



*Minutes of the Development & Environment  
Standing Committee of the Council  
7 August 2007  
commencing at 10:30 am*

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**PRESENT**

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

**Staff** – J F Leu (Acting Chief Executive Officer), P J Trotman (General Manager Development & Environment), R J Baade (General Manager Engineering), P T Gleeson (Manager Planning), A M Rodgers (Manager Corporate Support) and S K Andrews (Corporate Support).

**07/0807/08 DECLARATIONS OF INTEREST**

No declarations of interest were received at this time.

**REPORTS**

**07/0807/08A PROCEDURAL MOTION – ADOPTION OF RECOMMENDATIONS**

Moved Cr Cox

Seconded Cr Berwick

*“That the Development & Environment Standing Committee of the Council adopts the recommendations of the Council officers for items 07/0807/09 – Port Douglas Waterfront – Phase Two; 07/0807/11 – MCUI 009/07 – Lot 267 RP738997, Kauri Close, Cow Bay – Application for Compensation; 07/0807/13 – MCUI 002/07 – Lot 213 D3331, 13-15 Osborne Street, Daintree Village – Material Change of Use for the Use of an Existing Building as an Office (Tour Bookings); 07/0807/15 – TPC1116 – Lot 111 PTD2091, 23 Murphy Street, Port Douglas – Request to Extend Currency Period; and 07/0807/17 – RZ 199 – BUP10645, 9 Port Douglas Road, Port Douglas – Request to Extend Currency Period, namely:*

**07/0807/09**

**PORT DOUGLAS WATERFRONT – PHASE TWO**

**OFFICER'S RECOMMENDATION**

*That Council:*

- 1. adopts the Port Douglas Waterfront Master Plan Phase Two (2) report;*
- 2. notes the Port Douglas Waterfront – Phase Two (2) Consultation Outcomes Report as prepared by Elton Consulting and attached at Appendix 2 to the August 2007 Phase Two (2) Master Plan report to Council;*
- 3. approves the preparation of the Port Douglas Waterfront Master Plan by authorising the commencement of the plan preparation programme;*
- 4. notes that Council approval to commence the Plan preparation programme is a commitment to complete the Port Douglas Waterfront Master Plan;*
- 5. approves the funding of the project through a suitable loan account structure;*
- 6. approves the allocation of an initial loan account amount of \$935 000 for the preparation of the Master Plan pending delivery of a firm budget;*
- 7. adopts the summary draft project methodology and programme as basis for the preparation of the Master Plan;*
- 8. approves the renaming of the "Port Douglas Waterfront Management Board" to "Port Douglas Waterfront Management Committee";*
- 9. approves the restructure of the Waterfront Management Committee membership, and support arrangements, as follows:*
  - three (3) Councillors;*
  - one (1) Department of Natural Resources & Water representative;*
  - one (1) Douglas Shire Council representative;*
  - one (1) business representative drawn from the Shire;*
  - one (1) community representative drawn from the Shire, being the spokesperson for the Project Advisory Group (PAG);*
  - one (1) additional community representative drawn from the Shire, being an additional representative from the PAG, subject to review with the PAG;*
  - the Committee Chair to be elected from the above;*

- *the General Manager Development and Environment or his nominee (usually Douglas Shire Council's Strategic Planner) and the consultant Waterfront Master Plan Coordinator to attend Committee meetings and provide on-going technical assistance; and*
  - *other specialist consultants to provide technical assistance as required from time to time;*
10. *adopts the revised terms of reference for the Waterfront Management Committee;*
  11. *adopts the nine (9) guiding principles as the basis for progressing the preparation of the Port Douglas Waterfront Master Plan;*
  12. *authorises the General Manager Development & Environment to:*
    - (i) *immediately prepare the scope of services brief for the Waterfront Master Plan Coordinator;*
    - (ii) *review the brief with the Waterfront Management Committee;*
    - (iii) *subject to the sign-off of the Committee, call for scope of service and fee submissions from suitably qualified consultants;*
    - (iv) *review submissions and prepare recommendations for the Waterfront Management Committee's review; and*
    - (v) *subject to the Committee's endorsement of the recommendations, present a submission to Council regarding the recommended Master Plan coordination consultant.*

