



*Minutes of the Ordinary Meeting of Council
13 March 2007
commencing at 1:03 pm*

PRESENT

Councillors – M P Berwick (Mayor), D P Egan (Deputy Mayor), W J Bellerio, M J Cox, R Davis and J Sciacca.

Staff – T C Melchert (Chief Executive Officer), D G Carey (General Manager Community & Corporate), I B Barton (General Manager Finance & Administration), P Trotman (General Manager Development & Environment), A M Rodgers (Manager Corporate Support) and S K Andrews (Corporate Support).

APOLOGY

Cr D G Pitt was not in attendance at the meeting.

DEPUTATION

Mr Andrew Spooner and Mr Neil Hewett from Bailey's Creek Community League attended at this time and were invited by the Mayor to present a deputation to the Council in relation to the Three-Point Plan: Implementation of Reticulated Electricity Supply.

Mr Hewett read the submission from the League (Attachment 1) to the meeting.

ATTENDANCE/WITHDRAWAL

Mr Spooner and Mr Hewett concluded their deputation at 1:22 pm. The Mayor thanked them for their attendance and presentation and they withdrew from the meeting.

07/0313/01 CONDOLENCES

Cr Berwick referred to the recent death of Charles Davis. The Council stood and observed one minute's silence.

Moved Cr Berwick

Seconded Cr Egan

"That Council sends a letter of condolence to the next of kin."

Carried unanimously

07/0313/02 DECLARATIONS OF INTEREST

The Mayor received and read to the Meeting Declarations of Interest tabled as follows:

Item No	Councillor/Officer	Details of Interest
07/0313/06	Chief Executive Officer	Spouse is an employee of the company
07/0313/13	Mayor	Perceived conflict of interest
07/0313/11	Cr Davis	Perceived conflict of interest – for potential grant application over sustainable boat
07/0313/18	Chief Executive Officer	Personal friendship with property owner affected by the proposal

07/0313/03-05

MINUTES

Items 07/0313/03, 07/0313/04 and 07/0313/05 were dealt with concurrently.

Moved Cr Berwick

Seconded Cr Egan

“That the minutes of the Ordinary Council Meetings held on 20, 21 and 22 February 2007 be confirmed.”

Carried unanimously

ATTENDANCE/WITHDRAWAL

The Manager Community, Cultural & Economic, Julia Leu, and the Community Development Officer, Kelly Favas, attended the meeting at 1:27 pm.

CONFLICT OF INTEREST

The Chief Executive Officer declared a ~~conflict of~~ material personal interest in the following matter and he withdrew from the meeting at 1:27 pm.

Amended Ordinary Meeting 3 April 2007 (item 07/0403/04).

COMMUNITY & CORPORATE

07/0313/06 CARNIVALE 2007

Moved Cr Cox

Seconded Cr Davis

“That Council contributes \$25 000 to Carnivale, specifically for art and cultural events, through the Port Douglas Chamber of Commerce. Further, that a report ‘Carnivale Arts and Culture Report’ be submitted to Council no later than three months post-Carnivale 2007.”

Carried unanimously

07/0313/07 DOUGLAS SHIRE COUNCIL REGIONAL ARTS DEVELOPMENT FUND (RADF) 2007/08

Moved Cr Berwick

Seconded Cr Egan

"That Council:

- 1. requests an increase of \$1 800 (from \$43 800 to \$45 600) from Arts Queensland for the 2007/08 RADF programme; and*
- 2. increases its contribution by \$1 200 (from \$29 200 to \$30 400) for the 2007/08 RADF budget."*

Carried unanimously

Subsequent to the carrying of the above motion Council was requested to note that confirmation had been received the State's contribution will be \$43 733.

07/0313/08 DETAILS OF THE USE OF THE COUNCIL SEAL

Moved Cr Berwick

Seconded Cr Egan

"That Council receives the report providing details of the use of the council seal and endorses the actions of the Mayor and Chief Executive Officer in executing on its behalf, under seal, the documents detailed therein."

Carried unanimously

ATTENDANCE/WITHDRAWAL

The Chief Executive Officer re-attended the meeting at 1:48 pm. The Manager Planning, Paul Gleeson, also attended at this time.

07/0313/09 DECISIONS OF COUNCIL STATUS REPORT

CONFLICT OF INTEREST

The Chief Executive Officer declared a ~~conflict of~~ material personal interest in item 06/0815/29(ii) of the Status Report and he withdrew from the meeting at 2:06 pm. He re-attended at 2:10 pm.

Amended Ordinary Meeting 3 April 2007 (item 07/0403/04).

Moved Cr Egan

Seconded Cr Sciacca

"That Council receives and notes the Decisions of Council Status Report."

Carried unanimously

ATTENDANCE/WITHDRAWAL

The Community Development Officer withdrew from the meeting at 2:28 pm.

DEVELOPMENT & ENVIRONMENT

07/0313/10 MCUI 003/07 – LOT 237 RP740952, STONEWOOD ROAD, DIWAN – REQUEST TO ASSESS UNDER SUPERSEDED PLANNING SCHEME

Moved Cr Berwick

Seconded Cr Cox

“That Council refuses the request to assess application MCUI 003/07 for a Material Change of Use for a dwelling house on land described as Lot 237 on RP740952, Parish of Alexandra, and located at Stonewood Road, Diwan, under the Superseded Planning Scheme.”

