



DOUGLAS SHIRE COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

Tuesday 24 February 2026

ENSURING EXCELLENCE IN GOVERNANCE
ACCOUNTABLE AND TRANSPARENT DECISION-MAKING
INCLUSIVE ENGAGEMENT, PLANNING AND PARTNERSHIPS
CELEBRATING OUR COMMUNITIES

DOUGLAS
SHIRE COUNCIL

Scott Osman
CHIEF EXECUTIVE OFFICER



**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE
COUNCIL HELD ON TUESDAY 24 FEBRUARY 2026 COMMENCING AT 10:00A.M.**

Mayor Scmazzon opened the meeting at 10:00am by welcoming everyone to the Ordinary Meeting of the Douglas Shire Council being held on 24 February 2026 at the Mossman Council Chambers.

This Ordinary Meeting of Council is being Live Streamed via Teams and will also be available for others to watch at a later time.

Mayor Scmazzon acknowledged the Kuku Yalanji people who are the Traditional Custodians of the Land on which this meeting is being held and paid respect to their Elders past, present and emerging, and extended that respect to other Indigenous Australians who may be listening or watching this morning.

**DOUGLAS SHIRE COUNCIL
ORDINARY MEETING
TUESDAY 24 FEBRUARY 2026
10:00 AM
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1. ATTENDANCE & APOLOGIES

1.1. PRESENT

Cr Lisa Scomazzon (Mayor), Cr Roy Zammataro (Deputy Mayor), Cr Damian Meadows, Cr Abigail Noli, Cr Michael Rees

1.2. APOLOGIES

There were no apologies

1.3. OFFICERS IN ATTENDANCE

S Osman (Chief Executive Officer), P Hoye (Acting General Manager TC Jasper Corporate and Communities), D Langman (Chief Engineer TC Jasper Infrastructure and Recovery), S Roberts (Manager Community Services), T Maffey-Stumpe (Interim Chief Financial Officer), L Vogel (Manager Environment and Planning), C Lifu (Acting Manager Infrastructure Planning & Delivery) K Williams (Executive Assistant), L Boyd (Mayor & Councillor Support Officer), M Wilson (Senior Media and Communications Officer), T Woodhams (Digital Communications Officer)

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Cr Zammataro informed the meeting that he has a declarable conflict of interest in Item 7.10 Community Grants Program 2025-2026. due to his volunteering with the Mossman Senior Sharks.

As a result of Cr Zammataro's conflict of interest, Cr Zammataro requested permission to participate in the decision making as his role is purely in a volunteering capacity and he holds no decision-making authority or financial responsibility at the Mossman Senior Sharks.

Moved Cr Meadows

Seconded Cr Noli

That Council resolves that Cr Zammataro can participate and vote due to acting in a volunteer role with no decision-making authority or financial responsibility at the Mossman Senior Sharks therefore a reasonable person would trust that the final decision is made in the public interest.

Carried Unanimously

Cr Scomazzon informed the meeting that she has a declarable conflict of interest in relation to Item 7.7 - MCUI Extractive Industry - Sand Quarry Killaloe (as defined by Section 150EN of the Local Government Act 2009). The basis of Cr Scomazzon's declaration is that one of the owners of this land is Violet Scomazzon who is married to Cr Scomazzon's uncle. She is therefore a relative by marriage. They do not reside within the Shire or the State and Violet

Scomazzon is a distant relative. Cr Scomazzon has had no contact with Violet Scomazzon for more than 25 years.

Given the limited and distant nature of this relationship, Cr Scomazzon does not believe that her impartiality is comprised. However, Cr Scomazzon acknowledges that they share the same surname, which may give rise to a perceived conflict or the perception that her views or decisions could be influenced in this matter.

Cr Scomazzon requested permission to participate in the decision making due to having no ongoing relationship or contact with the applicant for over 25 years.

Moved Cr Noli

Seconded Cr Meadows

That Council resolves that Cr Scomazzon can participate and vote due to having no ongoing relationship or contact with the applicant for over 25 years, therefore a reasonable person would trust that the final decision is made in the public interest.

Carried Unanimously

3. DEPUTATIONS

3.1. DEPUTATION - LAND BESIDE KUBIRRI AGED CARE CENTRE

Beside the Kubirri Aged Care Centre, located at 49 Johnston Road, Mossman, is a piece of vacant land.

Ms Norris spoke about the vacant land located beside Kuburri Aged Care Centre.

Cr Scomazzon thanked Ms Norris for the presentation to Council.

4. MAYORAL MINUTES

Nil

5. CONFIRMATION OF MINUTES OF COUNCIL MEETING

5.1. CONFIRM MINUTES - ORDINARY MEETING HELD 27 JANUARY 2026

Moved Cr Meadows

Seconded Cr Noli

That the Minutes of the Ordinary Meeting held Tuesday 27 January 2026 be confirmed.

Carried Unanimously

6. BUSINESS ARISING FROM PREVIOUS MEETINGS

Nil

7. OFFICERS REPORTS

7.1. MAYORS DIARY FOR JANUARY 2026

Moved Cr Noli

Seconded Cr Rees

That Council notes the mayor's external appointments for the month of January 2026

Carried Unanimously

7.2. CHIEF EXECUTIVE OFFICER'S DIARY FOR JANUARY 2026

Moved Cr Noli

Seconded Cr Rees

That Council notes the Chief Executive Officer's external calendar appointments for the month of January 2026.

