



*Minutes of the Development & Environment  
Standing Committee of the Council  
12 February 2008  
commencing at 1:50 pm*

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**PRESENT**

**Councillors** – D P Egan (Chair), M P Berwick (Mayor), W J Bellerio, M J Cox, D G Pitt and J Sciacca.

**Staff** – B W Ede (Acting Chief Executive Officer), I B Barton (General Manager Finance & Administration) and S K Andrews (Corporate Support).

**SUSPENSION**

Cr Davis was not in attendance due to suspension from the meeting.

**08/0212/11      DECLARATIONS OF INTEREST**

There were no declarations of interest presented to the meeting.

**08/0212/12      CONFIRMATION OF MINUTES – 22 JANUARY 2008**

Moved Cr Sciacca

Seconded Cr Pitt

*“That the minutes of the Development & Environment Standing Committee Meeting held on 22 January 2008 be confirmed.”*

**ATTENDANCE/WITHDRAWAL**

Cr Bellerio and the Acting General Manager Development & Environment, Paul Hoye, attended the meeting at 1:51 pm.

For:                      Cr Sciacca, Pitt, Berwick, Egan, Bellerio

Against:              Cr Cox (*Amended 4 March 2008 – Item 08/0304/24*)

Carried



## REPORTS

### 08/0212/13 AUSTRALIAN RAINFOREST FOUNDATION – APPLICATION FOR COMPENSATION

Moved Cr Berwick

Seconded Cr Pitt

*“That the Committee refuses the applications for a Material Change of Use for a house made by the Australian Rainforest Foundation on each of the following allotments on the following grounds:*

	<b>Reference Number</b>	<b>Address</b>	<b>Description</b>
1	MCUI 016/07	Lot 213 on RP740953	Turpentine Road, Diwan
2	MCUI 020/07	Lot 223 on RP740953	Turpentine Road, Diwan
3	MCUI 023/07	Lot 232 on RP740953	Turpentine Road, Diwan
4	MCUI 024/07	Lot 245 on RP738592	Carbeen Road, Diwan
5	MCUI 025/07	Lot 233 on RP740953	Turpentine Road, Diwan
6	MCUI 028/07	Lot 161 on RP738596	Candlenut Road, Diwan
7	MCUI 030/07	Lot 166 on RP738596	Candlenut Road, Diwan
8	MCUI 033/07	Lot 170 on RP740657	Cape Tribulation Road, Diwan
9	MCUI 034/07	Lot 162 on RP738596	Candlenut Road, Diwan
10	MCUI 035/07	Lot 225 on RP740953	Turpentine Road, Diwan
11	MCUI 036/07	Lot 214 on RP740953	Turpentine Road, Diwan

- (i) *the erection of a house on the subject allotment is not compliant with the relevant Performance Criteria for the Settlement Areas North of the Daintree River Locality Code for development in the Rainforest Conservation Precinct within the Central Management Area;*
- (ii) *the erection of a house on the subject allotment is inconsistent with both the intent and the Performance Criteria of the Conservation Planning Area; and*
- (iii) *no evidence has been provided that the proposal is compliant with the requirements of the following Codes:*
- *Filling and Excavation Code;*
  - *Landscaping Code;*
  - *Natural Areas and Scenic Amenity Code;*
  - *Vehicle Parking and Access Code.”*

For: Cr Berwick, Pitt, Egan, Cox

Against: Cr Bellerio, Sciacca

**Carried**



08/0212/14      TPC 1192 – LOT 64 RP726589, 53 PECTEN AVENUE, PORT DOUGLAS –  
REQUEST TO CHANGE AN EXISTING APPROVAL

Moved Cr Berwick

Seconded Cr Sciacca

*“That the Committee approves the request to amend conditions 1 and 25 of application TPC 1192 for a Material Change of Use for two (2) x two (2) bedroom multiple dwelling units (residential) on land described as Lot 64 on RP726589, Parish of Salisbury, and located at 53 Pecten Avenue, Port Douglas, to the following:*