For: Cr Berwick, Cox, Egan, [Sciaccia Davis](#)

Against: Cr Bellerio, Sciacca

Carried

Amended Ordinary Meeting 3 April 2007 (item 07/0403/04).

CONFLICT OF INTEREST

Cr Davis declared a perceived conflict of interest in the following matter, however he chose to remain in the meeting during discussion.

07/0313/11 TPC 1137 – LOTS 33-38 RP747345, 19-37 ST CRISPINS AVENUE, PORT DOUGLAS – APPLICATION FOR A CHANGE OF CONDITIONS

Moved Cr Sciacca

Seconded Cr Cox

“That Council approves the request to change conditions 4.1 and 4.5 of the Negotiated Decision Notice TPC 1137 dated 30 September 2004, on land described as Lots 33-38 on RP747345, Parish of Salisbury, and located at 19-37 St Crispins Avenue, Port Douglas, amended as follows, all other conditions to remain unchanged:

(a) Plan of Development

4.1 *The approved development and the carrying out of any works on the premises associated with the development must be in accordance with Plan of Development No's ~~A-TP-04 Rev 04, A-TP-05 Rev 04 and A-TP-06 Rev 03~~ **A1021 and A1022**, attached to this approval, subject to:*

- (i) *Modifications required by any condition of this approval and any minor alterations found necessary by Council at the time of examination of engineering plans.*

(b) **Water Supply & Sewerage Headworks**

4.5 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").

- a. The contribution shall be calculated at the rate per Equivalent Domestic Connection ("EDC") applicable at the time of payment in accordance with the Policy.

For information purposes only:

- (i) ~~The current rates per EDC at the time of this approval are:~~

~~Water Supply \$ 5,330.00
Sewerage \$ 2,269.00~~

For information purposes only:

- (i) The current number of EDCs for the approved use are:

Water Supply 10.5 21
Sewerage 11.7 23.7

Carried unanimously

07/0313/12 TPC 1185 – LOT 11 PTD2091, 25 MURPHY STREET, PORT DOUGLAS – APPLICATION FOR A CHANGE OF CONDITIONS

Moved Cr Sciacca

Seconded Cr Egan

"That Council approves the request to change an existing approval to amend conditions 4.1 and 4.5 of TPC 1185 for three (3) multiple dwelling units on land described as Lot 11 PTD2091, Parish of Salisbury, and located at 25 Murphy Street, Port Douglas, amended as follows, all other conditions to remain the same:

Plan of Development

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:

- (a) the approved plans of development numbered A002, A003, A004 and A005 prepared by PAD Architects dated September 2006 and attached to this approval; and

(b) *the plans and specifications submitted with the application to Council attached to this approval;*

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

Landscaping

4.5 *The landscaping plan submitted with the proposed development, referenced as plan No. LP_01 ISSUE_B, dated 20 February 2007 and prepared by Hortulus has been approved, as part of this development, subject to the following changes:*

(a) *landscaping areas over any identified underground services are to be planted with groundcovers and shrubs of less than 500 mm height;*

Advice

All vegetation adjacent to any pool fencing is to be maintained to comply with AS1926-1993 and is to remain free of climbable vegetation within a distance of 1.2 m external from the fence."

Carried unanimously

CONFLICT OF INTEREST

Cr Berwick declared a perceived conflict of interest in the following matter, however he chose to remain in the meeting during discussion.

07/0313/13 TPC 1251 – LOT 3 SP150448 , CNR MOSSMAN-DAINTREE ROAD & VIXIES ROAD, WONGA BEACH – MATERIAL CHANGE OF USE DEVELOPMENT PERMIT FOR SHOP, RESTAURANT AND FARM ATTRACTION

Moved Cr Egan

Seconded Cr Bellerio

"That Council approves the Material Change of Use Development Permit TPC 1251 for shop, restaurant & farm attraction on land described as Lot 3 on SP150448, Parish of Whyanbeel, and located at the corner of Mossman-Daintree Road and Vixies Road, Wonga Beach, subject to the following conditions:

Plan/s 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 following approved Plan/s of Development:*

Title	Plan No	Dated
Wonga Beach Tourist Facility & Aquaculture Development – Site Plan	N/A	N/A
Wonga Beach Tourist Facility & Aquaculture Development – Elevations	N/A	N/A

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

2. The Plan/s of Development titled *Wonga Beach Tourist Facility & Aquaculture Development – Site Plan*, must be amended as follows:
 - (a) All car parking areas shown on the approved plan of development are to be located outside the three (3) m wide landscaping buffer along the boundary of the site.

Currency Period

3. This development approval lapses four (4) years after the day that the development approval takes effect, unless the use has commenced or this currency period is extended under Section 3.5.22 of the Integrated Planning Act 1997.

