

ORDINARY MEETING 4 NOVEMBER 2014	5.12
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EXTENSION TO EXISTING FACILITY – DOUGLAS SAILING CLUB**Rebecca Assman: Manager Governance #431602****Darryl Crees: General Manager Corporate Services****RECOMMENDATION:****That Council resolves:**

1. to give preliminary approval of the application to construct an awning to the northerly side of the existing clubhouse located in Solander Boulevard, Port Douglas, generally in accordance with the Andrew McPhee drawing submitted 23 September 2014 subject to the following conditions:
 - to advise the Douglas Sailing Club Inc. that all development, building and plumbing approvals are required prior to the commencement of works.
 - that Council is to be advised in writing prior to commencement of works.
 - that a safety barrier/fencing is to be erected around the area prior to commencement and for the duration of the works.
 - that all works are confined to the area shown generally on Andrew McPhee drawing submitted to Council on 23 September 2014.
 - that all works are to be completed in a good and workmanlike manner by qualified tradespeople and the area is to be left in a clean and tidy condition once the works are completed.
 - to advise the Douglas Sailing Club Inc. that Council will not be responsible for the cost of the works, maintenance, and compensation to the Club or any successor, or to repair or restore the works.
 - that this resolution is also subject to Ministerial approval being granted under the *Land Act 1994* as per clause 8.2 of the current lease.
2. delegates authority to the Mayor and Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to negotiate, determine or resolve any and all matters associated with this building extension.

EXECUTIVE SUMMARY:

Douglas Sailing Club Inc. seeks permission to construct an awning off the northern side of its existing clubhouse. This extension is for the storage of club members sailing equipment. The shed is located on the Reserve for Recreation Purposes R167 Lot 110 on Crown Plan SR606 of about 7.78ha, of which Douglas Shire Council is Trustee. The club has held the present lease from 1/01/1982, with the current lease expiring on 30/06/2026.

BACKGROUND:

In January 2014 The Douglas Sailing Club was successful in securing a Gambling Community Benefit Fund Grant, which they are to use for the upgrade of their facilities. At this stage no documentation around the acquittal of this grant has been supplied to Council. It is understood from conversations with the Sailing Club that these funds need to be used within 12 months of grant.

The Sailing Club initially made enquires with the Douglas Shire Council Property Officer in August; however the first written application was received on 23rd September 2014. Included in this letter was the request for approval of the extension, and a sketch plan.

The Department of Natural Resources and Mines (DNR&M) has advised that as per the wording in clause 8.2 of the lease the Minister's approval would be required under the Land Act 1994. This has been requested from the Minister on 21st October 2014. Council approval is now being sought for the building extension, subject to Ministerial approval being given.

Building works are also subject to a Development Permit (code assessable development) being lodged and approved by Council's planning department.

PROPOSAL:

Application has now been made to Council for permission to construct an awning on the existing structure. The application is supported by –

- 1) A letter of 16 January 2014 from the Gambling Community Benefit Fund to Port Douglas Sailing Club Inc. advising they were successful in obtaining a grant for \$19,160.00.
- 2) Letter of 23 September 2014 requesting approval for extension to the existing clubhouse, and sketch plan of proposed works.
- 3) Copy of Building Plan Request Form lodged with Council on 9 September 2014

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE:

This report has been prepared in accordance with the following Corporate Plan 2014-2019 actions:

1.1.4 Support and encourage a healthy, active and capable region through sporting, cultural and recreational opportunities, and community wellbeing initiatives.

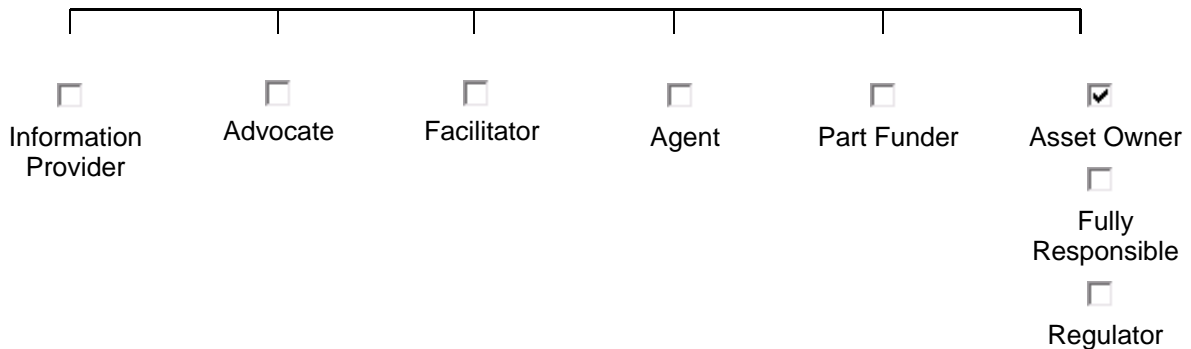
1.1.5 Support local non-profit community, sporting and cultural organisations to build their capacity

