



DOUGLAS SHIRE COUNCIL

# ORDINARY COUNCIL MEETING

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# MINUTES

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Tuesday 31 March 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 31 MARCH 2026 COMMENCING AT 10:00A.M.**

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Mayor Cr Scomazzon opened the meeting at 10:00am by welcoming everyone to the Ordinary Meeting of the Douglas Shire Council being held on Tuesday 31 March 2026 at the Mossman Council Chambers.

This Ordinary Meeting of Council is being Live Streamed on Council's Website and will also be available for others to watch at a later time.

Mayor Scomazzon 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 31 MARCH 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 Corporate and Communities), D Langman (General Manager Infrastructure), S Roberts (Manager Community Services), T Maffey-Stumpe (Interim Chief Financial Officer), L Vogel (Manager Environment and Planning), C Lifu (Acting Manager Infrastructure Planning and Delivery), K Williams (Executive Assistant), L Boyd (Mayor & Councillor Support Officer), T Woodhams (Digital Communications Officer), L Dowling (Community Engagement Officer)

## **2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST**

Nil

## **3. DEPUTATIONS**

Nil

## **4. MAYORAL MINUTES**

Nil

## **5. CONFIRMATION OF MINUTES OF COUNCIL MEETING**

### **5.1. CONFIRM MINUTES - ORDINARY MEETING HELD 24 FEBRUARY 2026**

**Moved** Cr Meadows

**Seconded** Cr Rees

*That the Minutes of the Ordinary Meeting held Tuesday 24 February 2026 be confirmed.*

**Carried** Unanimously

## **6. BUSINESS ARISING FROM PREVIOUS MEETINGS**

Nil

## **7. OFFICERS REPORTS**

### **7.1. MAYORS DIARY FOR FEBRUARY 2026**

**Moved** Cr Rees

**Seconded** Cr meadows

*That Council notes the mayor's external appointments for the month of February 2026.*

**Carried** Unanimously

### **7.2. CHIEF EXECUTIVE OFFICER'S DIARY FOR FEBRUARY 2026**

**Moved** Cr Noli

**Seconded** Cr Meadows

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

**Carried** Unanimously

### **7.3. APPOINTMENT OF AUDIT COMMITTEE MEMBER**

**Moved** Cr Meadows

**Seconded** Cr Noli

*That Council:*

- 1. Pursuant to section 210 of the Local Government Regulations 2012, appoints a Councillor as a member of the Douglas Shire Council Audit and Risk Committee; and*
- 2. Decide the duration of the appointment of the Councillor to the Audit and Risk Committee.*

**An amended motion was proposed.**

**Moved** Cr Meadows

**Seconded** Cr Noli

That Council:

1. Pursuant to section 210 of the Local Government Regulation 2012, appoints Councillor Rees as a member of the Douglas Shire Council Audit and Risk Committee;

and

2. The appointment of the Councillor to the Audit and Risk Committee is for a period of two years.

**Carried** Unanimously

#### **7.4. MINOR CHANGE APPLICATION ROL 2021\_4012 CAPTAIN COOK HWY CRAIGLIE**

**Moved** Cr Meadows

**Seconded** Cr Rees

- A. That Council approves the application for a Minor Change to the Negotiated Decision Notice for Reconfiguring a Lot (one lot into 39 lots, new road and balance land) determined on 26 April 2022, being for Stage 2 of New Port Estate, over land described as Lot 900 on SP322659 (formerly known as Lot 2 on SR431), whereby:

1. Condition 6 is amended as follows

*Road Upgrade*

- 6A.** Design and undertake construction of an upgrade to Beor Street (east) for the provision of two approach lanes at its intersection with Captain Cook Highway, being non trunk infrastructure.

*The lane capacity and configuration is to be determined from a revised traffic analysis.*

*The study must be prepared by an appropriately qualified and experienced RPEQ Traffic Engineer and be submitted to Council prior to the lodgement of the application for operational work for the subdivision. The report must detail:*

- a. assumptions for the trip distribution and network assignment;
- b. a sensitivity analysis should be undertaken in relation to these assumptions; and
- c. SIDRA outputs for all legs and each approach lane for the intersection including LOS, DOS, queue length and delay.

