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22 August 2019

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN Q 4873

Our Reference: VGF C1114

Attention: Jenny Elphinstone

Dear Sir

RE: DEVELOPMENT APPLICATION CA 3238/2019 FOR LOT 906 ON SP277141 BALE DRIVE PORT DOUGLAS

We act on further instructions from Niramaya Developments Pty Ltd, the land owner and applicant in relation to the above described matter.

Reference is made to Council's letter dated 19 August 2019 and responses are provided as follows:-

- a) it is confirmed that the development and any associated works for the proposal will be limited to the southern part of Lot 906 on SP277141. No works are proposed within either Lot 905 on SP16595 or the section of Lot 906 located to the north of Lot 905;
- b) it is confirmed that the depiction of "*grass and trees*" shown on Lot 905 and the northern part of Lot 906 is indicative only and does not form part of the proposed development;
- c) based on the further advice provided by the project architect the following matters are submitted in relation to the drainage ponds:-
 - i) as shown by Plan SD001B, no filling is proposed in relation to the northern pond area. In addition the proposed building in this area is to a suspended structure on piers over the pond;
 - ii) for the southern pond, "*containment structures*" will be constructed within Lot 906 to separate the existing pond;
 - iii) such structures are to be established in a manner to maintain the integrity of the remaining area of pond on Lot 905;
 - iv) in addition, all stormwater runoff measures associated with the development on Lot 906 will be undertaken with accepted standards and Council's requirements; and
 - v) it is reiterated that no works associated with use of the existing pond areas will be undertaken outside the boundary of Lot 906.

IN CONTINUOUS PRACTICE SINCE 1976

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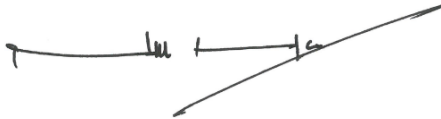
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- d) further advice in relation to service arrangements is being provided by the legal advisor acting on behalf of the applicant. We also understand that discussions have been undertaken between the legal advisor and Council in relation to this matter.
- e) please find attached advice in relation to land owner's consent dated 21 August 2019 provided by Body Corporate Law Queensland.

We submit that the provision of this response and the payment of relevant application fee should satisfy the requirements for Council to issue a Confirmation Notice for the application.

Yours faithfully

VICTOR G FEROS TOWN PLANNING CONSULTANTS

A handwritten signature in black ink, appearing to read 'Nick Hardy', is written over a horizontal line. A diagonal line crosses the signature from the bottom left to the top right.

Nick Hardy
Associate and Office Manager

cc: Niramaya Developments Pty Ltd
Attention: Daniel Hunter

cc: Charles Wright