Landscaping & Fencing

4. The landscape areas adjoining the car parking area shall be protected from vehicles by a 150 mm high vertical concrete kerb or similar obstruction.
5. The installation of all irrigation and landscaping (hard and soft) on the premises and the location of structures and services associated with the development must generally be in accordance with the following approved Landscaping Plan/s:

Title	Plan Number	Dated
Landscaping Plan	LP01 Issue A	13/07/06
Landscaping Plan	LP02 Issue A	13/07/06

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

6. The Landscaping Plan/s titled “*Landscaping Plan*”, numbered LP01 Issue A & LP02 Issue A, and dated 13/07/06 must be amended as follows:
 - (a) The proposed “viewing window” located on the corner of Vixies Road and the Mossman Daintree Road is to be fully landscaped with screening vegetation;
 - (b) Car park shade trees;
 - (c) Internal road shade trees.

The amended landscaping plan/s is to be submitted to Council as an application for Operational Works.

7. *The landscaping shown on the approved plan shall be completed before the development is occupied and maintained thereafter.*
8. *All fences, on road frontages, are to be set back two (2) m from the property boundary with at least two (2) m dense landscaping provided to the frontage of the fence.*

Waste Storage & Discharge

9. *The waste storage area must be located outside of a three (3) m wide landscape strip to the road frontage. The waste storage area must:*
 - (a) *Contain an impervious surface for the storage of waste containers suitably screened so as not to be visible from adjoining properties or the road reserve;*
 - (b) *Include a stop cock and stormwater diversion valve at the drainage point;*
 - (c) *Contain sufficient storage space for a suitably sized refuse bin for the development.*
 - (d) *Refuse storage, removal and collection methods shall be in accordance with the "Environment Protection (Interim Waste) Regulations 1996".*

Air Conditioning & Service Equipment

10. *All service equipment, outdoor lighting and air conditioning equipment must be located so as not to cause a nuisance to the occupants of adjoining units or neighbouring premises. The noise levels shall be maintained in accordance with the requirements of the Environmental Protection Act.*

On-Site Wastewater

11. *The applicant is to undertake a detailed on-site wastewater assessment in accordance with the requirements of the Sewerage Act. This assessment needs to be completed and submitted to Council at building work stage and all treatment devices are to be installed prior to the commencement of the use.*
12. *A minimum level of advanced secondary treatment is to be utilised to cater for the development. It should be noted that it is estimated that the use will exceed 20 EP and therefore any on-site wastewater treatment system will require the approval of the Environmental Protection Agency.*

Acid Sulphate Soils

13. *The developer will be required to provide a detailed assessment and management plan for acid sulphate soils on Stage 1 and 2 of the development in accordance with DNR&M Guidelines and State Planning Policy 2/02, prior to Operational Works approval. DNR&M will be a Referral Agency for the Operational Works application.*

Stormwater Drainage

14. All stormwater run-offs 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 both the existing table drain in Vixies Road and the channel to the rear of the site.
15. The discharge will be passed through a gross pollutant trap to be installed by the applicant. Provision will be made by the applicant to improve table drains where required and for a suitable culvert system under the access off Vixies Road.

Farm Attraction

16. In the event of the cessation of the productive rural activities as the predominant use, the use of the land as a farm attraction must also cease.
17. Any display or sale of machinery, product, artefacts, souvenirs or the like shall be confined to buildings used predominantly for the rural activity carried out on the site;
18. This decision notice approves the use of the site for a restaurant and four small shops ancillary to and necessarily associated with the aquaculture farm. The restaurant is only permitted to serve customers entering the site for the purpose of the tourism activity (not to be leased for private functions) and the shops are restrained to selling goods specifically related to the use of the site (ie fish sales, rod sales, tourist gifts, etc).

Hours of Operation

19. The hours of operation are limited to 8:00 am to 6:00 pm, seven (7) days per week.

Signage

20. The erection of any signage associated with the proposed use of the land will require an Operational Works Development Permit. No signage has been approved as part of this permit. This includes statues or other structures defining the site to passing trade.

Roadworks

21. The developer is to undertake the following roadworks to Vixies Road, external to the site, in accordance with the requirements of Planning Scheme Policy No 6 "FNQROC Development Manual:
 - (a) Re-sealing of Vixies Road with a pavement width of seven (7) m with one (1) m wide verges on both sides from the intersection with Mossman-Daintree Road to the eastern extent of the proposed ingress/egress to the site.
 - (b) A turn-in lane, clear of the carriageway for traffic heading east along Vixies Road turning into the site in accordance with AUSTRROADS Guidelines.

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.

Car Parking

23. The car parking area shall be constructed, sealed, drained and line marked in accordance with the amended plan of development (refer to condition 2).

Environmental Management Plan

24. The applicant is to have prepared with the submission for approval of the engineering plans, an Environmental Management Plan (EMP) detailing the controls to be utilised to ensure that no environmental harm or nuisance is caused from the proposed use of the land and construction of the works. In particular, this plan should address such issues as dust suppression, waste disposal, acid sulphate soil management, noise management and stormwater management (to minimise discharges of sediment, wastes and other substances).

Operational Works Development Permit

25. Full engineering drawings, prepared and/or checked by a registered professional engineer, shall be submitted for all road works, stormwater drainage and lot improvement at operational works application stage.

