



*Minutes of the Development & Environment
Standing Committee of the Council
18 September 2007
commencing at 10:49 am*

PRESENT

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

Staff – J F Leu (Acting Chief Executive Officer), D G Carey (General Manager Community & Corporate), P J Trotman (General Manager Development & Environment), P J Cymbala (Acting General Manager Engineering), L Stayte (Acting Manager Planning), J R Allen (Strategic Planner), D V Crees (Manager Rates & Finance Support), A M Rodgers (Manager Corporate Support) and S K Andrews (Corporate Support).

Visitors – Jason Natoli, Director and Town Planner; and Simon Bentley, Town Planner, of Integran Pty Ltd; also Tamas Maffey-Stumpe, work experience student, Mossman State High School.

PROCEDURAL MOTION

Moved Cr Cox

07/0918/16A *“That the meeting be adjourned.”*

Carried unanimously

ADJOURNMENT OF THE MEETING

The meeting adjourned at 10:50 pm.

07/0918/16B **RESUMPTION OF THE MEETING**

Moved Cr Berwick

Seconded Cr Cox

“That the meeting be resumed.”

Carried unanimously

RESUMPTION OF THE MEETING

The meeting resumed at 12:41 pm.



BRIEFING SESSION – PRIORITY INFRASTRUCTURE PLAN

A briefing of the Council on the Priority Infrastructure Plan was presented by Jason Natoli, Director and Town Planner, Integran Pty Ltd. At the conclusion of the briefing, Mr Natoli was thanked by the Chair for his attendance and presentation.

WITHDRAWAL/ATTENDANCE

Mr Natoli and Mr Bentley withdrew from the meeting at 1:13 pm.

ADJOURNMENT OF THE MEETING

The meeting adjourned for lunch at 1:13 pm.

RESUMPTION OF THE MEETING

The meeting resumed at 2:14 pm without the attendance of the Strategic Planner, Jim Allen.

07/0918/16 DECLARATIONS OF INTEREST

There were no declarations of interest presented to the meeting.

07/0918/17 MINUTES

Moved Cr Berwick

Seconded Cr Pitt

“That the minutes of the Development & Environment Standing Committee Meeting held on 27 August 2007 be confirmed subject to an amendment being made to the voting on item 07/0827/14A – Purchase and Compensation – Daintree/Cape Tribulation Coast, that Cr Egan’s name replace Cr Pitt’s as voting in the negative on the motion.”

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

Against: Cr Sciacca

Carried



REPORTS

07/0918/18 MCUI 041/07 – LOT 1-18 GTP70052, 71-85 PORT DOUGLAS ROAD, PORT DOUGLAS – REQUEST TO ASSESS UNDER SUPERSEDED PLANNING SCHEME

Moved Cr Berwick

Seconded Cr Cox

“That Council approves the request to assess application MCUI 041/07 for multiple dwelling units on land described as Lot 1-18 on GTP70052, Parish of Salisbury, and located at 71-85 Port Douglas Road, Port Douglas, under the Superseded Planning Scheme.”

Carried unanimously

07/0918/19 SUB 038/04 – LOT 1 RP808147, GORGE ROAD, MOSSMAN – REQUEST TO CHANGE DEVELOPMENT APPROVAL CONDITION

Moved Cr Berwick

Seconded Cr Pitt

“That Council approves the request to delete condition 4.4 from development approval SUB 038/04 for land described as Lot 1 on RP808147, Parish of Victory, and located at Gorge Road, Mossman, with all other conditions remaining unchanged.”

Carried unanimously

07/0918/20 HOME-BASED BUSINESSES – ANNUAL FEE

Moved Cr Davis

Seconded Cr Berwick

“That Council notes the Council officer’s report and does not implement an annual fee on home-based businesses.”

Carried unanimously

07/0918/21 MCU 003/06 – LOT 11 CP846979, MITRE STREET, PORT DOUGLAS – REQUEST TO CHANGE EXISTING APPROVAL

Moved Cr Berwick

Seconded Cr Cox

“That Council approves the request to change application MCU 003/06 to allow an upgrade to the kitchen facility and construct a laundry facility on land described as Lot 11 on CP846979, Parish of Salisbury, and located at Mitre Street, Port Douglas; and to amend condition one (1) of the decision notice 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 the details of the application and the following approved Plan/s of Development:

Title	Plan No	Date
Plan of Development	0611 POR (0611_SS01)	20/06/07
Location Plan	0611 POR (0611_CD02)	15/03/07
Part Site Plan	0611 POR (0611_CD03)	15/03/07
External Works	0611 POR (0611_CD04)	15/03/07
Laundry Floor Plan	0611 POR (0611_CD06)	15/03/07
Community Building Floor Plan	0611 POR (0611_CD07)	15/03/07
Laundry Dimension Floor Plan	0611 POR (0611_CD08)	15/03/07
Laundry Ceiling Floor Plan	0611 POR (0611_CD10)	15/03/07
Laundry Roof Floor Plan	0611 POR (0611_CD12)	15/03/07
Laundry Elevations	0611 POR (0611_CD14)	15/03/07
Laundry Sections	0611 POR (0611_CD16)	15/03/07