***Plan of Development***

1. *The approved development and the conduct of the approved use, the carrying out of any works on the premises and the construction of any buildings on the premises associated with the development must generally be in accordance with:*
  - (a) *the approved plan of development prepared by Clarkeville Designs Drawings No 6-07-3 Sheets 1-5, dated 1 February 2007, submitted to Council on 11 January 2008;*
  - (b) *the plans and specifications submitted with the application to Council attached to this approval; and*
  - (c) *a Permit to Damage Protected Vegetation, which is required to be submitted to Council and approved prior to the removal of vegetation with a trunk diameter of 80 cm or greater.*

*Except where such plans and/or specifications are modified by the terms of this approval.*

***Headworks***

25. *The applicant shall pay to the Council headworks contributions for water supply and sewerage in accordance with Council’s Local Planning Policy: ‘Determination of Contributions for Water Supply and Sewerage Headworks and External Works’ (‘The Policy’).*

*The contribution shall be calculated at the rate per Equivalent Domestic Connection (‘EDC’) applicable at the time of payment in accordance with The Policy. Headworks are to be paid prior to the issuing of a Development Permit for Building Work.*



For information purposes only:

(a) The current number of EDC's for the approved use are:

Water supply 1.6  
Sewerage 1.6."

**Carried** unanimously

**08/0212/15 MCUI 012/07 – LOT A SR808245, PORT ROAD, PORT DOUGLAS –  
MATERIAL CHANGE OF USE FOR A SERVICE STATION**

Moved Cr Berwick

Seconded Cr Cox

*"That the Committee refuses application MCUI 012/07 for a Material Change of Use for a service station on land described as Lot A on SR808245, Parish of Salisbury, and located at Port Road, Port Douglas, on the following grounds:*

1. *the proposal is inconsistent with the terms of Special Lease 9/51821 in particular the following condition:*

*'The Lessee shall use the leased land for Commercial Fishing Boat Moorings and associated purposes and for no other purposes whatsoever.'*

*A service station for the purpose of the sale of fuel to the general public is not necessarily associated with or aligned to 'Commercial Fishing Boat Moorings';*

2. *the proposal is an inconsistent use in the Conservation Planning Area and there is insufficient justification provided for allowing such a use on this particular site as opposed to other sites where the proposed land use is consistent with the Planning Area. The proposal will potentially generate a significant and unrelated intensification of the vehicular and pedestrian use of the site to the potential detriment of the existing and future waterfront industry facilities on the site;*

3. *the primary, approved use of the site for waterfront industry and marina (Stages 1A and 1B) has not commenced and compliance with conditions of development approval MCU 3B 046/02 has not yet been demonstrated; and*



4. *the proposal is inconsistent with the intent for the Special Management Area – Waterfront Precinct in that it is not necessarily a use requiring access to the waterfront and its potential suitability in that location will not be known until the Port Douglas Waterfront Masterplan is completed.”*

#### ATTENDANCE/WITHDRAWAL

Cr Pitt withdrew from the meeting at 2:05 pm and re-attended at 2:06 pm.

For: Cr Berwick, Cox  
Against: Cr Egan, Bellerio, Pitt, Sciacca  
Lost

#### REASONS WHY THE COMMITTEE DID NOT ACCEPT THE OFFICER'S RECOMMENDATION (S461(A) OF LOCAL GOVERNMENT ACT 1993)

As required under S461(A) of the *Local Government Act 1993* the following statements were the grounds provided by the Councillors as their reasons for not accepting the Officer's recommendation:

1. The service station is not a stand alone project, all the required facilities for storing and dispensing fuel having been constructed for another use and, combined with the other facilities, is supportive of the Scheme aims of consolidating Port Douglas as a major tourist and accommodation and tourist service centre precinct.
2. A service station is considered impact (inconsistent) on the site in the Council's Planning Scheme – this does not mean that Council must automatically refuse the application (refer Integrated Planning Act 1997 – councils must not prohibit development) rather the application has to be considered on its own merits. The circumstances are that the site is occupied by an industrial development recently approved by Council and the approval of the service station requires no physical alterations to the existing facility.
3. There is an overwhelming need for a service station in the heart of Port Douglas to service local businesses and the community generally. Recent investigations into fuel pricing promote the need for an active and competitive market as a means of providing the best pricing for consumers.
4. The proposed use is substantially consistent with Port Douglas and Environs locality code and fully utilises 'state of the art' storage and



- dispensing facilities which are designed to fully protect the environment.
5. The service station use, given the use will involve the engagement of existing infrastructure is entirely consistent with Council's Planning Scheme.
  6. The service station and the provision of other services proposed is consistent with contemporary practice for 'service centres' which are not reflected in Council's Planning Scheme.
  7. The existing vehicle access has been designed by an appropriately qualified engineer to provide for safe, serviceable vehicle access.