Carried Unanimously

7.3. CHANGE OF DATE - MARCH AND JUNE 2026 ORDINARY COUNCIL MEETING

Moved Cr Meadows

Seconded Cr Rees

That:

- 1. Council resolves to change the date for the March 2026 Ordinary Council Meeting to 10:00am on 31 March 2026; and*
- 2. Council resolves to change the date for the June 2026 Ordinary Council Meeting to 10:00am on 16 June 2026.*

Carried Unanimously

7.4. MAYOR AND COUNCILLORS ATTENDANCE AT LGAQ CIVIC LEADERS SUMMIT 25-26 MARCH 2026

Moved Cr Noli

Seconded Cr Rees

That Council endorses the attendance of Mayor Cr Lisa Scomazzon, Deputy Mayor Cr Roy Zammataro, Cr Michael Rees and Cr Damian Meadows at the Local Government Association Queensland (LGAQ) Civic Leaders Summit 25-26 March 2026 in Brisbane.

Carried Unanimously

7.5. OPERATIONAL PLAN PROGRESS REPORT FOR OCTOBER TO DECEMBER 2025

Moved Cr Rees

Seconded Cr Meadows

That Council notes the progress of the implementation of the 2025-2026 Operational Plan.

Carried Unanimously

7.6. 2026 JANUARY FINANCIAL REPORTS

Moved Cr Rees

Seconded Cr Meadows

That Council note the Statement of Comprehensive Income, Statement of Financial Position and Statement of Cashflows for January 2026.

Carried Unanimously

7.7. MCUI EXTRACTIVE INDUSTRY - SAND QUARRY, KILLALOE

Cr Scomazzon informed the meeting that she had a declarable conflict of interest in relation to Item 7.7 - MCUI Extractive Industry - Sand Quarry Killaloe (as defined by Section 150EN of the Local Government Act 2009). The basis of Cr Scomazzon's declaration was that one of the owners of this land is a relative by marriage.

As a result of Cr Scomazzon's conflict of interest, Cr Scomazzon requested permission to participate in the decision making due to having no ongoing relationship or contact with the applicant for over 25 years therefore a reasonable person would trust that the final decision is made in the public interest.

Moved Cr Noli

Seconded Cr Rees

That Council approves the development application for Material Change of Use-Impact for an Extractive Industry for the extraction of a maximum of 30,000t per annum over land described as Lot 1 on RP893855, subject to the following:

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term 'approved drawing(s) and/or document(s) or other similar expressions means:

Drawing or Document	Reference	Date
Site Plan – Proposed Sand Extraction	Generally in accordance with RPS Drawing AU015874-2f, dated 5 September 2025 (Council Doc ID 1324842) and amended by Condition 3.	To be determined
Proposed Access Road Layout (Sheet 1 of 2) and (Sheet 2 of 2)	Civil Walker Drawing 102-008-SK10 Revision 1 dated 24 August 2025 (sheet 1 of 2) and Drawing 102-008-SK11 Revision 2 dated 22 September 2025, and as amended by Conditions 4 and 5.	To be determined
Vehicle Swept Path Analysis	Civil Walker Drawings 102-008-SK12, Revision 1 dated 24 August 2025, 102-008-SK13, Revision 2 dated 22 September 2025 and 102-008-SK14, Revision 2 dated 22 September 2025, and as amended by Conditions 4 and 5.	To be determined
Inspection Sight Distance,	Civil Walker Drawing 102-008-SK15, Revision 1 dated 24 August 2025 and as amended by Conditions 4 and 5.	To be determined
Access Sight Distance	Civil Walker Drawing 102-008-SK16, Revision 2. dated 22 September 2025 and as amended by Conditions 4 and 5.	To be determined
Site Earthworks	Civil Walker Drawing 102-008-SK17, Revision 2 dated 22 September 2025 and as amended by Condition 6.	To be determined
Site Earthwork Sections	Civil Walker Drawing 102-008-SK18, Revision 2 dated 22 September 2025 and as amended by Condition 6.	To be determined

Note – The plans referenced above will require amending in order to comply with conditions of this Decision Notice.

ASSESSMENT MANAGER CONDITIONS & ADVICES

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning

Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval.

Timing of Effect

2. *The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.*

Amended Plans

3. *The Site Plan must be revised and provided to the satisfaction of the Chief Executive Officer prior to the commencement of use. The revision must be generally in accordance with the RPS Proposed Sand Extraction, Drawing AU015874-2f, dated 9 September 2025 as follows:*
 - a. *The area of extraction must be setback a minimum of ten (10) metres from the boundary of: the neighbouring Lot 2 on RP893855: and of Lot 33 on USL8687. These setback areas are to be nominated as landscaped setback with deep planting;*
 - b. *The area of extraction must be setback to exclude the area mapped within the Priority Living Area as identified in the Draft Far North Regional Plan 2025, refer to the extract of map below. An indicative line of the Priority Living Area as identified in the Draft Far North Regional Plan 2025 must be shown on the Site Plan.*



Figure 1 Extract of Priority Living Area Mapping

(Source: Draft Far North Regional Plan 2025, Interactive Mapping <https://experience.arcgis.com/experience/81ddbd5c7ee9482290979961da623c85>)

Map Disclaimer:

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

- c. *Nominate on the plan the areas on the site that have a level of 3.0m AHD or above. The property boundary is to nominate the heights that have been surveyed by a Licensed Surveyor;*