**07/0807/11 MCUI 009/07 – LOT 267 RP738997, KAURI CLOSE, COW BAY – APPLICATION FOR COMPENSATION**

**OFFICER'S RECOMMENDATION:**

*That Council:*

1. *makes an offer of compensation to the applicant for land described as Lot 267 RP738997, Parish of Alexandra, and located at Kauri Close, Cow Bay, in accordance with the findings of the report prepared by Herron Todd White Valuers;*
2. *advises the Environmental Protection Agency to remit appropriate compensation to the applicant in accordance with the draft Memorandum of Understanding;*
3. *updates the Conservation Precinct Register to record that the landowner's development status is changed to 'compensated'; and*
4. *reviews the rates on properties without development rights.*

07/0807/13      MCUI 002/07 – LOT 213 D3331, 13-15 OSBORNE STREET, DAINTREE VILLAGE – MATERIAL CHANGE OF USE FOR THE USE OF AN EXISTING BUILDING AS AN OFFICE (TOUR BOOKINGS)

**OFFICER'S RECOMMENDATION:**

*That Council approves the application for a Material Change of Use for the use of an existing building as an office (tour bookings) on land described as Lot 213 on D3331, Parish of Whyanbeel, and located at 13-15 Osborne Street, Daintree Village, subject to the conditions in the Senior Planning Officer's report.*

07/0807/15      TPC1116 – LOT 111 PTD2091, 23 MURPHY STREET, PORT DOUGLAS – REQUEST TO EXTEND CURRENCY PERIOD

**OFFICER'S RECOMMENDATION:**

*That Council approves the request to extend the currency period for approved development TPC1116 for three (3) multiple dwelling units (residential) on land described as Lot 111 on PTD2091, Parish of Salisbury, and located at 23 Murphy Street, Port Douglas, for a further twelve (12) months.*

07/0807/17      RZ 199 – BUP10645, 9 PORT DOUGLAS ROAD, PORT DOUGLAS – REQUEST TO EXTEND CURRENCY PERIOD

**OFFICER'S RECOMMENDATION:**

*That Council approves the request to extend the currency period for town planning permit (rezoning) RZ 199 on land described as BUP10645, Parish of Salisbury, and located at 9 Port Douglas Road, Port Douglas, for a further twelve (12) months."*

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

Against:      Cr Sciacca, Bellerio

**Carried**

PROCEDURAL MOTION

Moved Cr Egan

Seconded Cr Sciacca

07/0807/17A      *"That item 07/0807/10 – Daintree River Toilet Block Appeal, lie on the table until the end of the meeting."*

**Carried** unanimously

**07/0807/12      MCU 3B 009/06 – LOT 1 RP738242, FOREST CREEK ROAD, FOREST CREEK – REQUEST TO CHANGE EXISTING APPROVAL**

Moved Cr Pitt

Seconded Cr Egan

*“That Council approves the request to change conditions 4.1 and 4.11 of existing approval MCU 3B 009/06 for land described as Lot 1 on RP738242, Parish of Alexandra, and located at Forest Creek Road, Forest Creek, to the following:*

4.1 *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>Ground Floor &amp; Site Plan</i>	<i>1343 W1 A</i>	<i>June 2007</i>
<i>First Floor Plan</i>	<i>1343 W2 A</i>	<i>June 2007</i>
<i>Section &amp; Elevation Plans</i>	<i>1343 W4 A</i>	<i>June 2007</i>

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

4.11 *The dwelling will not exceed nine (9) m in height above the natural ground level.”*

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

Against:        Cr Cox

**Carried**

**07/0807/14      MCUI 004/06 – LOT 1 RP 739151, CAPTAIN COOK HIGHWAY, CRAIGLIE – MATERIAL CHANGE OF USE FOR A SERVICE STATION AND RESTAURANT**