*The above considerations for the Study and the outcomes of the Study must be to the satisfaction of the Chief Executive Officer.*

*Other than the contribution by Council under the Infrastructure Agreement required under condition 6B, all works are to be at no cost to Council. The upgrade must include associated linemarking, pavement widening and*

street lighting.

The applicant must obtain an approval from the Department of Main Roads and Council regarding the works scope.

Infrastructure Agreement

6B. The cost of providing the intersection upgrade to Beor Street (east) and the Captain Cook Highway required under Condition 6A must be agreed to by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works to construct the infrastructure.

Council will contribute towards costs incurred that directly relate to the delivery of trunk infrastructure for a maximum sum of \$31,000.00.

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.

2. All other conditions and requirements of the Negotiated Decision Notice for Reconfiguring a Lot (One lot into 39 lots, new road and balance land) determined on 26 April 2022 remain unchanged.

**B. REASONS FOR DECISION**

The reasons for this decision are:

1. Sections 78, 78A, 79, 80, 81, 81A and 83 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
  - c. 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 18 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.

- C. 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 the

infrastructure required under Conditions 6A and 6B and to enter into an Infrastructure Agreement with the owner of Lot 900 on SP322659.

**Carried** Unanimously

## **7.5. MCU 2025\_5809 PERMANENT PLANTATION, DAINTREE LOWLANDS**

**Moved** Cr Meadows

**Seconded** Cr Zammataro

**A.** *That Council refuse the development application in part for Material Change of Use (Impact Assessment) for Permanent Plantation (ecological restoration of nationally significant wetland and surrounds) over the balance of the land described as Lot 2 on N15779, Lot 9 on SP143026, Lot 3 on SP126928, Lot 8 on RP722116, Lot 1 on RP706308, Lot 1 on RP720435, Lot 1 and Lot 2 on RP720582, Lot 2 on RP721745, Lot 5 on RP706307, Lot 337 on RP800690, and Lot 354 on SR616, of areas not supported under the required amended plans above, on the following reasons for refusal:*

- 1. The fragmentation of agricultural land is inconsistent with the Far North Queensland Regional Plan 2009-2031, the Draft Far North Regional Plan (2025), the State Planning Policy 2017 and the Planning Scheme. The Draft Far North Regional Plan identifies the land as Priority Agricultural Area. For Douglas Shire the Draft Far North Regional Plan prioritises the retention of agricultural land use over permanent plantation.*

*The development of the balance of the lots, that are not included in the part approval, is inconsistent with the Draft Regional Plan being an identified Priority Agriculture Area and should be conserved and protected.*

*There is no identified need or determined benefit for the broadscale development of permanent plantation in the rural area in order to achieve the outcomes of: the State Planning Policy 2017, the Far North Queensland Regional Plan 2009-2031, the Draft Far North Regional Plan (2025) or the 2018 Douglas Shire Planning Scheme version 1.0.*

- 2. The Strategic Framework recognises rural land as a natural resource and an asset of the Shire. The Strategic Framework identifies primary production is to remain a significant economic driver. The conversion of rural land to permanent plantation is a permanent loss of rural land.*

*The development of the balance of the lots, that are not included in the part approval, is inconsistent with the Strategic Framework by resulting in a significant permanent loss of good quality agricultural land, fragmentation of remaining rural land and reduces the ability for the Shire to provide a diverse, sustainable economy.*

*The permanent loss of significant areas of good quality agricultural land is beyond the policy direction of the Strategic Framework, reduces the Shire's assets and negates the ability to utilise this asset in the future.*

*The conversion of the whole of the lots, in particular of Category X vegetation and being of good quality agricultural land is inconsistent with the Strategic Framework.*

*It is imperative that the natural asset of agricultural land is not undervalued nor eroded.*

*It is imperative that the areas of agricultural land that are not severely compromised are maintained and not fragmented.*