- d. *Include the “Proposed vegetated mound” as shown on the Civil Walker drawing of Site Earthworks, drawing 102-008-SK17, Revision 2 dated 22 September 2025;*
- e. *Include the location of the progressive stages for extraction. Commence from the northern end of the site and progress in a southerly direction;*
- f. *The location of the topsoil pile(s) and any associated drainage pond, being setback at least 200m from the existing sensitive land use on Lot 54 on SP292874*
- g. *Include an internal track and access plan that details the path for haul and excavator machinery vehicle movements to be progressed through the various stages of extraction. The internal track must be sealed from the northern property boundary to a distance of approximately two hundred and twenty (220) metres so that the sealed track extends beyond the earth mound. The internal track is to include a standing area of minimum length of twenty (30) metres beyond the landscaped earth mound to enable passing movements.*
- h. *Provide an internal headland track to enable the continued rural use of the site beyond the nominated extraction area;*
- i. *Include a safety fence to the northern boundary (to the unnamed road) with a gated access to the site;*
- j. *Include an amenities building and two car parking spaces on the land for use by employees attending the site as per conditions 13 and 14 of this approval. The amenities building and car parking spaces can be located within the setback from the northern property boundary but must be located beyond a setback of at least 150m from the existing sensitive land use on Lot 54 on SP292874; and*
- k. *Include a sealed surface storage area for machinery, capable of achieving a minimum ground level of 3.588m AHD to provide refuge for equipment during storm tide inundation events. The storm tide inundation storage area can be located within the setback from the northern boundary but must be located beyond a setback of at least 150m from the existing sensitive land use on Lot 54 on SP292874. The sealed surface storage area must be screened by a deep planted landscaping buffer of minimum width of four (4) metres. Machinery can be stored in a shed at this location.*

Amended Plans are to be endorsed by the Chief Executive Officer prior to the commencement of any associated preparation activity or use of the land.

Road & Access (External)

- 4. *Prior to the commencement of use the applicant / owner must upgrade the adjacent unnamed road and the intersection of the adjacent unnamed road with the Bonnie Doon Road generally in accordance with the Civil Walker design plans Proposed Access Road Layout (Sheet 1 of 2), Drawing 102-008-SK10 Revision 1 dated 24 August 2025, Proposed Access Road Layout (Sheet 2 of 2), Drawing 102-008-SK11 Revision 2 dated 22 September 2025, Vehicle Swept Path Analysis, Drawings 102-008-SK12, Revision 1 dated 24 August 2025, 102-008-SK13, Revision 2 dated 22 September 2025 and 102-008-SK14, Revision 2 dated 22 September 2025, Inspection Sight Distance, Drawing 102-008-SK15, Revision 1 dated 24 August 2025 and Access Sight Distance Drawing 102-008-SK16, Revision 2. dated 22 September 2025 and amended to:*
 - a. *Mitigate the conflict of vehicle movements of all vehicle combination types ensuring a minimum seven (7.0) metre wide sealed pavement is achieved to the point of the site access, and include any additional pavement widening to cater for swept path movements and associated line marking;*
 - b. *Identify vegetation to be removed in the unnamed road corridor to ensure adequate sight lines having regard to vehicle speed limits;*

- c. *Extend the new driveway for Lot 54 on SP292874 a further ten (10) metres and include a culvert crossing at the low point in this extension;*
- d. *Ensure any runoff from the new driveway for Lot 54 on SP292874 is sufficiently catered for; and*
- e. *Seal the new driveway for Lot 54 on SP292874 in either bitumen or concrete, to have a minimum width of 3.5m, with sufficient substrate construction.*

The final design and construction of the road and intersection upgrades are to be undertaken through a Development Permit for Operational Work. The upgrade must include associated line-marking and pavement widening.

All egress from the site must be designed to allow all vehicles to exit in a forward gear.

The design of works must be RPEQ certified and meet the FNQROC Development manual standards.

All costs associated with the upgrade of the unnamed road and the intersection of the unnamed road and Bonnie Doon Road, being the provision of network infrastructure under Section 145 of the Planning Act 2016, are to be borne by the operator/landowner.

The required upgrade works are not creditable work under Council's Local Government Infrastructure Plan.

Track and Access (Internal)

5.
 - a. *Track connectivity within the site must be provided via an internal track layout as identified in the amended site plan required under Condition 3.*
 - b. *The hauling of any extracted material must only be via the approved internal driveway.*
 - c. *The internal track is to include a suitable gravel hardstand turnaround area that can be progressively relocated through the site as the extraction stages progress.*
 - d. *The internal track and truck loading areas must be suitably compounded and water sprayed to minimise dust emissions to the satisfaction of the Chief Executive Officer.*
 - e. *The internal headland track providing for ongoing rural use of land where no extraction is being undertaken is to be maintained to the satisfaction of the Chief Executive Officer.*

6. Earthworks Plans

Amended Plans are required as follows:

- a. *The Civil Walker Site Earthworks Plan, Sheet 102-008-SK17, Revision 2, dated 22 September 2025, is to be amended to:*
 - i. *Align with the amended Site Plan including requirements under the conditions of this approval;*
 - ii. *Include the internal access track, required under the conditions of this approval, from the northern boundary and an indicative location of the track through the excavation area via which the operation will occur;*
 - iii. *Further detail of the "Proposed Vegetated Mound" including a minimum height of two (2) metres for the earth mound with deep planting above is required. The width of the mound is to be sufficient to stabilise the mound with 1 in 2 batters;*
 - iv. *Include the location of the topsoil stockpile and any associated runoff pond or sediment control measures;*

- v. *The areas of the site that are above RL3.0mAHD;*
 - vi. *Include drainage channels, to mitigate ponding of overland flow and storm tide inundation that are designed and managed to mitigate detrimental environmental impacts; and*
 - vii. *Include the deep planted landscaping setback areas to the side boundaries.*
- b. *The Civil Walker Site Earthworks Section Plan, Sheet 102-008-SK18, Revision 2, dated 22 September 2025, is to be amended to nominate the base cut level to be RL3.0m AHD.*

The amended plans are to be endorsed by the Chief Executive Officer prior to the commencement of any associated preparation activity or use of the land.