Carried unanimously

07/0313/14

IRON BAR SALOON APPLICATION FOR GENERAL LICENCE AND EXTENDED TRADING HOURS

Moved Cr Cox

Seconded Cr Bellerio

"That Council:

1. offers no objection to the application for a general licence made by Larissa Kidwell on behalf of Iron Bar Saloon Pty Ltd; and
2. objects to the issue of a permit for restricted trading hours past 2:00 am based on the following information:

Grounds

Undue disturbance will be caused to nearby residents and/or accommodation complexes.

Reasons

The likely increase in noise and anti-social behaviour in the area resulting from the movement of patrons from other general licensed premises at 2:00 am and further movements from the subject premises at 3:00 am.

A number of apartment complexes are situated in close vicinity to the Iron Bar Saloon and as a result of the extended trading hours permit, a potential for the disturbance of guests in accommodation complexes will exist, in particular from the movement of patrons as they leave the subject premises at a closing time of 3:00 am. To avoid a double movement of patrons from hotels in the area, extended trading hours should be restricted to 2:00 am. This will prevent the situation of a mass movement of people from premises closing at 2:00 am and then another large movement of patrons again at 3:00 am from the subject premises.

Carried unanimously

ATTENDANCE/WITHDRAWAL

The General Manager Development & Environment and the Manager Planning withdrew from the meeting at 2:34 pm.

ENGINEERING

07/0313/15 MOSSMAN SEWAGE TREATMENT PLANT UPGRADE

PROCEDURAL MOTION

Moved Cr Berwick

Seconded Cr Bellerio

07/0313/15A "That item 07/0313/15 lie on the table until after the briefing session on 14 March 2007."

Carried unanimously

ATTENDANCE/WITHDRAWAL

The General Manager Development & Environment re-attended the meeting at 2:35 pm. The Manager Rates & Finance Support, Darryl Crees, also attended the meeting at this time.

07/0313/16 STREET AND PARK NAMES, 'CANE AT COOYA' SUBDIVISION, COOYA BEACH

Moved Cr Egan

Seconded Cr Sciacca

"That Council adopts the following ten (10) street names for the 'Cane at Cooya' subdivision:

Left hand side

*Kiju Close
Barrbal Drive
Kudi Close
Dalku Close*

Right hand side

*Bayil Drive
Julaji Close
Dawal Close
Kalu Close
Yidi Close
Yawu Close*

and names the park 'Lou Prince Park'."

Carried unanimously

07/0313/17 PUBLIC TOILET BLOCK, MACROSSAN STREET, PORT DOUGLAS

Moved Cr Egan

Seconded Cr Sciacca

"That Council:

- 1. decides the design style of the public toilet block and confirms the location at Rotary Park, adjacent to the Grant and Macrossan Street intersection, Port Douglas;*
- 2. undertakes a community engagement process regarding the toilet block design and location; and*
- 3. seeks comment from the Port Douglas Rotary Club."*

An amendment to the motion was moved:

Moved Cr Davis

"That Council:

- 1. decides the design style of the public toilet block and confirms the location at Rotary Park, adjacent to the Grant and Macrossan Street intersection, Port Douglas;*
- 2. undertakes a community engagement process regarding the Hunt Partners toilet block design and location; and*
- 3. seeks comment from the Port Douglas Rotary Club."*

The amendment lapsed for want of a seconder

A further amendment to the motion was moved:

Moved Cr Cox

Seconded Cr Berwick

07/0313/17(i) "That Council:

1. agrees to construct the public toilet block and confirms the location at Rotary Park, adjacent to the Grant and Macrossan Street intersection, Port Douglas;
2. undertakes a community engagement process regarding the toilet block design and location within Rotary park;
3. seeks comment from the Port Douglas Rotary Club; and
4. that the previous public toilet design proposals be put forward for the purposes of discussion."

Carried unanimously

The amendment became the motion and was put -

Carried unanimously

CONFLICT OF INTEREST

The Chief Executive Officer declared a conflict of interest in the following matter and he withdrew from the meeting at 2:43 pm.

07/0313/18 UNNAMED ROAD BETWEEN SOMERSET ROAD AND SCOMAZZON ROAD, MIALLO

Moved Cr Egan

Seconded Cr Cox

"That Council objects to the permanent road closure of the unnamed road between Somerset Road and Scomazzon Road, Miallo and requires that the status quo prevails."

Carried unanimously

07/0313/19 DAINTREE RIVER FERRY CROSSING DREDGE MANAGEMENT STUDY

Moved Cr Berwick

Seconded Cr Cox

"That Council delegates authority to the Chief Executive Officer to execute the Consultancy Agreement with GHD Pty Ltd: Daintree Dredge Management Study Stage Two (2) Works."

Carried unanimously

07/0313/20 TREESCAPING OF FRONT STREET, MOSSMAN

Moved Cr Davis

"That Council approves the commissioning of landscaping consultants to provide a plan for the treescaping and water points for Front Street, Mossman as a matter of urgency and that the Yulanji be consulted about the removal of the northern tree."

Lapsed for want of a seconder

The original motion was put:

Moved Cr Egan

Seconded Cr Berwick

07/0313/20

"That Council approves the commissioning of landscaping consultants to provide a plan for the treescaping and water points for Front Street, Mossman as a matter of urgency."