#### PROCEDURAL MOTION

Moved Cr Berwick

Seconded Cr Cox

08/0212/15A

*"That item 08/0212/15 - MCUI 012/07 - Lot A SR808245, Port Road, Port Douglas – Material Change of Use for a Service Station, lies on the table until after the briefing session on the Douglas Shire Council Works Programme Development by Graham Jordan of Lemmah Pty Ltd." (2:11 pm)*

For: Cr Berwick, Cox, Egan, Pitt, Sciacca

Against: Cr Bellerio

**Carried**

#### BRIEFING SESSION – DOUGLAS SHIRE COUNCIL WORKS PROGRAMME DEVELOPMENT

A briefing session on the Douglas Shire Council Works Programme Development was given by Graham Jordan of Lemmah Pty Ltd.

The Chair thanked Mr Jordan for his presentation and he withdrew from the meeting at 2:36 pm.

#### ATTENDANCE/WITHDRAWAL

The Acting Manager Planning, Louise Stayte, attended the meeting at 2:36 pm.



Moved Cr Pitt

Seconded Cr Sciacca

08/0212/15(i)

*"That the Committee approves application MCUI 012/07 for a Material Change of Use for a service station on land described as Lot A on SR808245, Parish of Salisbury, and located at Port Road, Port Douglas, subject to the applicant obtaining the appropriate consent from the lessor for the proposed development and subject to further assessment of traffic management issues."*

PROCEDURAL MOTION

Moved Cr Cox

Seconded Cr Berwick

08/0212/15B

*"That item 08/0212/15 – MCUI 012/07 – Lot A on SR808245, Port Road, Port Douglas - Material Change of Use for a Service Station, lies on the table until full conditions are provided by the Planning Department at the Development & Environment Standing Committee meeting of 4 March 2008."*

For: Cr Cox, Berwick

Against: Cr Egan, Bellerio, Pitt, Sciacca

**Lost**

Consideration of item 08/0212/15 – MCUI 012/07 – Lot A on SR808245, Port Road, Port Douglas - Material Change of Use for a Service Station, continued.

The motion was put:

For: Cr Pitt, Sciacca, Egan, Bellerio

Against: Cr Berwick, Cox

**Carried**

ATTENDANCE/WITHDRAWAL

The Acting Manager Planning withdrew from the meeting at 3:02 pm.

08/0212/16

MCUI 038/07 – LOT 2 RP732553, 2 RYKERS ROAD, CAPE TRIBULATION – MATERIAL CHANGE OF USE FOR A HOME-BASED BUSINESS (BED AND BREAKFAST)

Moved Cr Berwick

Seconded Cr Cox

*"That the Committee:*

- 1. approves, in part, application MCUI 038/07 for a Material Change of Use for a home-based business (bed and breakfast) and approves the caretaker's residence, on land described as Lot 2 on RP732553, Parish of Alexandra, and*



located at 2 Rykers Road, Cape Tribulation, subject to the following conditions;

2. *refuses, in part, application MCUI 038/07 for a Material Change of Use for a home-based business (bed and breakfast) on land described as Lot 2 on RP732553, Parish of Alexandra, and located at 2 Rykers Road, Cape Tribulation, for the following reasons; and*
3. *advises the applicant, the submitters and the referral agencies of the decision of the Committee as required by the IPA.*

*Conditions of approval, in part, for recommendation one (1) of the resolution 08/0212/16*

### ***Plan of Development***

1. *The approved development and the conduct of the approved use, the carrying out of any works on the premises and the construction of any buildings on the premises associated with the development must generally be in accordance with the details of the application and the following approved Plan/s of Development:*

