithfully



Paul Hoyé
Manager Environment and Planning