Moved Cr Sciacca

Seconded Cr Bellerio

*“That Council not adopts the Planning Officer’s recommendation and approves the application MCU 004/06 for a Material Change of Use for a service station and restaurant on land described as Lot 1 on RP739151, Parish of Salisbury, and located at Captain Cook Highway, 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 approved plan/s of development:*

<i>Title</i>	<i>Plan No</i>	<i>Date</i>
<i>Building Layout</i>	<i>05162-09 Rev C</i>	<i>07/06/06</i>
<i>Site Layout</i>	<i>05162-04 Rev F</i>	<i>04/12/06</i>
<i>Typical Cross Sections</i>	<i>05162-08 Rev C</i>	<i>22/06/06</i>
<i>Building Elevations</i>	<i>05162-07 Rev E</i>	<i>18/01/06</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 following amendments are to be made to the landscape concept plan, numbered 8909-SD-L1.01 Rev 3, dated 23 February 2007, submitted with the proposed development:*
  - a) Screening vegetation is to be provided along the front road boundary in the area marked with a dotted line on the abovementioned plan. Ground covers and low shrubs are not acceptable. Due to width of the roadway, sight lines will not be compromised by screening vegetation.*
  - b) Shade trees are planted at regular intervals (a minimum of one (1) shade tree is provided for every five (5) car parks) throughout the car parking area, and adjacent driveways. Trees within the car parking areas have a minimum planting area the equivalent of one (1) car parking bay, with a minimum topsoil depth of 0.8 m.*

*The amended plan is to be submitted to Council as part of an application for an operational works permit.*

- 4. Landscape beds and trees are protected by garden edging, bollards or wheel stops.*
- 5. A maintenance programme is to be undertaken in accordance with the maintenance schedule outlined in Planning Scheme Policy No Seven (7) – Landscaping. Water runoff is re-used through draining of hard surfaces, turf garden beds and by minimising impervious surfaces on the site.*
- 6. 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 Programme.*
- 7. Irrigation for external landscaping shall be transferred to Council's reticulated water system prior to landscaping being accepted as off maintenance.*

### **Water Supply & Sewerage**

8. *The plans and specifications of the internal water supply must be submitted to Council at building works application stage for review.*

*This system must make provision for services to the boundaries of all lots, including main works, enveloper pipes at cross street services and valve and hydrant markers and be designed in accordance with the requirements of Planning Policy No Six (6) 'Planning Scheme Policy Six (6) 'Far North Queensland Regional Organisation of Councils Development Manual'.*

9. *No additional external structural loads are permitted to be applied to Council's existing sewer as a consequence of the approved development. All structures to be located within the three (3) m zone of influence to the sewerage main on Lot 1 are to be constructed with appropriately pierced footings.*
10. *The applicant is to disconnect the existing water and sewer services into the site and reinstate with a new suitably-sized service to cater for the proposed use.*

### **Electricity and Telephone Services**

11. *All electrical lines along the full frontages of the subject site (Captain Cook Highway) are to be placed underground. These works are to be undertaken by Ergon Energy at the developers/owners expense and are to be completed prior to commencement of the approved use.*

### **Stormwater**

12. *The applicant is to provide an easement for drainage purposes over the creek located within the subject land and make provision for Council to obtain practical and legal access to this easement for maintenance purposes. This easement is to be transferred to Council as a drainage easement in fee simple at the applicant's cost.*
13. *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 which has been nominated as the creek located within the northern boundary of the site. The approved use must not:*
- a) interfere with the natural flow of stormwater;*
  - b) cause ponding of stormwater on adjoining properties; or*
  - c) restrict overland flow paths by landscaping works.*
14. *Adequate drainage is to be provided to all paving, turf and garden beds, including the use of swales, spoon drains, subsurface drainage, field gullies, rock or pebble lined watercourses and stormwater connections.*

15. *The applicant is required to install pollution control devices prior to the outlet of all points of discharge into the creek. The applicant is to install an energy dissipater and rock revetment to dissipate flows and prevent stream bank erosion at the points of discharge. Details of these works are to be provided for Council approval at operational works stage.*