<i>Title</i>	<i>Plan No</i>	<i>Date</i>
<i>Overall site plan</i>		<i>17 July 2007</i>
<i>Site plan</i>		<i>21 May 2007</i>
<i>Main residence floor plan and elevation</i>		<i>18 August 2006</i>
<i>Bedroom floor plan and elevations</i>		<i>18 August 2006</i>
<i>Example of thatching material</i>	<i>005.1942</i>	<i>1 August 2007</i>
<i>Caretaker's cottage, site plan</i>		<i>7 September 2006</i>
<i>Caretaker's cottage, floor plan and elevation</i>		<i>7 September 2006</i>
<i>Sediment control plan</i>		<i>13 July 2007</i>

*The approved site plan does not include bedroom three (3) and bedroom (5) with the other plans listed above modified to delete these bedrooms and where such plans are modified further by the terms of this approval.*

### ***Currency Period***

2. *This development approval lapses four (4) years after the day that the development approval takes effect, unless extended under Section 3.5.22 of the Integrated Planning Act 1997.*



### **Landscaping**

3. *A landscaping plan is to be submitted to the Council and approved by the Council prior to the assessment of any approved building works. No trees recognised as foraging resources of cassowaries to be cleared nor used as landscaping in the vicinity of the proposed buildings. The landscaping plan is to screen buildings from the road and from the ocean. The previously cleared areas of the site, not to be occupied by buildings, are to be landscaped/revegetated.*
4. *The owner/developer shall be responsible for all maintenance work for a period of twenty-four (24) months. Council will not accept the landscaping off maintenance until it meets the requirements of Council's Engineering Services department.*

### **Water Supply**

5. *Water storage tank(s) with a minimum capacity not less than 40 000 litres, shall be installed prior to occupation of the premises. Details of any additional water tank(s) shall be shown on plans submitted with the building application. Such water tanks shall be provided with:*
  - a) *mosquito-proof screens of brass, copper, aluminium or stainless steel gauze not coarser than one (1) mm aperture mesh of substantial construction and installed in such manner as not to cause or accelerate corrosion; or*
  - b) *flap valve at every opening of the tank or other receptacle; or*
  - c) *other approved means for preventing the ingress or egress of mosquitoes; and*
  - d) *where a tank or other receptacle is provided with a manhole, the manhole must have a diameter of no more than 40 cm; and*
  - e) *the water tank(s) shall be fitted with a 50 mm ball valve with a camlock fitting.*

### **On-Site Wastewater**

6. *Plans of the wastewater treatment system, designed in accordance with the Plumbing and Drainage Act 2002, and generally following the ETS (Cairns) Pty Ltd report and recommendation are required to be submitted to Council's Plumbing Inspector at the time of lodgement of application for plumbing compliance permit and are to be approved and constructed prior to the commencement of the use.*



7. *All damage to the road and/or road reserve adjacent to the site as a result of, or in connection with this development must be repaired by the developer, at their expense, prior to completion of works associated with the development.*

#### ***Car parking***

8. *A carparking area with a minimum of two (2) spaces but adequate for all vehicles engaged in the use shall be constructed in accordance with the relevant Australian Standard, and the approved plan of development and maintained thereafter.*

#### ***Refuse***

9. *All refuse is to be disposed of off site at an approved location.*
10. *No dogs or cats are to be kept on the site.*
11. *The access to that part of the land being used is to be upgraded to an all weather access standard as required by the Council.*
12. *Excavation and filling not to be re-undertaken beyond that identified on the proposal plans, as amended.*
13. *Building materials to be non-relective and of colours that blend in with the natural surroundings and the colours of the rainforest.*
14. *A conservation covenant under the Land Title Act 1994 to be established to protect the remnant vegetation.*
15. *An erosion and sediment control measures plan to be submitted for approval by the Council with construction outside the wet season.*
16. *A swimming pool maintenance plan to be submitted for approval by the Council covering the disposal of backwash waste and water from pool cleaning and maintenance.*
17. *Remnant stream bank vegetation to be retained and protected by appropriate buffers.*

#### ***Compliance***

18. *All conditions shall be complied with prior to the occupancy of the building for the approved use or commencement of the approved use on the land. Any developer security, associated with this approval will not be released until all conditions of approval are complied with.*