Carried unanimously

Moved Cr Davis

Seconded Cr Berwick

07/0313/20(i)

"That Council consults the Yalanji and other interested parties about the removal of the northern fig tree."

PROCEDURAL MOTION

Moved Cr Berwick

Seconded Cr Cox

07/0313/20A

"That item 07/0313/20(i) lie on the table pending the attendance of Cr Pitt at the meeting."

Carried unanimously

ATTENDANCE/WITHDRAWAL

The Chief Executive Officer re-attended the meeting at 3:20 pm.

07/0313/21 REQUEST FOR MAJOR WALKING TRACK – DAINTREE/ROARING MEG/CAPE TRIBULATION

Moved Cr Berwick

Seconded Cr Davis

"That the Council agrees to a deputation from Daintree Village Tourism Association and gives consideration to this proposal in next year's operational plan."

For: Cr Berwick, Davis, Egan, Cox

Against: Cr Bellerio, Sciacca

Carried

ATTENDANCE/WITHDRAWAL

The Manager Community, Cultural & Economic withdrew from the meeting at 3:37 pm.

ADJOURNMENT

The meeting adjourned at 3:40 pm for afternoon tea.

RESUMPTION

The meeting resumed at 3:45 pm without the attendance of the Chief Executive Officer, General Manager Community & Corporate, General Manager Development & Environment.

FINANCE & ADMINISTRATION

07/0313/22 REVIEW ON RATING PROCEDURES

Moved Cr Cox

Seconded Cr Berwick

"That Council issues one rate notice to landowners commencing in the 2007/08 financial year, but that they be given two (2) options to pay their rates:

- 1. pay the full net payable by the discount due date and receive discount; or*
- 2. pay the gross rates in four (4) instalments by designated dates recorded on the rate notice, with the following terms and conditions applicable:*

- (i) Instalment reminder notices will not be issued.*
- (ii) The responsibility will remain with the rate payer to ensure each instalment amount is received at Council by the due date stipulated for each instalment.*
- (iii) All payments must be received on or before the instalment due date.*
- (iv) Should an instalment not be paid by the due date then that instalment and all remaining instalments, the total amount outstanding, becomes an overdue rate.*
- (v) Interest will accrue on all overdue rates from the first day after the instalment date, the default date, until that instalment payment is received in full.*
- (vi) Council will require full payment of all overdue rates and charges.*
- (vii) Discount does not apply to instalment payments.*

(viii) *When the rate notice is issued, if the individual rating assessment has arrears then those overdue rates must be included and paid with the amount of the first instalment by the instalment due date.*

(ix) *During the course of the financial year should a supplementary rates notice be issued, discount will be allowed for prompt payment of that supplementary notice as long as instalments are paid up to date and there are no overdue rates and charges."*

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

Against: Cr Sciacca

Carried

ATTENDANCE/WITHDRAWAL

The General Manager Development & Environment re-attended the meeting at 3:55 pm.

The General Manager Community & Corporate re-attended the meeting at 3:56 pm.

The Chief Executive Officer re-attended the meeting at 3:58 pm.

07/0313/23

DRAFT AGREEMENT BETWEEN DOUGLAS SHIRE COUNCIL AND PORT DOUGLAS DAINTREE TOURISM LIMITED (PDDTL)

Moved Cr Cox

Seconded Cr Berwick

"That Council agrees to a new three (3)-year agreement with Port Douglas and Daintree Tourism Limited (PDDTL)."

PROCEDURAL MOTION

Moved Cr Berwick

07/0313/31A

"That item 07/0313/23 lie on the table until after the briefing session on 14 March 2007."

Carried unanimously

ATTENDANCE/WITHDRAWAL

The General Manager Development & Environment withdrew from the meeting at 4:05 pm and re-attended the meeting at 4:15 pm.

07/0313/24 RATES SMALL BALANCE WRITE OFF REPORT

Moved Cr Egan

Seconded Cr Cox

"That Council writes off a rates small balance of \$495.17."

Carried unanimously

NOTICES OF MOTION

OFFICER COMMENT PROVIDED

07/0313/25 BB0607M – BUS SHELTER – ALCHERA AGED CARE HOME

Moved Cr Bellerio

Seconded Cr Egan

"That Council approves the erection of a bus shelter outside Alchera Aged Care Home on Maxwell Street, Mossman."

Carried unanimously

07/0313/26 MC0407M – NEW AUSTRALIAN CITIZENS BE PRESENTED WITH A NATIVE TREE

Moved Cr Cox

Seconded Cr Berwick

"That Council presents all new Australian citizens with a native tree at their citizenship ceremony."

Carried unanimously

ATTENDANCE/WITHDRAWAL

The General Manager Engineering, Bob Baade, attended the meeting at 4:33 pm.

07/0313/27 MC0307M – WATER BOTTLING PLANT IN THE DOUGLAS SHIRE

Moved Cr Cox

Seconded Cr Berwick

"That a feasibility study be funded in the 2007/08 budget to scope the realisation of bottling our water."

