

**Our Ref:** 14-20/L000522  
**Council Ref:** ROL 617/2015 SEDA (763534)  
**Date:** 11 February 2016

Attn: Neil Beck  
Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
MOSSMAN QLD 4873

**VIA: Smart eDA/EMAIL: n.beck@douglas.qld.gov.au**

Dear Sir

**RE: REQUEST TO WAIVER THE BALANCE OF THE APPLICANT'S APPEAL PERIOD REGARDING PRELIMINARY APPROVAL TO OVERRIDE THE PLANNING SCHEME FOR USE RIGHTS ASSOCIATED WITH THE RESIDENTIAL 1 PLANNING AREA AND RECONFIGURING A LOT (1 INTO 19), OVER LAND AT 46-62 FRONT STREET, MOSSMAN, MORE PARTICULARLY DESCRIBED AS LOT 12 ON SP252360**

We confirm that Planning Plus act on behalf of NV & JS Pty Ltd ('the Applicant') in relation to the above-described matter.

Reference is made to the Decision Notice dated 18 December 2015 issued by Douglas Shire Council, and our letter to Council dated 22 January 2016 (Our ref: 14-20-L000506) requesting to suspend the Applicant's Appeal Period under Section 366 of the *Sustainable Planning Act 2009*.

Pursuant to Section 361(1) of the *Sustainable Planning Act 2009*, Council is hereby notified that the Applicant does not wish to make representations in respect of the matters contained in the Decision Notice. For the purpose of Section 337 of the *Sustainable Planning Act 2009*, we now consider the Applicant's Appeal Period to be waived.

We hereby request Council to forward a copy of the Decision Notice to the principal submitter. Once this action has been undertaken, it would be appreciated if you could advise us of the date that the Notice is sent to the submitter.

The Decision Notice states that there were no submissions for this application however we note that one (1) submission was properly made during the Public Notification period. Could you please advise whether a Negotiated Decision Notice is required to amend the Decision Notice accordingly.

We trust this information is sufficient for your purposes however should you require any further information or clarification, please do not hesitate to contact the undersigned.

Yours sincerely



**Claire Simmons**  
Planner, Planning Plus