1.3.4 Provide and enhance community facilities and opportunities that cater for the arts, recreational and cultural pursuits.

COUNCIL'S ROLE:

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:



Asset Owner:	Meeting the responsibilities associated with owning or being the custodian of assets such as infrastructure.
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FINANCIAL/RESOURCE IMPLICATIONS:

Relevant fees will be payable to cover Council resources in assessing development applications.

RISK MANAGEMENT IMPLICATIONS:

Proposed works are contained within current leased area and all relevant approvals have to be supplied to Council prior to commencement of works.

SUSTAINABILITY IMPLICATIONS:

ECONOMIC: No impact

ENVIRONMENTAL: No impact

SOCIAL: Supports recreational goals of the Corporate Plan, and will improve the amenity and functionality of the facilities.

INTERNAL/EXTERNAL CONSULTATION:

Consultation has occurred with DNR&M, GMA Certification Group Pty Ltd and Council's Development Assessment Section.

Further to the Council's Community Engagement Strategy, this application falls within the "inform" category. Planning advice is that the application is Code Assessable and the report therefore proposes that the building of an awning does not require public consultation.

ATTACHMENTS:

- 1) A letter of 16 January 2014 from the Gambling Community Benefit Fund to Port Douglas Sailing Club Inc. advising they were successful in obtaining a grant for \$19,160.00.
- 2) Letter of 23 September 2014 requesting approval for extension to the existing clubhouse.
- 3) Sketch plan of proposed works.

ATTACHMENT 1



The Hon Jarrod Bleijie MP
Attorney-General and Minister for Justice

In reply please quote: 0110015256

16 January 2014

Level 18 State Law Building
50 Ann Street Brisbane 4000
GPO Box 149 Brisbane
Queensland 4001 Australia
Telephone +61 7 3247 9068
Facsimile +61 7 3221 4352
Email attorney@ministerial.qld.gov.au

Mr Rob Turnham
Accountable Officer
Douglas Sailing Club Inc
PO Box 529
PORT DOUGLAS QLD 4877

Dear Mr Turnham

**Purpose: Upgrade Facilities
Douglas Sailing Club Inc**

On behalf of the Queensland Government and the Gambling Community Benefit Committee, I am pleased to advise that a Gambling Community Benefit Fund grant of \$19,160.00 has been awarded to your organisation.

The fund was established to assist community groups and organisations such as your own to continue to meet the needs of local communities.

Please find attached documentation from the Community Benefit Funds Unit, Office of Liquor and Gaming Regulation outlining the administrative arrangements pertaining to your grant.

I wish you every success with your funded application and for your continued contribution to the local community.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jarrod Bleijie".

JARROD BLEIJIE MP
Attorney-General and Minister for Justice

Encl.

ATTACHMENT 2



PO Box 529
Port Douglas Qld 4877
Australia

Ph: 07 4098 5050
0419 681516
douglassailing@bigpond.com

23rd September 2014

Attention:
Graham Busby, Rebecca Assamn and Darrel Crees
Douglas Shire Council,
Front Street
Mossman Qld 4873

Dear Graham, Rebecca and Darrel,

Re: Permission for a roof extension to the Douglas Sailing Club, Port Douglas

Regarding the above, we wish to advise that our Club has received a Government Grant giving us the ability to extend our existing roof which will enable our members to use the facilities for property and equipment protection. Our growing membership will benefit enormously through this.

We therefore respectfully request your approval of the attached plan.

As we have a time frame to use these important funds may we ask that it be considered a high priority?