Sediment and Erosion Control

7. a. *A sediment and erosion control plan must be submitted prior to the issue of a Development Permit for Operational Works. Such plans must be installed/implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).*
- b. *The sediment and erosion control plan must detail the various stages of earthworks for the development and the measures to be installed for each stage as the earthwork is progressed and have regard to stockpile stability.*
- c. *The sediment and erosion control plan must be provided to the satisfaction of the Chief Executive Officer prior to the commencement of use.*

Landscape plan

7. a. *The site must be landscaped generally in accordance with an approved Landscape Plan. A Landscape Plan must be submitted for approval prior to the commencement of any associated activity on the land. All landscaping works must be contained on the site.*
- b. *The Landscape Plan must show:*
- i. *A range of deep plantings of buffer setback and buffer screening areas (where applicable) of suitable tree and shrub species to produce a minimum height of 4m within two years of establishment and have a range of heights;*
 - ii. *Inclusion of suitable drainage considerations through the landscape buffer areas;*
 - iii. *Confirmation from a landscape designer that the species are suitable tree and shrub species and are fit for purpose which will form an effective screen within two years.*
 - iv. *Nomination of planting densities and pot sizes. Plants of varying pot sizes from 5 litre contains to 120 litre containers must be used to create an effective landscaped area from the onset;*
 - v. *Detail of the ground preparation and removal of any unsuitable material. The soil must be well prepared (not compacted) and fertilized with organic fertilizers to encourage strong growth;*
 - vi. *Species to have regard to Council's Planning Scheme Policy SC6.7 Landscaping;*
 - vii. *Species to have a low bush fire fuel load;*
 - viii. *Details of any proposed fencing; and*

- ix. *Inclusion of any other relevant conditions included in this Development Permit. A copy of this Development Approval must be given to the applicant's Landscape Architect/Designer.*

The Landscape Plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Work.

- c. *Landscaping is to be established prior to the commencement of any extraction.*
- d. *All landscaping must be maintained for the life of the extraction operation to the satisfaction of the Chief Executive Officer.*

Extractive Industry Operation

- 8. a. *No sorting or screening of extracted sand material is to occur on the site.*
- b. *Topsoil is to be stripped and set aside with suitable cover, at a suitable location on the land, and established to minimise dust emissions.*
- c. *No extraction is to be undertaken at or below RL3.0m AHD as determined by survey*
- d. *The extraction must only occur within the amended Site Layout Plan required under Condition 3 and the amended Earthworks Plans required under Condition 6.*
- e. *The total amount of material extracted must not exceed 30,000 tonnes per year. The operator / landowner must provide the Chief Executive Officer with records of quantities of material extracted/removed from the site on a monthly basis, including the number of truck movements associated with each monthly quantity.*
- f. *The total active extraction area must not exceed one (1) hectare at any given time.*
- g. *The former extraction area must not exceed one (1) hectare at any given time.*
- h. *Extraction must not intercept groundwater.*
- i. *Areas which contain shell grit or significant Aboriginal artefacts must be avoided.*
- j. *Extraction, loading and any associated earthworks can only occur during the hours of Monday to Friday: 7:00 am to 5:00 pm. No extractive industry operation (including any motors, machinery, or the like associated with the extractive industry operation) is to occur outside these hours.*

In addition to this limit, no work is to be undertaken on a Saturday, Sunday or a Public Holiday with the exception of moving machinery prior to a severe weather event where prior advice of such movement is forwarded to the Chief Executive Officer.

- k. *When no work is occurring on the land and outside the approved operating hours, the gated access to the site is to be closed and locked.*
- l. *A maximum of five (5) truck hauls may be undertaken per day of operation from the site. All vehicle egress from the site must be in a forward gear.*
- m. *Machinery and plant used on-site must be fitted with low dB reversing 'squawkers' instead of sirens to minimise noise impacts.*
- n. *Extraction and loading is only to be undertaken with an excavator.*
- o. *Areas within the staged areas of extraction that are not actively being used for extraction or former extraction areas yet to be rehabilitated, must be utilised for rural uses, for cropping and or grazing or the like.*
- p. *No extraction is to occur in the Great Barrier Reef Wetland Protection Area as defined under the Environment Protection Regulation 2019 or the Great Barrier*

Reef Wetland of High Ecological Significance as identified on the Map of Queensland Wetland Environmental Values under the Environmental Protection (Wetland and Water Biodiversity) Policy 2019.

Transportation of Extracted Material

9. *The applicant will be required to take every precaution to avoid spillage.*

All material transported to or from the site must be covered to prevent dust or spillage during transport.

If material is tracked or spilt onto the road pavements as a result of works on the subject site, it must be removed prior to the end of the working day and within four (4) hours of a request from a Council Officer.

