

5.8. LAND MANAGEMENT PLAN - 13-29 MOWBRAY ST, PORT DOUGLAS - RESERVE FOR PUBLIC HALLS

REPORT AUTHOR(S): Susanna Andrews, Property Officer
GENERAL MANAGER: Darryl Crees, General Manager Corporate Services
DEPARTMENT: Governance

RECOMMENDATION

That Council:

- 1. endorses the Land Management Plan for trust land located at 13-29 Mowbray Street, Port Douglas, described as Lot 100 on SP219633, Reserve for Public Halls; and**
- 2. delegates authority to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* to finalise all matters associated with the registration of the Land Management Plan with the Department of Natural Resources and Mines.**

EXECUTIVE SUMMARY

As part of the Port Douglas reservoir project, Council must place a booster water pump station on land located in the town centre. The proposed location is on trust land described as Lot 100 on SP219633 and located at 13-29 Mowbray Street, Port Douglas. The land is a reserve for public halls on which the Port Douglas Community Hall is developed.

As the proposed additional use of the land is inconsistent with the purpose of the reserve, a Land Management Plan (LMP) is required to be developed and registered with the Department of Natural Resources and Mines (DMRM).

Following internal consideration and community engagement, Council officers recommend endorsement of the attached Land Management Plan and approval for it to be registered with the DNRM.

BACKGROUND

As part of the development and implementation of the Port Douglas water reservoir to be located at Ferrero Road, Craiglie, it is necessary to construct a water supply booster pump station in the town centre of Port Douglas. The pump station will assist with the reticulation of the water supply from the new reservoir.

The proposed location is on trust land described as Lot 100 on SP219633 and located at 13-29 Mowbray Street, Port Douglas. The land is a reserve for public halls on which the Port Douglas Community Hall is developed.

The booster pump station will be constructed in the south-eastern corner of the land next to a sewerage pump station that was installed in 1984.



Figure 1 – Locality Plan

This site was selected from several potential sites owned by Council. Factors such as cost, suitability, engineering requirements and community impacts were considered in the final decision to select this site. Locating the pump station at the rear of the reserve (public halls) was considered the most preferred site.

The proposed built infrastructure within the reserve will consist of underground water pipework and a six (6) metre by six (6) metre booster pump station building. Access to the land will not be restricted as pipework will be buried and the pump station building is very small relative to the property size. Nor will the primary use of the reserve land (public halls) be interfered with as the proposed built infrastructure is located at the rear of the property in an area not used by the public, and away from formal accesses and with no foreseeable development scheduled at this location. Operating noise from the pump station will be within EPA limits.

The proposed additional use of the land as a water supply booster pump station is inconsistent with the public halls purpose of the reserve, and the DNRM has confirmed that a Land Management Plan is required to be developed and registered in accordance with the Department's policy.

The Land Management Plan, which clearly outlines the proposed additional use of the trust land, as well as details of the location and description of the infrastructure, was advertised for public comment on Council's website and facebook page from Friday, 12 May to Friday 2 June 2017 inclusive. No submissions were received.

COMMENT

Should the booster pump station be located on the land, the primary purpose of the trust land for public halls purposes will continue without obstruction.

There is no intention to modify or restrict the primary use of the land and there will be no restriction on community access to the land. No submissions in regard to the LMP were received during the public notification period.

A sewerage pump station already exists on the trust land in the vicinity of the proposed water pump station with no impact on the current use of the land.

The proposed location of the booster pump station on the trust land has been determined by the Infrastructure Department as being the most appropriate and efficient location.

PROPOSAL

That Council endorses the Land Management Plan and registers it with the Department of Natural Resources and Mines.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications in relation to endorsement and registration of the Land Management Plan.

RISK MANAGEMENT IMPLICATIONS

To ensure the efficient reticulation of water from the new reservoir which is to be developed at Craiglie, Council requires a water supply booster pump station to be developed in the town centre.

Without the pump station water will not have sufficient pressure to appropriately supply local residents, tourist accommodation, businesses and community facilities such as the sports complex.

SUSTAINABILITY IMPLICATIONS

Economic: Ongoing water supply with sufficient pressure is crucial to the operation of the town centre of Port Douglas with its many local residents, tourist accommodation, businesses and community facilities. Tourism and its associated spin-offs provide the main source of income for the town.

Environmental: The demand for water in Port Douglas frequently exceeds supply and the new reservoir and associated infrastructure, such as the booster pump station, will assist with alleviating pressure on the flow from the intake at Rex Creek.

Social: Ongoing water supply with sufficient pressure is vital to the many residents and visitors of the town. Recurring water shortages and restrictions have an impact on the lifestyle enjoyed by locals and visitors.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2014-2019 Initiatives:

Theme 2 – Building a Sustainable Economic Base

2.1.2 – Investigate options, resources, development and implementation of additional water infrastructure including a new reservoir.

Theme 5 – Governance

5.2.1 – Provide Councillors and community with accurate, unbiased and factual reporting to enable accountable and transparent decision-making.

Operational Plan 2015-2016 Actions:

3.2.1 – Develop and Implement a Water Security Strategy for Port Douglas and Mossman.