*Development must give due regard to valuing and retaining primary production land in the Shire.*

3. *The use of Permanent Plantation is not a rural activity as identified by the 2018 Douglas Shire Planning Scheme version 1.0. The use of Permanent Plantation is inconsistent with the Purpose of the Rural Zone. The use of Permanent Plantation is specifically listed as inconsistent use to establish in the Rural Zone and there are no sufficient reasons to justify the use in areas that are good quality agricultural land.*

*The development of good quality agricultural land (GQAL) that is not marginalised and is identified as Class A and Class B, for permanent plantation is inconsistent with the purpose of the Rural Zone.*

*The proposed development of the balance land will fragment surrounding and nearby rural land, in particular good quality agricultural land (GQAL) that is identified as Class A and Class B Agricultural Land.*

- B. *That Council approves the development application in part for Material Change of Use (Impact Assessment) for Permanent Plantation (ecological restoration of nationally significant wetland and surrounds) over land described as Lot 2 on N15779, Lot 9 on SP143026, Lot 3 on SP126928, Lot 8 on RP722116, Lot 1 on RP706308, Lot 1 on RP720435, Lot 1 and Lot 2 on RP720582, Lot 2 on RP721745, Lot 5 on RP706307, Lot 337 on RP800690, and Lot 354 on SR616, where the extent of approval is limited to the Permanent Plantation Approval Areas Plan required as a condition of the approval, subject to the following:*

*APPROVED DRAWING(S) AND / OR DOCUMENT(S) (Amended Plan Required)*

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

<i>Drawing or Document</i>	<i>Reference</i>	<i>Date</i>
<i>Proposal Plan for Permanent Plantation (Cape Tribulation Road, Lower Daintree)</i>	<i>Generally in accordance with the WildPLAN drawing reference WP25 029 RAI, V1, dated 3 July 2025 and as amended by the conditions of the approval and the Council drawing Permanent Plantation Approval Areas Plan.</i>	<i>To be determined</i>
<i>FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access</i>		
<i>Rural Allotment Access</i>	<i>Standard Drawing S1105 Issue E</i>	<i>26 November 2014</i>

*Note – The plans referenced above will require amending in order to comply with conditions of the 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. *An amended plan must be provided, generally in accordance with the Proposal Plan for Permanent Plantation (Cape Tribulation Road, Lower Daintree) prepared by WildPLAN drawing reference WP25 029 RAI, V1, dated 3 July 2025 and amended as follows:*
  - a. *To only include the areas as identified on the Council drawing Permanent Plantation Approval Areas Plan;*
  - b. *To identify and include vehicle access paths to:*
    - i. *The Permitted Permanent Plantation Approval Areas;**and*
    - ii. *The remaining rural lands;*
  - c. *The new permanent plantation areas to be setback from a State-controlled road or a local road for a sufficient distance to reduce wildlife injuries. Setbacks areas are to be established with grass species and maintained for clear visibility; and*
  - d. *The location of areas where the Permanent Plantation will be development on batter slopes to creek and waterway areas.*

*The amended proposal plan must be provided to the satisfaction of the Chief Executive Officer prior to the Commencement of Use.*

*Revegetation Plan for Permanent Plantation*

- 4. *The site must be revegetated in accordance with an approved Revegetation Plan for the Permanent Plantation.*

*The Revegetation Plan for the Permanent Plantation must include the following:*

- a. *Areas to be revegetated as per the amended proposal plan as per the conditions of this approval.*
- b. *The species for each area must consist of native and endemic species only and planted in an irregular and random fashion to blend with existing vegetation. Exotic species are not permitted.*
- c. *Species forming a coastal area buffer must be predominantly marine species.*
- d. *No species that are identified as Declared or Environmental Weeds or constitute an Invasive Species are to be established.*
- e. *No contaminated mulch is to be used or placed on the land.*
- f. *Only natural biodegradable weed matting can be installed.*
- g. *Areas are to be maintained free of Declared or Environmental Weeds or constitute an Invasive Species.*
- h. *All the trees in the planting sites must be watered during dry periods.*