Possible Acid Sulfate Soil (PASS)

10. a. *Where it is found that PASS exist, treatment of soil must be undertaken on-site to neutralise acid, prior to disposal as fill, in accordance with the DNRM 'Queensland Acid Sulfate Soil Technical Manual'.*
- b. *Further excavation of the area where the PASS was found must cease, this area must be rehabilitated and the Chief Executive Officer be informed.*

Noise and Dust

11. *All reasonable and practicable measures must be implemented during the extraction operation for the purpose of managing noise emissions. These measures must be capable of minimising the potential for unreasonable impacts to nearby sensitive uses and provided within a site based management plan.*

All internal haul tracks must be watered to mitigate offsite impacts of dust movements.

Emissions associated with the development, including but not limited to noise and dust emissions must not cause an 'environmental nuisance' within the meaning of the Environmental Protection Act 1994 (s440) to any nearby sensitive receptor, at any time.

The site based management plan must be provided to the Chief Executive Officer prior to the commencement of use and must be to the satisfaction of the Chief Executive Officer.

Rehabilitation

12. *Former extraction areas are to be rehabilitated in compliance with the following:*
- a. *Excepting the internal track the rehabilitated land must have the topsoil reinstated and be improved to achieve a minimum grade of a GQAL Category B level, and be grassed or planted for cropping;*
- b. *The internal extraction operation track is to be removed and the ground restored to enable the re-establishment of cropping use*
- c. *The finished rehabilitated area is to have a maximum grade of one in ten (1 in 10) to the side areas of the extraction pit and to be suitably drained to mitigate future ponding*

Should all the resource, available at a height of RL3.0m AHD or above within the area of extraction be exhausted then the land is to be restored within twelve (12) months of cessation of extraction operations to the satisfaction of the Chief Executive Officer.

At the conclusion of the extraction of the resource on the land the earth buffer mound must be removed and the land surface appropriately levelled, the soil improved so as to enable the return of the land to agricultural use of cropping or grazing.

All rehabilitation is to be undertaken to the satisfaction of the Chief Executive Officer.

Carparking

- 13. The minimum amount of vehicle parking of two (2) spaces must be provided on the site. The vehicle carparking must be sealed with sufficient turnaround. The car parking space must be provided prior to the commencement of use.*

Onsite Amenity

- 14. Provision of an onsite amenities building including a toilet must be provided onsite for the period of the excavation. The amenities building may be complimented with a covered rest shelter. The onsite amenities must be provided prior to the commencement of use to the satisfaction of the Chief Executive Officer.*

Prevention of the spread of weeds and pests

- 15. The operator/landowner must ensure the development is carried out in a manner that prevents the spread of weeds, seeds or other pests into clean areas or away from any existing infested areas.*

Water Supply

- 16. The operator/landowner must ensure the development is adequately serviced by an appropriate water supply to Councils satisfaction.*

ADVICES

- 1. For the commencement of use, this approval, granted under the provisions of the Planning Act 2016, shall lapse six (6) years from the day the approval takes effect in accordance with sections 85(1)(b) and 71 of the Planning Act 2016.*
- 2. This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.*
- 3. Any fill of material on the site, where fill material originates from an external site, must meet the Planning Scheme requirements for Operational Work.*
- 4. Any machinery storage shed nominated in Condition 3 must meet be complaint with the Planning Scheme or achieve any necessary approval.*
- 5. All site managers must take all action necessary to ensure materials and/or machinery and equipment on the site are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of work.*
- 6. For information relating to the Planning Act 2016, log on to www.dsd.qld.gov.au . To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au.*
- 7. The operator must hold and continue to hold a current Environmental Authority under the Environment Protection Act 1994 while conducting the land use.*
- 8. The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 applies to action that has, will have or is likely to have a significant impact on matters of national environmental significance. Further information on the EPBC Act can be obtained from the Department of the Agriculture, Water and the Environment, website at <https://www.awe.gov.au/environment/epbc> .*
- 9. Electric Ants*
Electric ants are designated as restricted biosecurity matter under the Biosecurity Act 2014.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the Biosecurity Regulation 2016. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a general biosecurity obligation) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at <https://www.business.qld.gov.au/industries/farms-fishing-forestry/agriculture/biosecurity/plants/insects/electric-ants>

or contact Biosecurity Queensland 13 25 23.

10. The taking of water, or interfering with water from streams or groundwater sources, will require a permit administered under the Water Act 2000 and issued by the regional office of the Department of Natural Resources. Further information can be obtained from the Department at www.dnr.qld.gov.au.

Cultural Heritage

11. The Aboriginal Cultural Heritage Act 2003 and Torres Strait Islander Cultural Heritage Act 2003 (the Cultural Heritage Acts) require anyone who carries out a land-use activity to exercise a duty of care.

This 'duty of care' means land users must take all reasonable and practicable measures to ensure their activity does not harm Aboriginal or Torres Strait Islander cultural heritage. The duty of care applies to any activity where Aboriginal or Torres Strait Islander cultural heritage is located. This includes cultural heritage located on freehold land and regardless of whether or not it has been identified or recorded in a database.

Consultation with the Aboriginal or Torres Strait Islander party for an area may be necessary if there is a high risk that the activity may harm Aboriginal or Torres Strait Islander cultural heritage. Guidelines have been produced to enable assessment of sites under the Act. These are available from the Queensland Government website and can be downloaded from the following website.

<https://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care>.