### ***Security***

19. *To guarantee the satisfactory completion of the landscaping and to ensure payment of headworks contributions, the developer shall lodge with the Council a cash bond or guarantee to the value of \$15 000. Such guarantee shall be lodged prior to the issue of a Building Work Permit. The Council may call up this guarantee to complete all or any part of the works mentioned herein in accordance with the conditions of this approval, should the developer fail to do so prior to issuing a permit for Building Work.*

### ***Construction Requirements***

20. *A builder or building contractor must not carry out building work on a building site in a way that makes or causes audible noise to be made from the building work –*
- a. On a Sunday or public holiday, at any time; or*
  - b. On a Saturday or business day, before 6:30 am or after 6:30 pm*

*Pool pumps are to be operated in accordance with the Environmental Protection Regulation 1998.*

*Pool pumps must not be operated –*

- before 7:00 am or after 10:00 pm on any day if it causes audible noise to be made;*
- from 7:00 am to 7:00 pm on any day if it makes or causes audible noise to be made of more than 50 dB(A);*
- from 7:00 pm to 10:00 pm on any day if it makes or causes noise to be made of more than 5dB(A) above the background noise level.*

*All construction works are to be carried out in compliance with the Environmental Protection (Water) Policy 1997 and the Environmental Protection Regulation 1998.*

*Adequate facilities must be provided during construction to contain all site refuse. Facilities should be designed to prevent loose items of refuse being displaced by wind forces or being washed off site.*

*All liquid wastes generated during construction of the premises should be managed so that they are not permitted to enter a roadside gutter, stormwater drain or a watercourse.*

*Waste solvents, solvent and acrylic based paints and waste water generated during construction must not to be introduced to sewer or stormwater*



*systems and should be disposed of using the services of a trade waste contractor or other approved disposal agency.*

### **Noise/Lighting**

21. *Air conditioning units, built in vacuum units, and exterior and security lighting must be so designed, manufactured or located so that they do not cause nuisance as defined by the Environmental Protection Regulation 1998.*

*Any activities carried out on site that may cause dust to be dispersed into the air, must be effectively controlled within the construction site by watering down or by utilising a similar dust suppression method.*

*The generator that will supply power to the development must be housed and located appropriately so as to not cause a nuisance to neighbouring residence. The generator must not make audible noise outside of the time specified in the Environmental Protection Regulation 1998.*

*The storage of flammable and combustible liquids (fuel tank to run the generator) must be designed and located in accordance with the Dangerous Goods and Safety Management Act 2001 and the Australian Standards 1940.2004 – The Safe Storage of Flammable and Combustible Liquids. The standard requires bunding, appropriate signage, safe distances from ignitions sources etc.*

### **Environmental Management Plan Requirements**

22. *Includes but is not limited to objectives, potential sources, potential harm, performance indicators, management strategies and person(s) responsible for vermin, dust, waste, noise, complaints, emergency.*

*An Environmental Management Plan shall be prepared by an appropriately qualified person(s) and submitted to the Douglas Shire Council Environmental Health Department for **approval prior to work commencing**. It is required that the Management Plan be signed off by the author.*

*The Management Plan will include but is not limited to;*

- *Authors name, contact details, qualifications, and company name.*
- *List the objectives including but not limited to:*
  - *Ensure all environmental safeguards are carried out correctly*
  - *Manage site activities effectively and coordinate with other trades*
  - *Minimise adverse impacts on the environment*
  - *Minimise disruption to existing residents*
  - *Meet the requirements of all relevant legislation*



- *A site risk assessment, identifying potential sources and potential harm of the proposed works as well as performance indicators, management strategies and incident reporting.*
- *Details of control measures to be implemented, construction details, dimensions, materials used and expected outcomes.*
- *Name, contact details, company name and position of the person(s) responsible for erosion and sediment control measures including but not limited to the installation, construction and maintenance, on site inductions and training to site workers and contractors.*
- *Details of the planned stages of erosion and sediment control measures in relation to the operational works.*
- *Site map(s) including but not limited to:*
  - *The entire Lot and North Point;*
  - *Total area to be exposed;*
  - *Land contours, drainage patterns and watercourses (above, and around the site);*
  - *Location of proposed control measures ;*
  - *Stockpile and soil locations;*
  - *Internal roads, tracks and vehicle access points;*
  - *Proposed site buildings and compound areas; and*
  - *Vegetation, buffer zones, protected areas and fenced areas.*