Carried unanimously

07/0313/28 MB0207M – MOUNTAIN VIEW DRIVE, SHANNONVALE

Moved Cr Berwick

Seconded Cr Davis

“That Council requests the engineering department to approach the quarry owner regarding the materials required for sealing a 200 m section of Mountain View Drive, Shannonvale.”

Carried unanimously

07/0313/28A SUSPENSION OF STANDING ORDERS

Moved Cr Davis

Seconded Cr Berwick

“That standing orders be suspended to allow Mr Stephen Corrish to address the meeting in relation to item 07/0313/29.”

Carried unanimously

BEACH SOCCER - CARNIVALE 2007

Mr Corrish was invited to address Council in relation to the proposed international beach soccer event that is intended to be part of the Carnivale 2007 programme.

The Mayor thanked Mr Corrish for the information provided and he returned to the public gallery.

RESUMPTION OF STANDING ORDERS

With the agreement of the meeting standing orders were resumed.

ATTENDANCE/WITHDRAWAL

The Chief Executive Officer withdrew from the meeting at 4:50 pm and re-attended at 4:54 pm.

The Manager Community, Cultural & Economic withdrew from the meeting at 4:57 pm and re-attended the meeting at 4:59 pm.

The Community Development Officer re-attended the meeting at 4:59 pm.

07/0313/29 RD1607M – BEACH SOCCER, CARNIVALE 2007

Moved Cr Davis

Seconded Cr Berwick

“That Council provides in-kind assistance to the proposed international beach soccer event for Carnivale, 2007 to a maximum of \$5 000.”

Carried unanimously

ATTENDANCE/WITHDRAWAL

The General Manager Development & Environment withdrew from the meeting at 5:33 pm.

07/0313/30 RD1707M – BLUE PRINT FOR THE BUSH RURAL SERVICE ACCESS INITIATIVE – LOCAL TRANSPORT

Moved Cr Davis

“That Council makes an application for grant assistance to establish improved public transport for our community, using the resources available under the ‘Blueprint for the Bush’ initiative, before the 26 March 2007 cut off.”

07/0313/31 RD1207M – PUBLIC TRANSPORT SYSTEM BETWEEN DOUGLAS SHIRE AND CAIRNS

Moved Cr Davis

“That Council staff contact the four (4) local bus companies to ask their views on the possibility of either the State or Local Government organising a tender for a old-fashioned bus stop-to-bus stop public transport system between our shire and Cairns, and in and around Port Douglas.”

PROCEDURAL MOTION

Moved Cr Berwick

Seconded Cr Davis

07/0313/31A *“That items 07/0313/30 and 07/0313/31 lie on the table until after the briefing session on 14 March 2007 to enable Council to hold discussions with Mr Des Whiteley of FNQ Bus Lines.”*

Carried unanimously

07/0313/32 RD1807M – FOCUS ON THE BUILT ENVIRONMENT OF 2020

Moved Cr Davis

Seconded Cr Berwick

“That Council develops and progressively expands its programme of Shire-wide energy innovation and carbon sequestration.”

For: Cr Davis, Berwick, Cox, Egan

Against: Cr Bellerio, Sciacca

Carried

07/0313/33

RD1907M – SIX CENTRES OF ENVIRONMENTAL EXCELLENCE

Moved Cr Davis

Seconded Cr Bellerio

“That Council considers adding to their town plan, a category to allow the development of six boutique, nature-based centres of environmental excellence through discreet, and concealed, tourism accommodation, where the criteria for approval is determined not by zoning, but by building and locational performance, to include:

- 1. ‘touch the ground lightly’ building siting requirements;*
- 2. invisibility from passing traffic and residential areas;*
- 3. size restriction to be smaller than Silky Oaks and bigger than Daintree Eco Lodge;*
- 4. water self sufficiency;*
- 5. total independence from the power grid, other than connection to return as much power to the grid as used;*
- 6. onsite best practise sewerage treatment and reuse of waste for land care purposes;*
- 7. embodiment of environmental and/or cultural ongoing management plans for the building’s users, towards learning holidays in a combination of environmental, energy minimisation, indigenous and/or wellbeing/health issues;*
- 8. strict avoidance of siting in areas requiring substantive clearing or disturbance of important natural assets;*
- 9. low inherent energy use building materials;*
- 10. high standards of excellence in endemic natural landscaping and land care restoration;*
- 11. contribution to local land care style restoration work;*
- 12. self provision of all road upgrade works to service the project;*
- 13. eco accreditation from best of breed accreditation systems;*
- 14. minimisation of excavation;*
- 15. promotion of recycled building materials;*
- 16. onsite waste management of all organic waste;*
- 17. self sufficiency of energy efficient transport linkages to Port Douglas or Mossman; and*
- 18. carbon neutral construction and ongoing operational use, including all transport linkages within the Douglas Shire.”*

PROCEDURAL MOTION

Moved Cr Davis

Seconded Cr Berwick

"That the meeting be adjourned until 1:00 pm on Wednesday, 14 March 2007 and Item 07/0313/33 lie on the table for consideration at that time."

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

Against: Cr Bellerio

Carried

ADJOURNMENT

At 6:02 pm the meeting was adjourned until 1:00 pm on Wednesday, 14 March 2007.