#### **Contributions**

16. *The developer/owner shall pay to the Council headworks contributions for water supply and sewerage in accordance with Council's Planning Scheme Policy No Eleven (11) – Water Supply and Sewerage Headworks and Works External Contributions (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.*

*The current number of EDC's for the approved use are:*

<i>Water Supply</i>	<i>3.0</i>
<i>Sewerage</i>	<i>3.0</i>

#### **Car parking and Access**

17. *A car parking area with a minimum of thirty (30) spaces including one bay adjacent to the air pump shall be constructed, sealed, drained and line marked in accordance with the relevant Australian Standard, and the approved plan of development and maintained thereafter.*
18. *Defined, safe pedestrian and bicycle pathways are provided to the building entry from the parking area and from the street, in accordance with the relevant provision of the Australian Standards.*

#### **Refuse**

19. *A waste storage area is to be available on site in a location approved by the Manager Environmental Health Programme. The storage area is to be of sufficient size to house all mobile garbage (wheelie) bins including recycling bins. The storage area is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection.*

#### **Footpath Damage Liability**

20. *All damage occasioned to footpaths and roadways adjacent to the site as a result of, or in connection with, this development must be repaired by the applicant, at their expense, prior to completion of works associated with the development.*

#### **Advertising Devices**

21. *No advertising devices have been approved with this development permit. Should the applicant wish to erect any advertising devices in relation to the approved development, an operational works application is required to be submitted to Council.*



### **Compliance**

22. *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**

23. *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 \$23 000. 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.*

### **Environmentally Relevant Activity**

24. *The applicant is required to comply with all the conditions of ERA 11(a) permit attached to this decision notice at Appendix C."*

For: Cr Sciacca, Bellerio, Egan, Pitt

Against: Cr Berwick, Cox, Davis

**Carried**

### **REASONS WHY THE COUNCIL 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 restaurant is not a stand alone project, but in conjunction with a service station which is supportive of the Craiglie service industry precinct aims in Council's Planning Scheme.
2. The fast food offer proposed in conjunction with the service station is captured within the 'restaurant' definition in the Council's Planning Scheme.
3. A restaurant is considered impact (inconsistent) on this 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).
4. The fast food offer is to be undertaken in the same building as the service station – the developer will not be able to get approval for a 'service station' and 'restaurant' and then set up the 'restaurant' as a stand alone offer without getting further Council approval.

5. There is an overwhelming need for the proposed 'service station' and 'restaurant' (refer Reliance Petroleum advice).
6. The 'service station' and 'restaurant' uses are consistent with, and supportive of, the Craigie service industry precinct aims in Council's Planning Scheme (they support and cater for the tourism and marine industries).
7. The 'restaurant' use, to be undertaken with the 'service station' use, is entirely consistent with Council's Planning Scheme.
8. The 'service station' and fast food offer proposed is consistent with contemporary practice for 'service centres' – this form of use is not reflected within Council's current Planning Scheme.

07/0807/16      TPC 1274 – LOT 3 RP706363 & LOT 40 N157650, CONNOLLY ROAD, MOWBRAY – MATERIAL CHANGE OF USE FOR A PLACE OF OUTDOOR ENTERTAINMENT

ATTENDANCE/WITHDRAWAL

The General Manager Engineering withdrew from the meeting at 11:07 am and re-attended at 11:09 am.