*No temporary drip or sprinkler irrigation system can be installed;*

- i. Where soil is prepared prior to planting it must not be compacted and can only be fertilized with organic fertilizers that will not cause runoff to impact waterways and nearby marine plants.*
- j. The planting design is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties.*
- k. The cross-section profile for to creek and waterway areas;*
- l. Operational controls for volunteers on planting / maintenance days.*
- m. A maintenance regime that includes inspections and actions to address weeds and pests including Electric Ants.*

*The Revegetation Plan for the Permanent Plantation must be provided to the satisfaction of the Chief Executive Officer prior to the commencement of any work or planting for the permanent plantation.*

*Any area affected by natural flooding or cyclone events must be revegetated within twelve months of the event, or a further period as otherwise agreed to by the Chief Executive Officer.*

*All planting must be established and maintained in perpetuity to the satisfaction of the Chief Executive Officer.*

#### *Stockpiling and Transportation of Material*

- 5. Bulk materials, such as mulch, transported to the site are not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works. Stockpiled materials must be bunded and covered to prevent loss of stockpile material.*

#### *Emissions*

- 6. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.*

#### *Existing Creek and Drainage Systems*

- 7. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.*

*The applicant / owner must obtain any necessary approvals from the Department of Natural Resources and Mines for carrying out works in a watercourse.*

#### *Sediment and Erosion Control*

- 8. In the event of stripping or significant ground disturbance a sediment and erosion control plan must be submitted prior to the commencement of any revegetation.*

*The plan 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).*

*The sediment and erosion control plan must detail the various stages of revegetation for the development and the measures to be installed for each stage.*

*The sediment and erosion control plan must be provided to the satisfaction of the Chief Executive Officer prior to the commencement of use.*

#### *Volunteer Facilities*

9. *On days when volunteers attend the site to assist with planting and maintenance suitable vehicle parking must be provided onsite to the satisfaction of the Chief Executive Officer.*

*Prevention of the spread of weeds and pests*

10. *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.*

**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 or nursery shed 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](http://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](http://www.douglas.qld.gov.au).*
7. *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> .*

8. **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.*

9. *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](http://www.dnr.qld.gov.au).

#### Cultural Heritage

10. 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>.

#### C. 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 4 August 2025 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. Part refusal of areas the balance areas being identified as unsuitable for permanent plantation as a permanent plantation development as per the reasons for refusal under A above.
    - ii. Despite the conflict with the Draft Regional Plan and

*the Planning Scheme benchmarks, part of the land is identified as suitable for approval, for permanent plantation due to the marginalised agricultural quality of the land, the benefit to the Daintree River, the support for the revegetation of land that is included in the Queensland Wet Tropics World Heritage Area and the benefit to improved water quality of waters feeding the Great Barrier Reef, subject to conditions.*

**Assessment Benchmarks**

The following are the benchmarks applying to the development.

Benchmarks applying for the development	Benchmark reference
	Draft Far North Queensland Regional Plan (2025)
Strategic Framework Rural zone code 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 Environmental performance code Filling and excavation code Infrastructure works code	Douglas Shire Planning Scheme 2018 (V1.0) in effect 2 January 2018 (including the consideration of the Far North Queensland Regional Plan 2009-2011)

**An amended motion was proposed.**

**Moved** Cr Noli

**Seconded** Cr Rees

*That Council approves the development application for Material Change of Use (Impact Assessment) for Permanent Plantation (ecological restoration of nationally significant wetland and surrounds) over land described as Lot 2 on N15779, Lot 9 on SP143026, Lot 3 on SP126928, Lot 8 on RP722116, Lot 1 on RP706308, Lot 1 on RP720435, Lot 1 and Lot 2 on RP720582, Lot 2 on RP721745, Lot 5 on RP706307, Lot 337 on RP800690, and Lot 354 on SR616, subject to the following:*