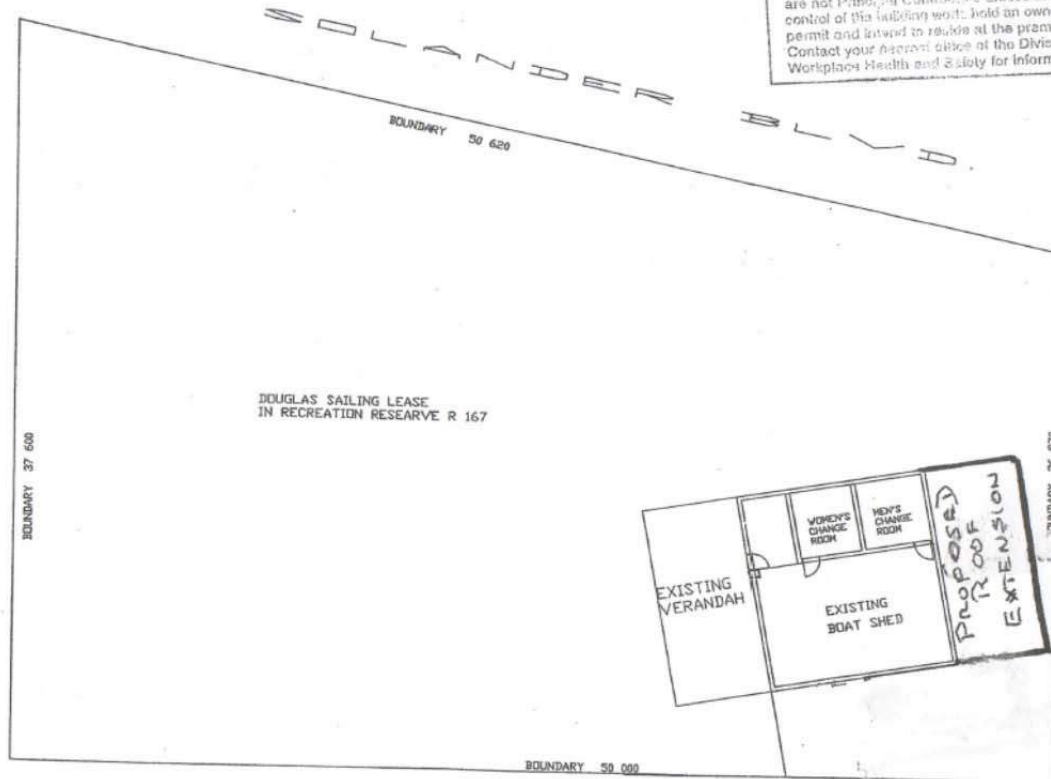
Sincerely

Robert Turnham
Treasurer, Douglas Sailing Club Inc.



ATTACHMENT 3

Workplaces (Health, Safety and Compensation) Act 1994
 Principal Contractors have a broader workplace health and safety obligations under this Act. Owners of domestic premises to be constructed, are not Principal Contractors unless they are in control of the building work. Hold an owner/builder permit and follow the rules at the premises. Contact your nearest office of the Division of Workplace Health and Safety for information.



DOUGLAS SAILING LEASE
 IN RECREATION RESEARVE R 167

DOUGLAS SHIRE COUNCIL
 CONDITIONS APPLICABLE TO BUILDING PERMIT

- NO 96052
- The building permit issued in accordance with this condition.
- (i) Does not reduce the owner's responsibility to ensure that the work is carried out in accordance with the approved plans and specifications.
 - (ii) Does not suggest any specification on the Council's undertaking detailed supervision of the builder nor shall it be implied that the Council warrants the safety of the structure for which the designer and the builder are entirely responsible.
 - (iii) Is given on the understanding that all works be carried out strictly in accordance with the approved plans and specifications, the by-laws of the Douglas Shire Council and any other requirements as may be imposed.
 - (iv) Does not give permission for the installation of a septic system nor for the connection of water. Separate applications must be submitted for each of these items.

APPROVED

 (Building Surveyor)

 (Date)



Andrew McPhee
 PRIMA
 ARCHITECT

8 RIBBON AVENUE
 PO BOX 148
 FORT DOUGLAS
 QLD 4871

**MINIMUM
 DISTANCE ?
 FROM BOUNDARY**

ADDITIONS TO
 THE PORT DOUGLAS
 SAILING CLUB
 BUILDING
 ON RECREATION
 RESERVE R 167
 SCALE 1 : 400