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

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

Against: Crs Egan and Sciacca did not vote on the item and were counted in the negative

Carried

07/0918/22 TPC 1261 – LOT 11 SR740, CAPE TRIBULATION ROAD, CAPE TRIBULATION – MATERIAL CHANGE OF USE FOR TAKE-AWAY FOOD STORE (BOTTLE SHOP)

Moved Cr Egan

Seconded Cr Sciacca

“That Council approves application TPC 1261 for a Material Change of Use for a take-away food store (bottle shop) on land described as Lot 11 SR740, Parish of Alexandria, and located at Cape Tribulation Road, Cape Tribulation, 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 approved Plan/s of Development shown at Appendix A:

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 applicant/owner is to provide to Council a Landscaping Plan in accordance with Planning Scheme Policy No 7 – Landscaping prior to an application being made to Liquor Licensing. In particular the landscaping plan is to show screening vegetation along the full frontage of the site excluding the driveway area.*

Car parking

- 4. A car parking area with a minimum of four (4) spaces shall be dedicated to the take-away food store and are to be clearly signed for short term parking only, in accordance with the approved plan of development and the relevant Australian Standard, and maintained thereafter.*
- 5. An additional four (4) car parking spaces are to be constructed, drained, marked and sited elsewhere on the site in accordance with the approved plan of development and the relevant Australian Standard, and maintained thereafter.*

Compliance

- 6. 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

- 7. To guarantee the satisfactory completion of the landscaping and to ensure the completion of the works, the developer shall lodge with the Council a Cash Bond or Guarantee to the value of \$20 000. Such guarantee shall be lodged prior to the commencement of the use. 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."*

An amendment to the motion was moved:

Moved Cr Berwick

Seconded Cr Davis

“That Council approves application TPC 1261 for a Material Change of Use for a take-away food store (bottle shop) on land described as Lot 11 SR740, Parish of Alexandra, and located at Cape Tribulation Road, Cape Tribulation, 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 approved Plan/s of Development shown at Appendix A:*

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.*

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- 3. The applicant/owner is to provide to Council a Landscaping Plan in accordance with Planning Scheme Policy No 7 – Landscaping prior to an application being made to Liquor Licensing. In particular the landscaping plan is to show screening vegetation along the full frontage of the site excluding the driveway area.*

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- 5. An additional four (4) car parking spaces are to be constructed, drained, marked and sited elsewhere on the site in accordance with the approved plan of development and the relevant Australian Standard, and maintained thereafter.*

Compliance

- 6. 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

7. To guarantee the satisfactory completion of the landscaping and to ensure the completion of the works, the developer shall lodge with the Council a Cash Bond or Guarantee to the value of \$20 000. Such guarantee shall be lodged prior to the commencement of the use. 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.

And that a signage clause be included in the recommendation that both meets the current signage requirements and brings the existing signage up to scratch."

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

Lost

The original motion was put:

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

Carried

ATTENDANCE/WITHDRAWAL

Cr Egan withdrew from the meeting at 2:50 pm.

07/0918/23 REQUEST TO ASSESS TWO (2) MATERIAL CHANGE OF USE APPLICATIONS SUBMITTED BY THE AUSTRALIAN RAINFOREST FOUNDATION UNDER THE SUPERSEDED PLANNING SCHEME

Moved Cr Pitt

Seconded Cr Sciacca

"That Council refuses the request to assess the following two (2) applications, submitted by the Australian Rainforest Foundation, under the Douglas Shire Superseded Planning Scheme:

- MCUI 021/07 – Lot 185 on RP740951 (Turpentine Road, Diwan); and
- MCUI 022/07 – Lot 186 on RP740951 (Stonewood Road, Diwan)."

For: Cr Pitt, Berwick, Cox, Davis
Against: Cr Bellerio, Sciacca

Carried



**07/0918/24 LOT 14 RP746776, 6 JEWEL CLOSE, PORT DOUGLAS – BOUNDARY
DISPENSATION**

Moved Cr Cox

Seconded Cr Pitt

“That Council refuses the preliminary application for the construction of a garage and storeroom within the six (6) metre setback on land described as Lot 14 on RP746776, Parish of Salisbury, and located at 6 Jewel Close, Port Douglas.”

Carried unanimously

NOTICES OF MOTION

There were no notices of motion presented to the meeting.

TERMINATION OF THE MEETING

The meeting was closed at 2:57 pm.

Presented to and confirmed by the Development & Environment Standing Committee of the Council on the *ninth* day of *October* 2007.

**R Davis
Chair**