**APPROVED DRAWING(S) AND / OR DOCUMENT(S) (Amended Plan Required)**

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

Drawing or Document	Reference	Date
Permanent Plantation (Cape Tribulation Road, Lower Daintree)	WP25 029 RAI V1	3 July 2025
FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access		
Rural Allotment Access	Standard Drawing S1105 Issue E	26 November 2014

*Note – The plans referenced above will require amending in order to comply with*

*conditions of the Decision Notice.*

#### **ASSESSMENT MANAGER CONDITIONS**

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. *An amended plan must be provided, generally in accordance with the Proposal Plan for Permanent Plantation (Cape Tribulation Road, Lower Daintree) prepared by WildPLAN drawing reference WP25 029 RAI, V1, dated 3 July 2025 and amended as follows:*

- a. *to identify and include vehicle access paths to Permanent Plantation Areas;*
- b. *the new permanent plantation areas to be setback from a State-controlled road or a local road for a sufficient distance to reduce wildlife injuries. Setbacks areas are to be established with grass species and maintained for clear visibility; and*
- c. *the location of areas where the Permanent Plantation will be development on batter slopes to creek and waterway areas.*

*The amended proposal plan must be provided to the satisfaction of the Chief Executive Officer prior to the Commencement of Use.*

#### **Revegetation Plan for Permanent Plantation**

4. *The site must be revegetated in accordance with an approved Revegetation Plan for the Permanent Plantation.*

*The Revegetation Plan for the Permanent Plantation must include the following:*

- a. *The species for each area must consist of native and endemic species only and planted in an irregular and random fashion to blend with existing vegetation. Exotic species are not permitted.*
- b. *Species forming a coastal area buffer must be predominantly marine species.*
- c. *No species that are identified as Declared or Environmental Weeds or constitute an Invasive Species are to be established.*
- d. *No contaminated mulch is to be used or placed on the land.*
- e. *Only natural biodegradable weed matting can be installed.*
- f. *Areas are to be maintained free of Declared or Environmental Weeds or constitute an Invasive Species.*

- g. All the trees in the planting sites must be watered during dry periods. No temporary drip or sprinkler irrigation system can be installed;*
- h. Where soil is prepared prior to planting it must not be compacted and can only be fertilized with organic fertilizers that will not cause runoff to impact waterways and nearby marine plants.*
- i. The planting design is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties.*
- j. The cross-section profile for to creek and waterway areas;*
- k. Operational controls for volunteers on planting / maintenance days.*
- l. A maintenance regime that includes inspections and actions to address weeds and pests including Electric Ants.*

*The Revegetation Plan for the Permanent Plantation must be provided to the satisfaction of the Chief Executive Officer prior to the commencement of any work or planting for the permanent plantation.*

*Any area affected by natural flooding or cyclone events must be revegetated within twelve months of the event, or a further period as otherwise agreed to by the Chief Executive Officer.*

*All planting must be established and maintained in perpetuity to the satisfaction of the Chief Executive Officer.*

#### *Stockpiling and Transportation of Material*

- 5. Bulk materials, such as mulch, transported to the site are not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works. Stockpiled materials must be bunded and covered to prevent loss of stockpile material.*

#### *Emissions*

- 6. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.*

#### *Existing Creek and Drainage Systems*

- 7. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.*

*The applicant / owner must obtain any necessary approvals from the Department of Natural Resources and Mines for carrying out works in a watercourse.*

#### *Sediment and Erosion Control*

- 8. In the event of stripping or significant ground disturbance a sediment and erosion control plan must be submitted prior to the commencement of any revegetation.*

*The plan 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).*

*The sediment and erosion control plan must detail the various stages of revegetation for the development and the measures to be installed for each stage.*

*The sediment and erosion control plan must be provided to the satisfaction of the Chief Executive Officer prior to the commencement of use.*

#### *Volunteer Facilities*

9. *On days when volunteers attend the site to assist with planting and maintenance suitable vehicle parking must be provided onsite to the satisfaction of the Chief Executive Officer.*