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

Concurrence Agency	Concurrence Agency Reference	Date	Doc ID
State Assessment and Referral Agency (SARA) within the Department of State Development, Manufacturing Infrastructure and Planning	2410-43198 SRA	13 December 2024	Doc 1268767

REASONS FOR DECISION

The reasons for this decision are:

1. Sections 60, 62 and 63 of the Planning Act 2016:
 - a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
 - b. to ensure compliance with the Planning Act 2016.
2. Findings on material questions of fact:
 - a. the development application was properly lodged to the Douglas Shire Council on 30 October 2024 under section 51 of the Planning Act 2016 and Part 1 of the Development Assessment Rules;
 - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
 - a. the development triggered assessable development under the Assessment Table associated with the Rural Zone Code;
 - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the Planning Act 2016; and
 - c. the applicant's reasons have been considered and the following findings are made:
 - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.
 - ii. The Strategic Framework for Natural Resource Management requires the development to be, "small-scale, visually unobtrusive and managed in an environmentally responsible manner," The development is considered to be a "small-scale" Extractive Industry. The development can be managed through conditions to align with the specific outcomes of the Strategic Framework to, "not unduly compromise natural landscape values," to, "not detrimentally impact on community well-being or the Shire's ecological, landscape, scenic amenity and rural production values," and to, "progressively rehabilitated to a natural state."
 - iii. The development is setback from sensitive areas. Conditions require landscaped setbacks from the property boundary and nearby wetlands, that feed into the Great Barrier Reef Marine Park World Heritage Area, to ensure the ecological value of these areas are maintained.
 - iv. Regard has been given to the Draft Far North Queensland Regional Plan 2025 for Areas of Regional Interest (ARIs) by conditionally: requiring development to be beyond the Priority living areas (PLAs); and requiring the land be suitably rehabilitated for primary production for long term achievement of Priority agricultural areas (PAAs);
 - v. Regard has been given to the Overlay constraints through conditions that limit the depth and extent of extraction, the requirement to provide suitable buffers and the future rehabilitation of the site;
 - vi. The land use is not a listed inconsistent use in the Rural Zone. The conditions of the approval limit the time over which the Extractive industry can operate, the extent of area of extraction and the level to which material

can be recovered. The conditions require the remediation of the land to enable future primary production;

- vii. The approval is conditioned to be adequately separated from existing sensitive land uses and to mitigate impacts on significant ecological, landscape or rural values. The conditions require the ongoing rural use of non-active extraction areas.
- viii. The approval is conditioned to provide adequate separation from existing sensitive land uses external to the site. Continued use of rural land external to the site is not compromised by the development through the implementation of landscape buffers that will provide adequate separation;
- ix. The approval requires the upgrade of the local road network infrastructure to meet the demands of the development;
- x. The approval does not negate the requirement of the applicant to give due care as required under the Aboriginal Cultural Heritage Act 2003.
- xi. The development application triggered referral to the State Assessment & Referral Agency (SARA) regarding the impact on State infrastructure (roads). The SARA issued correspondence approving the development subject to conditions.
- xii. Separate approval is required to undertake the extraction activity as an Environmentally Relevant Activity (ERA). The applicant has chosen to achieve a separate ERA approval. Development on the land must meet the requirements of any separate approval.

Assessment Benchmarks

The following are the benchmarks applying to the development.

Benchmarks applying for the development	Benchmark reference
Strategic Framework Rural zone code Extractive Industry Zone Acid sulphate soils overlay code Bushfire overlay code Coastal environment overlay code Flood and storm tide hazard overlay code Landscape values overlay code Natural areas overlay code Transport network overlay code Access, parking and servicing code Advertising devices code Environmental performance code Filling and excavation code Infrastructure works code Landscaping code	Douglas Shire Planning Scheme 2018 (V1.0) in effect 2 January 2018

Compliance with Benchmarks

The development complies with the benchmarks as per the summary provided in Reasons For Decision in particular Item 3c.

For Cr Noli
Against Cr Scomazzon, Cr Zammataro, Cr Meadows, Cr Rees

Motion lost

An alternative motion was put forward.

Moved Cr Rees

Seconded Cr Meadows

That the motion be amended to read:

That Council refuses the Development Application for Material Change of Use-Impact for an Extractive Industry for the extraction of a maximum of 30,000t per annum over land described as Lot 1 on RP893855, on the following grounds:

- 1. Sand ridges and dunes form part of the Douglas Shire's physical setting and its environment as specifically identified in sections 3.2.1.2(1) and 3.2.1.3(3) respectively of the Douglas Shire Planning Scheme 2018 (the Planning Scheme). The extraction of the sand ridge proposed here, is in direct conflict with these provisions, along with Theme 2 – Environment and landscape values, Coastal zones element 3.5.4(2) and specific outcomes 3.5.4.1(1), (2), (3), (5) and (8) of the Planning Scheme.*
- 2. The proposed development does not, or has not been demonstrated to comply with sections 3.6.1(1) or (3) of the Planning Scheme (Theme 3 – Natural resource management: strategic outcomes);*
- 3. The proposed development does not, or has not been demonstrated to comply with section 3.6.3, or section 3.6.3.1(1) of the Planning Scheme (Theme 3 – Primary production, forestry and fisheries element).*
- 4. The proposed development does not, or has not been demonstrated to comply with section 3.6.4(1), or sections 3.6.4.1(2) or (3) of the Planning Scheme (Theme 3 – Natural resource management: resource extraction element).*
- 5. The proposed development does not, or has not been demonstrated to comply with:*
 - (a) section 6.2.10.2(1) and (2) of the Rural Zone Code;*
 - (b) sections 6.2.10.2(3)(a), (b), (c) and (d), and PO4 and PO5 of the Rural Zone code;*
 - (c) sections 9.3.10.2(2)(a) – (f) of the Extractive Industry Code;*
 - (d) PO1 – PO10 of the Extractive Industry Code;*
 - (e) sections 9.4.3.2(1), 9.4.3.2(2)(c) and PO7 (AO7.2 and AO7.3) of the Environmental Performance Code;*
 - (f) section 9.4.4.2(2)(a) – (e) of the Filing and Excavation Code;*
 - (g) PO1, PO2, PO3, PO4 and PO5 (together with their associated AO's) of the Filing and Excavation Code;*
 - (h) section 9.4.5.2(2)(a) – (e) of the Infrastructure Works Code;*
 - (i) PO3, PO5, PO12 (together with their associated AO's) of the Infrastructure Works Code;*
 - (j) section 8.2.4.2(1)(a)(i) of the Flood and Storm Tide Hazard Overlay Code (with specific reference to sections 3.4.7.1(1) and (5), and 3.4.7.2(1) of Theme 1 – Mitigation of*