Presented to and confirmed by Council on the *third* day of *April* 2007.

M P Berwick
Chair

Confirmed

Attachment 1

Baileys Creek Community League

Working for the Community for 40 Years

President	Fred Brendecke	PO BOX 590
Vice President	Russell O'Doherty	MOSSMAN QLD 4873
Secretary	Prue Hewett	Phone. 40989126
Treasurer	Lyn Barwick	Email: BCCL@ccwild.com

Deputation: 13th March, 2007

The Three-point Plan: Implementation of Reticulated Electricity Supply

Neil

1. Good afternoon Councillors. I am pleased to introduce Mr. Andrew Spooner - a member of the Daintree Cape Tribulation rainforest community, respected through his many years as a resident, ratepayer and professional in a diversity of management roles, including tourism, horticulture and conservation management. I believe you all know of me and on behalf of the BCCL, I thank the Douglas Shire Council for this deputation.
2. I also respectfully request that questions be deferred until the presentation has been completed.
3. Page 1 of last Friday's Cairns Post, states:
"Local Government Minister Andrew Fraser has opted to leave the bitterly divided Douglas Shire Council in the hands of councillors he admits are dysfunctional, faction-riven and blaming everyone but themselves."
4. Obviously the Minister doesn't know about the three-point-plan. Bitter divisions characterized Council throughout the nineteen-nineties when the 3:4 split was more entrenched and intractable than it is perceived today. Indeed, such was the depth of polarization that the two principal lobbies - conservation and development - were rendered ineffective by the other.
5. On the 9th February 1999, Council facilitated a ground-breaking stakeholder meeting, including Queensland's Department of Environment and Main Roads, Wet Tropics Management Authority, Environment Australia, Cape York Land Council, members of the community and representatives of the tourism industry.
6. Through consensus, stakeholders agreed to put these self-defeating divisions finally to rest. The elements of the 'three-point-plan', are:
 - i] *The State and Federal Governments provide funding, as promised previously, for the buy back of unoccupied rural residential and selected other unoccupied blocks north of the Daintree River;*
 - ii] *The State and Federal Governments facilitate the consolidation of development, both residential and commercial, north of the Daintree River both through buy back and through the funding of a review of the Douglas*

Shire town planning scheme to reflect consolidation into development nodes in the scheme; and

- iii] *Grid Mains power to be provided to the consolidated area in an environmentally sensitive manner.*
7. In an open letter to the community north of the Daintree River, Council stipulated that the three elements of the plan were of equal priority and that it is not intended that any one element of the package should occur without the others.
 8. Council and the broader community knew that the real costs of implementing both conservation and reticulated electricity supply were subject to Commonwealth and Queensland Government support. The three-point-plan spearheaded a united lobbying front for the concurrent and equivalent implementation of both.
 9. Premier Beattie was written to on the 22nd February 1999 and formally asked to grant Council a deputation to meet with relevant cabinet Ministers to discuss this united proposal of compromise.
 10. On the 19th March 1999, the Wet Tropics Ministerial Council responded to ~~Mayor Bennett's~~ *Council's* request for funds to convert the DCP-3 to an IPA-consistent planning scheme by allocating \$150,000 for the Rainforest CRC to undertake the Daintree Futures Study.
 11. In one of its first orders of business (Tuesday 20th April 2004), this current Council resolved to provide a copy of the Daintree Futures Study to all Councillors, with this matter to be discussed during the Planning Scheme meetings held 27th and 28th April 2004.
 12. Section 1.4.4 of the Daintree Futures Study, The Douglas Shire Policies and Administration, states:

In November 1999, the Douglas Shire Council made a submission to the Daintree Futures Study. It was endorsed by the Council of the time and reaffirmed by the new Council elected in March 2000. (See Appendix). The proposal of the DSC is known as the three-point plan because it recommended a mix of (1) buy-back, (2) conservation and (3) reticulated electricity delivered concurrently.
 13. Douglas Shire Council's new Planning Scheme came into effect as of Monday 4 September 2006 and land acquisition for conservation has been pursued throughout the intervening period.
 14. BCCL calls upon Council to honour its outstanding obligation to all stakeholders, as defined within the three-point-plan and reaffirm this enduring expression of unity that has spanned the ravages of time. Redirect the alleged division from whence it came – squarely into the lap of the Queensland Government that has so willingly profited from the conservation and planning components of an agreement that bound them equivalently in indebtedness through its community service obligation to reticulate electricity supply at statewide-equalized tariffs.