*Prevention of the spread of weeds and pests*

10. *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.*

**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 or nursery shed 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](http://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](http://www.douglas.qld.gov.au).*
7. *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> .*
8. *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.*

9. *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](http://www.dnr.qld.gov.au).*

#### **Cultural Heritage**

10. *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>.*

#### **The following reasons for the amended motion were provided:**

Pursuant to sections 60, 62 and 63 of the Planning Act 2016, Council finds:

1. Agricultural function is no longer reasonably achievable

While the land is mapped as Good Quality Agricultural Land, Council finds as a matter of fact that:

The historic agricultural productivity of the land was narrowly dependent on sugarcane;

Since the cessation of sugarcane production three years ago, no alternative agricultural use has been successfully established, despite the land remaining available for such use;

The absence of an operating local processing industry, combined with flooding constraints and logistics, means ongoing agriculture is not reasonably practicable nor viable.

“GQAL identifies potential, not inevitability, and the evidence before Council demonstrates that potential is no longer being realised on this land.”

Continued classification of the land as productive rural farmland is theoretical rather than practical, and does not reflect on-ground economic reality.

Council therefore finds the land no longer performs the agricultural function contemplated by the Strategic Framework.

2. Strategic Framework considerations

The Strategic Framework seeks to protect viable agricultural land as a natural asset of the Shire. However, Council finds that:

The Strategic Framework proceeds on the assumption of continued agricultural viability and assumes the continued realisation of agricultural potential. GQAL identifies potential, not inevitability, and the evidence before Council demonstrates that potential is no longer being realised on this land;

Where that assumption no longer holds, rigid application of agricultural protection outcomes does not advance the intent of the Planning Scheme;

Repurposing land that is no longer viable for agriculture into a managed, productive and environmentally beneficial use is consistent with long-term sustainability objectives rather than contrary to it.

Council therefore finds that the proposal is not in substantive conflict with the Strategic Framework when applied to current land conditions.

3. Sufficient planning grounds exist should any conflict be identified

Alternatively, if conflict were to be identified, Council finds sufficient grounds to justify approval, including:

The restoration of degraded floodplain, wetland and riparian systems at a landscape scale;

Improved hydrological function and water quality outcomes for the Daintree River and downstream Great Barrier Reef catchments;

Increased land stability, flood resilience and reduced risk of unmanaged degradation.

These benefits are intrinsically linked to the location, scale and condition of the subject land and cannot be achieved on alternative sites within the local government area.

4. Draft planning instruments

Council has considered the Draft Far North Queensland Regional Plan but affords it limited weight as:

It is not a statutory instrument;

It continues to assume agricultural viability that is not supported by present conditions on the subject land;

It acknowledges rehabilitation of land where agriculture is no longer viable.

5. Whole-of-site approval produces superior outcomes

Council finds that:

Artificial partial approval boundaries would undermine ecological function, land management efficiency and compliance certainty;

Integrated, whole-of-site restoration provides more effective environmental, economic and land-use outcomes than fragmented approval.

6. The decision advances the purpose of the Planning Act 2016

The approval advances the purpose of the Act by facilitating development that integrates environmental protection, adapts to changing rural conditions, and promotes long-term sustainability.

**For** Cr Noli, Cr Rees

**Against** Cr Scomazzon, Cr Zammataro, Cr Meadows

Not **Carried**.

The proposed amendment to the motion was lost and the original motion was put to the vote.

**Carried** Unanimously

#### **7.6. FIGHTING ILLEGAL DUMPING PARTNERSHIP PROGRAM (FIDPP) – ROUND 1A**

**Moved** Cr Meadows

**Seconded** Cr Rees

*That Council endorses the submission of Application FIDPP1A36 to the Queensland Government's Fighting Illegal Dumping Partnership Program (FIDPP) – Round 1A seeking grant funding of \$295,000 (ex GST) over three years for the continuation of a dedicated Illegal Dumping Compliance Officer and associated hotspot surveillance activities.*