Hazards);

- (k) sections 8.2.4.2(2)(c), (e) and (g) of the Flood and Storm Tide Hazard Overlay Code;
 - (l) PO5 (together with its associated AO's) of the Flood and Storm Tide Hazard Overlay Code;
 - (m) section 8.2.6.2(1)(a)(ii) of the Landscape Values Overlay Code (with specific reference to section 3.6.4 of Theme 3 – Resource Extraction);
 - (n) sections 8.2.6.2(2)(d) and (e) of the Landscape Values Overlay Code;
 - (o) PO2 of the Landscape Values Overlay Code;
 - (p) sections 8.2.7.2(1)(a) and 8.2.7.2(2) of the Natural Areas Overlay Code;
 - (q) PO1 – PO4 of the Natural Areas Overlay Code (together with their associated AO's)
6. It has not been demonstrated that the proposed development will not give rise to unacceptable traffic impacts including in respect of:
- (a) the suitability or safety of the proposed road access to the proposed development site, including the form of the road;
 - (b) the integration and connection of the development to the surrounding transport network; and
 - (c) impacts on the operation, safety and amenity of the surrounding road network.
7. There are no relevant matters which favour approval of the proposed development.

Carried Unanimously

The alternative motion became the substantive motion and was put to the vote.

Moved Cr Rees

Seconded Cr Meadows

For Cr Scomazzon, Cr Zammataro, Cr Meadows, Cr Rees

Against Cr Noli

Motion Carried

7.8. CHANGE APPLICATION TO COURT ORDER - ANDREASSEN ROAD CRAIGLIE

Moved Cr Meadows

Seconded Cr Noli

- A. That Council approves the application for a minor change to the Development Approval for Planning and Environment Court Appeal 7 of 2013 (Cairns) being the Judgement dated 9 September 2013, over land described as Lot 1 on RP725770, Lot 3 on RP730522 and Lot 24 on SR423, whereby:

1. Condition 7 is amended as follows:

Infrastructure Plan

7. Provision of an updated Water Supply and Sewerage Infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced by Council's Infrastructure. In particular the plan must:-

- a. Identify external catchments that will be connected to the internal sewer or water networks;
- b. Show how the site will be connected to Council's infrastructure taking into account other development likely to be connected to the proposed infrastructure at the time of application for operational works;
- c. Identify any trunk infrastructure external to the subdivision that may require upgrading to accommodate the development; and

The water supply and sewerage infrastructure plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

The infrastructure plan must also include the proposed trunk road network upgrade identified under the conditions of this approval.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to the issue of a Compliance Certificate for signing and dating of the Plan of Survey.

2. Condition 8 is amended as follows:

Infrastructure Agreement

8. The infrastructure plan as outlined by Condition 7 and any drainage works along Andreassen Road as determined by Conditions 5 and 11, may require the construction of Trunk Infrastructure works to support the development. The cost of constructing Trunk Infrastructure must be agreed to by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works to construct the infrastructure. All trunk infrastructure, headworks or otherwise is subject to the applicant/owner entering into an Infrastructure Agreement with Council prior to the issue of a Development Permit for Operational Works.

The agreement shall document the terms and conditions under which the infrastructure is to be built and how and when the applicant/owner is financially reimbursed and may include the offset of infrastructure charges.

Council will contribute towards costs incurred that directly relate to the delivery of trunk infrastructure. The extent of contribution will be subject to negotiations at the time of entering into the Infrastructure Agreement and be at the discretion of the Chief Executive Officer.

3. Condition 11 is amended as follows:

External Works to Andreassen Road

11. *Undertake the following external works to Andreassen Road:*

- a. *Upgrade Andreassen Road from the intersection of with the Captain Cook Highway to a point immediately behind proposed Lot 2 on Plan 62273-5 Issue E dated 10 September 2012, generally in accordance with Lambert & Rehbein Drawing CO7037—CSK07-B and to a Major Collector Standard as per the FNQROC Development Manual. Works are to include the provision of kerb and channel, underground drainage and street lights;*
- b. *Where the extent of external drainage infrastructure identified by the expanded drainage study as detailed in Condition 5 is unable to be accommodated within the existing Andreassen Road Reserve, the road reserve width will need to be increased to ensure that all necessary infrastructure is fully accommodated within the road reserve. As outlined in Condition 8, these works may represent creditable Trunk infrastructure; and*
- c. *Provision of 600 mm wide landscaping strip within the Road Reserve, immediately behind the rear of lots adjoining Andreassen Road from behind proposed Lot 88 through to proposed Lot 2 on Plan 62273—5 Issue E dated 10 September 2012, in accordance with the provisions of Condition 13.*

The external works outlined above constitute Operational Works. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to the ~~issue of a Compliance Certificate for~~ signing and dating of the Plan of Survey.