Andrew

15. Concurrency was **supposed to be** one of the hallmarks of the three-point-plan. The historic stakeholder forum, held on the 9th February 1999, was reassured that conservation and reticulation were to be resourced equivalently and implemented concurrently. Obviously this did not happen.
16. These past eight years have been marked by the affected community's exclusion from the distribution area of the relevant supply authority and an outstanding failure to fulfill the third element of the three-point-plan.
17. I'm a long-term ratepayer and member of the community north of the Daintree River. In this time I have become personally acquainted with 12 electrical systems both RAPS and generator systems that have been powering business, household and government facilities.
18. During my time in the area I have remained in touch with residents with a wide variety of opinions regarding the way the area should be developed. It is very notable to me that now the Town Plan has been finalised, with the issues of population threshold and consolidation of freehold land in the area addressed, opinions regarding electricity supply are virtually unanimous. That is to say that people are **not** satisfied with the present electricity supply coming from RAP systems.
19. I'd like to take this opportunity to quickly summarise the Daintree Coastline RAPS experience, which is typified by:
 - **High cost.** In Ergon Energy's RAPS trials completed in 1999 by Glen Walden and Grant Behrendorff it was found that "The cost of energy produced by a remote area RAPS Systems (calculated on a life cycle basis) is high, in some cases up to 20 times the cost of conventional grid electricity." *This assumes a system which is designed and installed by experts and has a reliable source of renewable energy.* To put this into perspective, if Councillors currently pay say \$300 per quarter, Daintree residents would be paying \$6000 for the same amount of electricity.
 - **Lack of reliable renewable energy.** The major source of renewable energy for the Daintree Area is solar. In 2006 there was around 6 metres of rainfall in much of the Daintree lowlands. We have the worst solar resource in the country with the largest number of solar dependant RAPS systems. Most people have added additional solar panels to their systems, which makes their RAPS power still more expensive. These generate no electricity for the long periods of overcast weather. The poor solar resource commonly contributes to battery failure because people are disinclined to run generators for the long periods required to maintain battery health. This adds another layer of cost and hardship.
 - **Poor system design and lack of applied standards.** Standards have not been effectively applied for the design and installation of RAPS systems in the Daintree. No two systems are alike. As a result people are commonly saddled with poorly balanced systems that are notoriously unreliable, inclined to failure and which ultimately adds another cost layer.

- **High maintenance levels and system monitoring** are required with even a healthy RAPS system. However for the Daintree Coastline residents who are not technically minded, fit and diligent with maintenance, these systems are fraught with problems.
 - **Restrictions in electricity availability** Because of the hardships involved with generating their own electricity in the area most people are forced to use much less electricity than in normal Australian society. Travellers often show interest in renewable technology, but they prefer accommodation with air-conditioning.
 - **Inadequate backup service** With the fruit salad bowl of different systems. It is not attractive for contractors to provide backup service. However new systems are eagerly being provided and installed.
 - **Lack of continuous subsidy** The partial government subsidies for RAPS systems which has in fact encouraged the installation of the systems has not been continuous and has come from different sources. There is no guarantee of these subsidies in future. At the present moment there is no subsidy available, nor has there ever been the commercial scheme that former Minister McGrady promised.
 - **The cadastral layout** of the area ensures that the issue of generator noise, particularly at night and in overcast weather conditions is unacceptable. When the area is fully occupied this problem will be exacerbated and considerable expense will be involved in making RAPS noise emission compliant with EPA legislation.
20. The community north of the river is the only one in Queensland not to be permitted by the QLD Govt to receive electricity via a supply network (QLD Govt policy doc.) In a very real sense this community has been taking the harsh medicine necessary to buy time for Govt to sort out the developmental problems of the area. With the DSC town plan in place now the way is clear for the Council to help us implement an electrical supply system that is on par with the rest of Queensland.

Neil

21. Council, on behalf of the communities of the Douglas Shire, was justified in taking pride in its national planning scheme award, but the achievement of the accolade was in itself made possible by the agreement by all stakeholders to unite on the principle of compromise structured into Council's three-point-plan.
22. The fulfillment of the outstanding element should be pursued in the same, award-winning style as the other two components of the three-point-plan.
23. The BCCL requests that Council incorporate the following suggestions into its execution of action.
- a. In anticipation of the Queensland Government's reluctance, request and allocate resources for an urgent deputation with the Premier and relevant ministers, as it did with the adoption of the three-point-plan, including representatives from the affected community.

- b. Within this recommended deputation, reiterate its obligations to its constituents in terms of the outstanding element of the three-point-plan and outline the formality of the State's conformity: buy-back, planning scheme amendments, Ministerial Council's adoption and resourcing of the Daintree Futures Study, etc.
- c. Acknowledge the State's precautionary protection of the public interest through the excision of Daintree Cape Tribulation from Ergon's distribution area, throughout this vital prerequisite period of conservation and consolidation of development,
- d. Acknowledge also, the extent and substance of the hardship that has been carried by Daintree Cape Tribulation residents over these past eight years, during which time the State interest was being secured,
- e. Advise that the time has now come for the honouring of the outstanding element of the three-point-plan, particularly because to do otherwise, under standing orders, would require the reinstatement of development rights and rejection of the planning scheme that was achieved through so much hardship.
- f. Formally request that the Queensland Government initiate the urgent amendment of Ergon Energy Corporation Limited's distribution authority to re-instate the previously excluded area north of the Daintree River.
- g. Encourage the Queensland Government to prioritise a partnership approach with Council and Daintree Cape Tribulation landholders to implement world's best-practice innovation and supply, optimising landholder contributions from renewable resources (including existing infrastructure and minimalisation of engine-generators/noise/pollution and cost disparity with other Queensland customers).

Thank you.