*Stockpiles of topsoil, sand, soil or other material must be stored clear of any drainage line or easement, natural watercourse, footpath, kerbing or road surface and must have measures in place to prevent the movement of such materials onto areas mentioned.*

*Where practicable, runoff from upslope lands is to be intercepted and diverted around all lands likely to be disturbed. Diversion works are to be adequately stabilised with vegetation, land covering or matting.*

*Vehicular access must be controlled to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is mud-covered. Where any sediment is deposited on adjoining roadways, it must be removed by means other than washing. All material is to be removed, when possible, and the collected material is to be deposited or stockpiled in a way that prevents it from moving off site.*

*Vehicular access paths must be stabilised with coarse gravel, aggregate or other suitable material. It will be laid at least 200 mm thick and underlain by needle-punched geotextile.*

*The driveway and access shall be protected from erosion and laid with a surface material, which will not wash or travel onto adjoining roads, drainage systems or watercourse.*



*Topsoil stripped from the construction site is to be stockpiled and protected from erosion until reuse during landscaping.*

### **Registration of premises**

23. *After the completion of the development, application must be made to the Environmental Health Department to register the premises under Douglas Shire Council's Local Law No 39 Holiday Cabins. Plans must be submitted along with details of all amenities to this department for assessment.*

*Application must be made to the Environmental Health Department for the Licence of the Non-Private Swimming Pool. Please contact the Environmental Health Department for an application form.*

### **Potable Water**

24. *As there is no town water supply, water testing must be carried out on both the bore water and rainwater so as to meet the requirements of 'potable water' under the Australian Drinking Water Guidelines. A certificate of analysis must be provided to this department before commencement of operation.*

### *Reasons for refusal, in part, of recommendation two (2) of the resolution 08/0212/16*

1. *Bedroom three (3) is indicated as being in partly in an area of 40 to 50 degree slope;*
2. *bedroom five (5) is indicated as being in an area of a two (2) metre high cutting and which would have to be enlarged to accommodate the building;*
3. *the number of bedrooms is to be reduced to four (4) to satisfy the requirements of Acceptable Solutions A5.3 and A5.4; and*
4. *submissions have been received and issues raised are considered to be relevant to the determination of the application."*

**Carried** unanimously



**08/0212/17**      **MCUI 048/07 – LOT 83 SR724, OWEN STREET, CRAIGLIE – MATERIAL CHANGE OF USE FOR A SERVICE INDUSTRY (RETAIL HARDWARE)**

Moved Cr Berwick

Seconded Cr Cox

*“That the Committee approves application MCUI 048/07 for a Material Change of Use for a service industry (retail hardware) on land described as Lot 83 on SR724, Parish of Salisbury, and located at Owen Street, Craiglie, subject to the following conditions:*

***Plan of Development***

- 1 The approved development and the conduct of the approved use, the carrying out of any works on the premises and the construction of any buildings on the premises associated with the development must generally be in accordance with the details of the application and the following attached approved plan/s of development referenced in this Decision Notice as:*

<i>Title</i>	<i>Figure No.</i>	<i>Date</i>
<i>Site &amp; Floor Plan Building 1</i>	<i>3 – 07 – 1(1 of 3)</i>	<i>10/08/07</i>
<i>Elevations &amp; Floor Plan Building 2</i>	<i>3 – 07 - 2</i>	<i>10/08/07</i>
<i>Elevations and Floor Plan Building 3</i>	<i>3 – 07 – 1 (3 of 3)</i>	<i>10/08/07</i>

*Except where such plans are modified by the terms of this approval.*

***Currency Period***

- 2 This development approval lapses four (4) years after the day that the development approval takes effect, unless extended under Section 3.5.22 of the Integrated Planning Act 1997.*

***Landscaping***

- 3. The landscaping plan submitted with the proposed development is referenced as:*

<i>Title</i>	<i>Plan No.</i>	<i>Date</i>
<i>Landscape Plan</i>	<i>LP_01</i>	<i>15/08/07</i>

*Has been approved, as part of this development, except where otherwise stated as a condition of this approval.*

### **Water Supply**

4. *External works will be required to connect the proposed development up to the existing water supply network. The design will be required to be provided for approval prior to construction at plumbing and drainage works stage.*