**Carried** Unanimously

#### **7.7. QUEENSLAND GOVERNMENT SECURE COMMUNITIES PARTNERSHIP PROGRAM (ROUND 2) GRANT**

**Moved** Cr Noli

**Seconded** Cr Rees

*That Council endorses the preparation and submission of a grant application seeking funding of up to \$400,000 (ex GST) for the procurement of rapid-deployment trailer-mounted Closed Circuit Television surveillance units for deployment within commercial precincts across the Douglas Shire.*

**Carried** Unanimously

#### **7.8. 2026 FEBRUARY FINANCIAL REPORTS**

**Moved** Cr Rees

**Seconded** Cr Noli

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

**Carried** Unanimously

## **7.9. REVISED BUDGET 2 2025-2026**

**Moved** Cr Noli

**Seconded** Cr Zammataro

*In accordance with s169 and s170 of the Local Government Regulation 2012, Council's second Revised Budget for the 2025-2026 financial year and the Long-Term Financial Forecast for the financial years 2025-2026 to 2034-2035 as contained in the document titled Revised Budget 2 2025-2026 and set out in the pages contained therein, incorporating:*

1. *Budgeted Statement of Income and Expenditure*
2. *Budgeted Statement of Financial Position*
3. *Budgeted Statement of Cash Flow*
4. *Budgeted Statement of Changes in Equity*
5. *Long Term Financial Forecast*
6. *Measures of Financial Sustainability*
7. *Budgeted sources and application of Capital Funding*
8. *Budgeted movement in Reserves*
9. *Total value of change in the rates and utility charges, expressed as a percentage*
10. *Capital Works Program*
11. *The Revenue Statement*
12. *The Revenue Policy*

*as tabled, be adopted by Council.*

**Carried** Unanimously

## **7.10. 2026 PROCUREMENT GENERAL POLICY REVIEW**

**Moved** Cr Rees

**Seconded** Cr Meadows

*That Council adopts the revised Procurement General Policy.*

**Carried** Unanimously

## **7.11. 2026-035 - REGISTER OF PRE-QUALIFIED SUPPLIERS FOR ELECTRICAL, PLUMBING AND OTHER TRADE SERVICES**

**Moved** Cr Noli

**Seconded** Cr Meadows

*That Council:*

1. in accordance with s 232 Local Government Regulations 2012, award contract 2026-035 Register of Pre-Qualified Suppliers (RoPS): Electrical, Plumbing and Other Trade Services, and appoints the list of suppliers provided, for a term of three years commencing on 1 April 2026, with two options for extension of one year each at Council's discretion; and

2. Delegates authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer to enter into contracts, negotiate, finalise and execute any and all matters associated with or in relation to this contract/arrangement.

**Carried** Unanimously

### **7.12. PERMANENT ROAD CLOSURE OF PART OF AN UNFORMED ROAD ADJOINING LOT 2 SR886, AND DEDICATION OF PART OF LOT 1 SR886 AS ROAD**

**Moved** Cr Meadows

**Seconded** Cr Rees

That Council:

1. Lodges an application with the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (the Department) for the permanent closure of the entire area of unformed road that adjoins the eastern boundary of Lot 2 SR886, and for that area of permanently closed road to be amalgamated into Lot 2 SR886.
2. Applies to the Minister, by formal letter, and as provided for under s31A of the Land Act 1994, to amend the boundaries of the reserve described as Lot 1 SR886 so as to have that part of Lot 1, identified by agreement between the Department and Council, opened as road to formalise access from Mowbray Street to Lot 2 SR886.
3. Executes relevant agreements as may be offered by the Department for those actions required to achieve reserve amendment, road closure and road opening.
4. Meets the relevant costs for the abovementioned processes including application fees, survey fees, legal fees and Titles Queensland registration fees.

**Carried** Unanimously

### **7.13. RESOURCE AND PERFORMANCE AGREEMENT - RUN PORT DOUGLAS**

**Moved** Cr Rees

**Seconded** Cr Noli

That Council:

1. Enters into a three-year (FY2026/27, FY2027/28, FY2028/29) Resource and Performance Agreement, providing funding of \$75,000 (incl. GST) and \$5,000 in-kind support per annum with Connect Sport Australia to deliver RUN Port Douglas.
2. Delegates authority under s257 of the Local Government Act 2009 to the Chief Executive Officer to finalise all matters associated with the Agreement.