Moved Cr Berwick

Seconded Cr Cox

*"That Council approves the application TPC 1274 for a Material Change of Use for the creation of a place of outdoor entertainment on Lot 3 on RP706363 and Lot 40 N157650, Parish of Mowbray, and located at Connolly Road, Mowbray, subject to the conditions in the Senior Planning Officer's report."*

With the agreement of the mover and the seconder the motion was amended:

*"That Council approves the application TPC 1274 for a Material Change of Use for the creation of a place of outdoor entertainment on Lot 3 on RP706363 and Lot 40 N157650, Parish of Mowbray, and located at Connolly Road, Mowbray, subject to the conditions in the Senior Planning Officer's report and with the inclusion of a condition regarding the restriction of noise levels similar to that placed on other developments of this nature."*

PROCEDURAL MOTION

Moved Cr Pitt

07/0807/16A

*"That the motion be put."*

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

Against: Cr Sciacca, Davis

**Carried**

The amendment was put:

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

Against: Cr Bellerio, Sciacca

**Carried**

The amendment became the motion and was put:

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

Against: Cr Bellerio, Sciacca

**Carried**

CONFLICT OF INTEREST *(Amended 27/08/07 – item 07/0827/11)*

Cr Davis declared a 'perceived' conflict of interest in the following matter stating he had a relationship with the developer, as the developer made donations to the tsunami relief fund. He chose to remain in the meeting and vote on the item.

07/0807/18 CA61 & CA69 – LOT 83 SR724, BEOR STREET, CRAIGLIE – REQUEST FOR A NEGOTIATED DECISION NOTICE

Moved Cr Cox

Seconded Cr Berwick

*"That Council:*

- A. *approves the amendment to Condition 4.29 for the Negotiated Decision Notice dated 14 September 2007 for Stage One (1) of CA61 and CA69 on land described as Lot 83 on SR724, Parish of Salisbury, and located at Beor Street, Craiglie, subject to the following conditions:*

***Open Space & Recreation Contribution***

*The applicant is to undertake works to the value of \$200 000 within Teamsters Park, Craiglie, and on the adjacent wetland area, generally in accordance with the plans submitted, and landscaping of the*

*Captain Cook Highway, Craiglie. A detailed costing of all works together with detailed landscaping and works plans are to be submitted to Council for approval at operational works stage. At operational works stage details of where the money will be allocated within the parkland will be determined.*

*The applicant is to enter into an agreement with Douglas Shire Council requiring full payment of a monetary contribution equivalent to nine (9)% of the total open space and recreation contribution for Stages One (1) & Two (2) of the development in accordance with Planning Scheme Policy No Nine (9). This equates to 0.9% of the total Unimproved Current Valuation (UCV) for the whole site as estimated on registration of the new allotments to be created within Stage One (1).*

*This agreement is to be signed by both parties prior to sealing the Plan of Survey and payment of the relevant contribution is to be made within three (3) months of the registration of the title on the approved allotments.*

*As security for the payment of a monetary contribution, the applicant must, prior to the Council signing and sealing the plan of survey, provide to the Council a security deposit. The amount of the security deposit is to be a sum equal to 0.9 per cent of the Council's estimate of the total selling price of the allotments, in accordance with Planning Scheme Policy No Nine (9). The security deposit for this application is \$108 500.*

*In addition, the Council acknowledges that the applicant intends to provide a land component of 4 000 m<sup>2</sup> to the Paws & Claws organisation as part-payment towards parkland contribution.*

- B. approves the amendment to Condition 38 for the Negotiated Decision Notice dated 18 May 2007 for Stage Two (2) of CA61 and CA69 on land described as Lot 83 on SR724, Parish of Salisbury, and located at Beor Street, Craiglie, subject to the following conditions:*

***Contributions***

- 38. Council acknowledges that with Stage One (1) of the proposal the applicant intends to provide a land component of 4 000 m<sup>2</sup> to the Paws & Claws organisation, together with \$200 000 worth of works in lieu and a monetary contribution equivalent to nine (9)% of the total open space and recreation required for Stage One (1) and Stage Two (2) of the development.*

*With Stage Two (2) of the development the applicant is required to contribute the balance of the contribution 43.9% as land in the south-eastern portion of the site as indicated on the plan of development."*

**Carried unanimously**

ATTENDANCE/WITHDRAWAL

The Manager Building, Jeff Evans, attended the meeting at 11:27 am.