### **Sewerage**

5. *External works will be required to connect the proposed development up to the existing sewerage network. The design will be required to be provided for approval prior to construction at plumbing and drainage works stage.*

### **Roadworks**

6. *All damage to the road and/or road reserve adjacent to the site as a result of, or in connection with this development must be repaired by the developer, at their expense, prior to completion of works associated with the development.*

### **Stormwater**

7. *All stormwater run-off from non-permeable surfaces and roof areas occurring on the site must be collected within the premises and discharged to the legal and practical point of discharge. The approved use must not:  
a) *interfere with the natural flow of stormwater; or*  
b) *cause ponding of stormwater on adjoining properties.**

### **Carparking**

8. *A carparking area with a minimum of nineteen (19) spaces shall be constructed, sealed, drained and line marked in accordance with the relevant Australian Standard, and the approved plan of development and maintained thereafter.*

### **Compliance**

9. *All conditions shall be complied with prior to the occupancy of the building for the approved use or commencement of the approved use on the land. Any developer security, associated with this approval will not be released until all conditions of approval are complied with.*

### **Advice**

*Any signage onsite will require an operational works permit."*

**Carried** unanimously





**08/0212/18      MCU 3B 002/02 – LOT 59 RP739766, PALM ROAD, DIWAN – REQUEST  
TO EXTEND CURRENCY PERIOD**

Moved Cr Cox

Seconded Cr Pitt

*“That the Committee approves the request to extend the currency period for approved development MCU 3B 002/02 for a dwelling house on land described as Lot 59 on RP739766, Parish of Alexandra, and located at Palm Road, Diwan, for a period of one (1) year.”*

For:            Cr Cox, Pitt, Egan, Sciacca, Bellero

Against:      Cr Berwick

**Carried**

**08/0212/19      UPDATE ON NOTIFICATION OF PLANNING SCHEME  
AMENDMENTS ONE (1) AND TWO (2)**

Moved Cr Berwick

Seconded Cr Cox

*“That the Committee:*

- 1. notes the Council Officer’s report on the notification of Planning Scheme Amendments One (1) and Two (2); and*
- 2. endorses ongoing investigations of additional issues raised in public submissions as described in the Council Officer’s report.*

**ATTENDANCE/WITHDRAWAL**

The Acting General Manager Development & Environment withdrew from the meeting at 3:08 pm.

With the agreement of the meeting it was decided to let item 08/0212/19 – Update on Notification of Planning Scheme Amendments One (1) and Two (2), lie on the table pending attendance of the Strategic Planner, Jim Allen.



ATTENDANCE/WITHDRAWAL

Cr Pitt withdrew from the meeting at 3:09 pm.

The Acting General Manager Development & Environment, the Strategic Planner and Cr Pitt re-attended the meeting at 3:10 pm.

Following attendance of the Strategic Planner and further consideration of the matter, voting took place:

For: Cr Berwick, Cox, Egan, Bellerio

Against: Cr Pitt, Sciacca

**Carried**

DOUGLAS SHIRE COUNCIL WORKS PROGRAMME DEVELOPMENT

Following a presentation to Council from Graham Jordan of Lemmah Pty Ltd, on the Douglas Shire Council Works Programme Development held earlier in the day, the following motion was moved:

Moved Cr Berwick

Seconded Cr Sciacca

08/0212/19A

*"That the Committee:*

- 1. reviews and adopts the investment strategies for each road link;*
- 2. reviews and adopts the twenty (20) year investment programme for the Douglas Shire Road network;*
- 3. reviews and adopts the five (5) year works programme for the Douglas Shire Road network; and*
- 4. undertakes a field review of the minimum common data set to identify any duplications and/or missing roads, as part of the integration of Douglas Shire Council into Cairns Regional Council."*

ATTENDANCE/WITHDRAWAL

The Strategic Planner withdrew from the meeting at 3:31 pm.

**Carried** unanimously



## **NOTICES OF MOTION**

There were no notices of motion submitted to the meeting.

### **TERMINATION OF THE MEETING**

The meeting was closed at 3:32 pm.

Presented to and confirmed by the Development & Environment Standing Committee of the Council on the *fourth* day of *March* 2008.

**D P Egan**  
**Chair**

Confirmed