4. *All other conditions of the Judgement remain unchanged; and*

B. *An updated Infrastructure Charges Notice is issued.*

C. **REASONS FOR DECISION**

The reasons for this decision are:

- 1. *Sections 78, 78A, 79, 80, 81, 81A, 83 and 286 of the Planning Act 2016:*
 - a. *to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0;*
 - b. *to ensure the development satisfies the considerations of the Draft Far North Queensland Regional Plan; and*
 - b. *to ensure compliance with the Planning Act 2016.*
- 2. *Findings on material questions of fact:*
 - a. *the development application was properly lodged to the Douglas Shire Council on 10 February 2026 under sections 78, 78A and 79 of the Planning Act 2016 and Part 1 of the Development Assessment Rules;*
 - b. *the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy, the Draft Far North Queensland Regional Plan and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.*
- 3. *Evidence or other material on which findings were based:*

- a. *the development triggered assessable development under the Assessment Table associated with the Low Density Residential Zone Code and the Conservation Zone Code;*
 - b. *Council undertook an assessment in accordance with the provisions of sections 80, 81, 81A and 83 of the Planning Act 2016; and*
 - c. *the applicant's reasons have been considered and the following findings are made:*
 - i. *Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.*
- D. *Delegate authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise any, and all matters, associated with the delivery of trunk infrastructure and to enter into an Infrastructure Agreement with the owner of Lot 1 on RP725770, Lot 3 on RP730522 and Lot 24 on SR423.*

Carried Unanimously

7.9. APPLICATION TO PURCHASE STATE LAND - PART OF LOT 11 N7853 PHIL LUNN PARK, NEWELL

Moved Cr Zammataro

Seconded Cr Noli

That Council:

1. *Support an application by the registered owner of 50 Marine Parade, Newell, formally described as Lot 5 N7852, to purchase approximately 171m² of adjoining State land, being part of a reserve known as Phil Lunn Park and described as Lot 11 N7853.*
2. *Advise the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development that Council, as the trustee of the reserve, supports the application, by completion of LA30 statement: Statement in relation to an application under the Land Act 1994 over State land.*

Carried Unanimously

7.10. COMMUNITY GRANTS PROGRAM 2025-2026

Cr Zammataro had a declarable conflict of interest in relation to Item 7.10 Community Grants Program 2025-2026. due to his volunteering with the Mossman Senior Sharks.

As a result of Cr Zammataro's conflict of interest, Cr Zammataro requested permission to participate in the decision making as his role is purely in a volunteering capacity and he holds no decision-making authority or financial responsibility at the Mossman Senior Sharks.

Moved Cr Noli

Seconded Cr Meadows

That Council:

1. Approves the allocation of \$35,638 from Council's Community Grants Program 2025–2026 to fund five recommended applications, as detailed in this report; and
2. Approves the opening of a second round of Council's Community Grants Program 2025-2026 in March 2026.
and
3. Delegates authority under Section 257(1)(b) of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise and execute any and all matters associated with the grants.

Carried Unanimously

7.11. CONTRACT AWARD FOR CN2025-020: DSC 2023 DRFA - LANDSLIPS PACKAGE 18 CHINA CAMP ROAD

Moved Cr Meadows

Seconded Cr Rees

That Council:

- a) Resolves to award Contract CN2024-020 – DSC DRFA 2023 China Camp Road Slips (Wujal Wujal) to HEH Civil Pty Ltd for an approved tender value of \$9,529,225.62 (excluding GST); and
- b) Authorises the Chief Executive Officer to negotiate, finalise, and enter into the contract with HEH Civil Pty Ltd in the form issued with the Request for Tender (with any agreed amendments), subject to Disaster Recovery Funding Arrangements and Queensland Reconstruction Authority requirements.

Carried Unanimously

7.12. QUARTERLY UPDATE INFRASTRUCTURE RECOVERY PROGRAMS - Q2 25/26FY

Moved Cr Rees

Seconded Cr Meadows

That Council note the Infrastructure Recovery Report Quarter 2 2025/2026 Financial Year.

Carried Unanimously

7.13. QUARTERLY Q2 CAPITAL WORKS REPORT INFRASTRUCTURE, PLANNING AND DELIVERY (IP&D)

Moved Cr Noli

Seconded Cr Rees

That Council receives and notes the progress of the Capital Works Program for the period 1 October to 31 December 2025.

Carried Unanimously

7.14. ACTIVE TRANSPORT GRANTS PROGRAM SUBMISSION - PORT DOUGLAS TO MOSSMAN RAIL TRAIL PLANNING

Moved Cr Noli

Seconded Cr Meadows

That Council endorses the Port Douglas to Mossman Active Transport Planning project for submission under the Active Transport Grants Program administered by the Department of Transport and Main Roads (TMR).

Carried Unanimously

7.15. DAINTREE RIVER FERRY UPDATE NOVEMBER TO DECEMBER 2025

Moved Cr Rees

Seconded Cr Zammataro

That Council receives and notes the Daintree Ferry financial information and project progress for November to December 2025.

Carried Unanimously

8. NOTICES OF MOTION

Nil

9. URGENT BUSINESS

Nil

10. PETITIONS

Nil

11. CLOSED SESSION

Nil

12. MEETING CLOSURE

The meeting closed at 11:14am.

Unconfirmed