07/0807/19      LOT 17 RP851434, WATSON CLOSE, MOSSMAN – APPLICATION FOR DISPENSATION – SITE AREA EXCEEDED

Moved Cr Sciacca

Seconded Cr Egan

*“That Council approves the application, as submitted, for the construction of a dwelling house covering an area of up to 455.18 m<sup>2</sup>, on land described as Lot 17 RP851434, Parish of Victory, and located at Watson Close, Mossman.”*

For:                      Cr Sciacca, Egan, Bellerio, Pitt

Against:              Cr Berwick, Davis, Cox

**Carried**

07/0807/20      LOT 91 SR285, 22 RANKIN STREET, NEWELL BEACH – HEIGHT DISPENSATION FOR DWELLING HOUSE

The General Manager Development & Environment requested the approval of the Council to withdraw the report. As a consequence the Council agreed to the report being withdrawn.

CLOSURE OF THE MEETING TO THE PUBLIC

Moved Cr Davis

07/0807/20A      *“That the meeting remain open to the public while item 07/0807/10 – Daintree River Toilet Block Appeal, is discussed.”*

**Lapsed** for want of a seconder

Moved Cr Egan

Seconded Cr Bellerio

07/0807/20B      *“That pursuant to Section 463(1)(f) and (h) of the Local Government Act 1993, the meeting be closed to the general public to allow in confidence discussion of item 07/0807/10 – Daintree River Toilet Block Appeal.” (11:58 am)*

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

Against:              Cr Berwick, Davis

**Carried**

During the closure of the meeting to the public all staff remained in the meeting.

ATTENDANCE/WITHDRAWAL

The Acting Chief Executive Officer, Julia Leu, withdrew from the meeting at 12:15 pm and re-attended at 12:21 pm.

OPENING OF THE MEETING TO THE PUBLIC

Moved Cr Berwick

Seconded Cr Davis

07/0807/20C

*"That the meeting be re-opened to the public." (12:32 pm)*

**Carried** unanimously

The following recommendations were forthcoming from discussions held while the meeting was closed to the public:

07/0807/10

DAINTREE RIVER TOILET BLOCK APPEAL

Moved Cr Berwick

Seconded Cr Cox

*"That Council not adopt the Planning Officer's recommendation and does not proceed with appeal number 5410 of 2007 regarding the Daintree River toilet block."*

ATTENDANCE/WITHDRAWAL

The Manager Building withdrew from the meeting at 12:34 pm.

For: Cr Berwick, Cox, Davis

Against: Cr Egan, Sciacca, Pitt, Bellerio

**Lost**

Moved Cr Sciacca

Seconded Cr Pitt

*"That Council:*

- 1. instructs McCullough Robertson Lawyers continue with appeal number 5410 of 2007 regarding the Daintree River toilet block; and*
- 2. requests the General Manager Development & Environment approach the Local Government Association of Queensland with a view to obtaining a financial contribution from them to help fund this appeal."*

An amendment to the motion was moved:

Moved Cr Egan

Seconded Cr Sciacca

07/0807/10(i)

*“That Council:*

- 1. instructs McCullough Robertson Lawyers continue with appeal number 5410 of 2007 regarding the Daintree River toilet block; and*
- 2. requests the General Manager Development & Environment approach the Local Government Association of Queensland with a view to obtaining a financial contribution from them to help fund this appeal.”*
- 3. that Council’s General Manager Engineering studies the report from the Environmental Protection Agency regarding the effects on erosion from the Daintree Toilet Block.”*

For: Cr Egan, Sciacca, Bellerio, Pitt

Against: Cr Berwick, Cox, Davis

**Carried**

The amendment became the motion and was put:

For: Cr Egan, Sciacca, Bellerio, Pitt

Against: Cr Berwick, Cox, Davis

**Carried**

## **NOTICES OF MOTION**

No notices of motion were presented to the meeting.

## **TERMINATION OF THE MEETING**

The meeting was closed at 12:51 pm.

Presented to and confirmed by the Development & Environment Standing Committee of the Council on the *twenty-seventh* day of *August* 2007.

**M J Cox**  
**Chair**