**Carried** Unanimously

#### **7.14. TASTE PORT DOUGLAS - RESOURCE AND PERFORMANCE AGREEMENT**

**Moved** Cr Meadows

**Seconded** Cr Rees

*That Council enters into a three-year Resource and Performance Agreement with the event organisers of Taste Port Douglas for in-kind support for venue hire of the Sugar Wharf, Market Park and Rex Smeal Park, for a period of three years (2026, 2027 and 2028) up to the value of \$5,000 per annum.*

**Carried** Unanimously

#### **7.15. NORTH QUEENSLAND RESILIENCE PROGRAM, COMMUNITY RESILIENCE BUILDING PROGRAM GUIDELINES 2026\_2027**

**Moved** Cr Noli

**Seconded** Cr Zammataro

*That Council endorses the North Queensland Resilience Program (NQRP), Community Resilience, Arts and Wellbeing Community Funding Program (Guidelines) 2026 - 2027.*

**Carried** Unanimously

#### **7.16. PORT DOUGLAS FOOTPATH NETWORK UPGRADE**

**Moved** Cr Rees

**Seconded** Cr Noli

*That Council:*

*1. Resolves to award Contract CN2025-6763 – Port Douglas Principle Cycle Network Upgrade to the Trustee for Hatzis Family Trust (trading as C&M Contracting Services). For an approved tender value of \$1,892,404.46 (excluding GST); and*

*2. Authorise the Chief Executive Officer to negotiate, finalise, and enter into the contract with the Trustee for Hatzis Family Trust (trading as C&M Contracting Services) In the form issued with the Request for Tender (with any agreed amendments).*

**Carried** Unanimously

### **7.17. SAFER LOCAL ROADS AND INFRASTRUCTURE PROGRAM TRANCHE 5 SUBMISSION - WHYANBEEL ROAD SEALING**

**Moved** Cr Noli

**Seconded** Cr Meadows

*That Council endorses the Whyanbeel Road Sealing project for submission under the Safer Local Roads and Infrastructure Program (SLRIP) Tranche 5.*

**Carried** Unanimously

### **7.18. DAINTREE FERRY UPDATE JANUARY TO FEBRUARY 2026**

**Moved** Cr Meadows

**Seconded** Cr Noli

*That Council receives and notes the Daintree Ferry financial information and project progress for January and February 2026.*

**Carried** Unanimously

## **8. NOTICES OF MOTION**

Nil

## **9. URGENT BUSINESS**

Nil

## **10. PETITIONS**

Nil

## **11. CLOSED SESSION**

**Moved:** Cr Noli

**Seconded:** Cr Meadows

*That Council resolves to move into Closed Session to discuss the following matter:*

11.2 Updated to the Organisational Structure

**Carried** Unanimously

(Meeting moved into Closed Session at 10:56am)

### **OUT OF CLOSED SESSION**

**Moved:** Cr Noli

**Seconded:** Cr Meadows

*That Council resolves to move out of Closed Session.*

**Carried** Unanimously

(Meeting moved out of Closed Session at 11:00am)

### **11.2. CONFIDENTIAL 254J (3)(B) LOCAL GOVERNMENT REGULATION 2012 - UPDATES TO THE ORGANISATIONAL STRUCTURE**

This report is CONFIDENTIAL in accordance with s 254J(3)(b) of the *Local Government Regulation 2012* which permits the meeting to be closed to the public to discuss a matter relating to industrial matters affecting employees.

**Moved:** Cr Meadows

**Seconded:** Cr Rees

*That Council endorses the updated organisational structure.*

**Carried** Unanimously

### **12. MEETING CLOSURE**

The meeting closed at 11:01am.

**CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD ON THE 28<sup>TH</sup> DAY OF  
APRIL 2026.**