5.3.5 – Identify the Land Management Plans that need to be formally established or reviewed and develop a timeframe for completion.

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.

CONSULTATION

Internal: Manager Governance, Manager Sustainable Communities, Manager Finance and IT, Development Assessment, Property Team

External: Department of Natural Resources and Mines, Trinity Engineering and Consulting

COMMUNITY ENGAGEMENT

The Land Management Plan was advertised for public comment on Council's website and facebook page from Friday, 12 May, to Friday, 2 June 2017, inclusive. No submissions were received.

ATTACHMENTS

1. LMP 13-29 Mowbray St Public Halls Reserve **[5.8.1]**



DOUGLAS SHIRE COUNCIL

LAND MANAGEMENT PLAN

LOT 100 ON SP219633

RESERVE FOR PUBLIC HALLS

1.0 INTRODUCTION

This Land Management Plan applies to the trust land known as the Port Douglas Community Hall reserve.

Subject land: Lot 100 on SP219633
13-29 Mowbray Street, Port Douglas

Land management plan duration:

Duration: Ongoing

Review: Review of the land management plan will occur:

- when a request is received for secondary use;
- in consultation with relevant users / lessees at least every five (5) years or as required with three (3) months' notice of the requirement for such review being given; or
- earlier as required by the Minister, subject to three (3) months' notice being given to the trustee of a requirement for review from the Minister in accordance with the *Land Act 1994*.

Minor amendments may be made by the trustee to improve the operational efficiency of the plan with the amended land management plan being submitted for approval under the *Land Act 1994* within one (1) month of such amendment being made.

2.0 TRUSTEE DETAILS

Trustee's name: Douglas Shire Council

Trustee's address: 64-66 Front Street, Mossman
PO Box 723, MOSSMAN QLD 4873

3.0 EXISTING TENURE OF THE SUBJECT LAND

Trust land description: Reserve for Public Halls

Lot and Plan: Lot 100 on SP219633

Locality: Port Douglas and Environs

Local Government: Douglas Shire Council

Area of Land: 1.883 ha

Conditions of Tenure: The use of the land is to be in accordance with the Douglas Shire Planning Scheme and the purpose of the reserve except where noted in this land management plan.

4.0 EXISTING USE OF THE SUBJECT LAND

4.1 Existing uses – primary and secondary

The trust land is primarily used for Public Halls purposes.

The Port Douglas Community Hall is developed on the land. This facility houses Council's Port Douglas frontline service office, a branch of the library which is open part-time, catering kitchen, and the hall itself. The facility is available for use by the public and community groups, and is well-utilised.

A sewerage pump facility is also situated on the land in the vicinity of the proposed location of the booster pump station.

4.2 Existing interests

There are no existing interests over the land.

4.3 Native title status

Native title will be suitably addressed for any dealings on the trust land.

There is an existing Native Title Claim QUD 602-2012 Yirrganydji People over the subject trust land.

5.0 PROPOSED USES OF THE SUBJECT LAND

5.1 Proposed uses of the subject land

Port Douglas Community Hall

Use of the land for public halls purposes, in line with the primary purpose of the trust land, will continue. The community hall, together with landscaped grounds and car parking, takes up most of the area of the land. Council has a branch office and a library kiosk in the building. The main hall is available for community events such as Australia Day, and is the electoral polling location for Port Douglas. Community groups such as Generations Church, children's playgroup and Port Douglas Neighbourhood Centre, and sporting groups such as Hapkido; with the hall also available for hire for private functions such as weddings.

There is no intention to modify or restrict the primary use of the trust land. The community hall use is compliant with Council's planning scheme and with building regulations including any safety considerations and disabled access legislation. Council maintains suitable public liability insurance.

Sewerage pump station

Sewerage pump station 'A Mudlo Street' was installed in 1984. The original package treatment sewerage plant was located within the vicinity and it is expected that the pump station was installed in this location due to the design of the sewer reticulation system. Flood levels would have been the main safety consideration for the pump station.

Water supply booster pump station

This site was selected from several potential sites owned by Council. Factors such as cost, suitability, engineering requirements and community impacts were considered in the final decision to select this site. Locating the pump station at the rear of the reserve (public halls) was considered the most preferred site.

The proposed built infrastructure within the reserve will consist of underground water pipework and a six (6) m x six (6) m booster pump station building. Access to the land will not be restricted as pipework will be buried and the pump station building is very small relative to the property size. Nor will the primary use (public halls) be interfered with as the proposed built infrastructure is located at the rear of the property in an area not used by the public, away from formal accesses and with no foreseeable development scheduled at this location.

5.2 Is the proposed or existing secondary use consistent with the primary use of the trust land?

No.

6.0 COMMUNITY CONSULTATION

An advertisement requesting submissions was placed on the Council's website and facebook page from Friday, 12 May, to Friday, 2 June 2017, inclusive.

7.0 SUMMARY AND RECOMMENDATION

Any proposed inconsistent trustee leasing of the trust land that does not diminish use of the trust for its dedicated purpose will be submitted by the trustee for approval in terms of the *Land Act* 1994.

8.0 ATTACHMENTS

Attachment 1: Locality map

Attachment 2: Aerial photo showing location of trust land and surrounding parcels

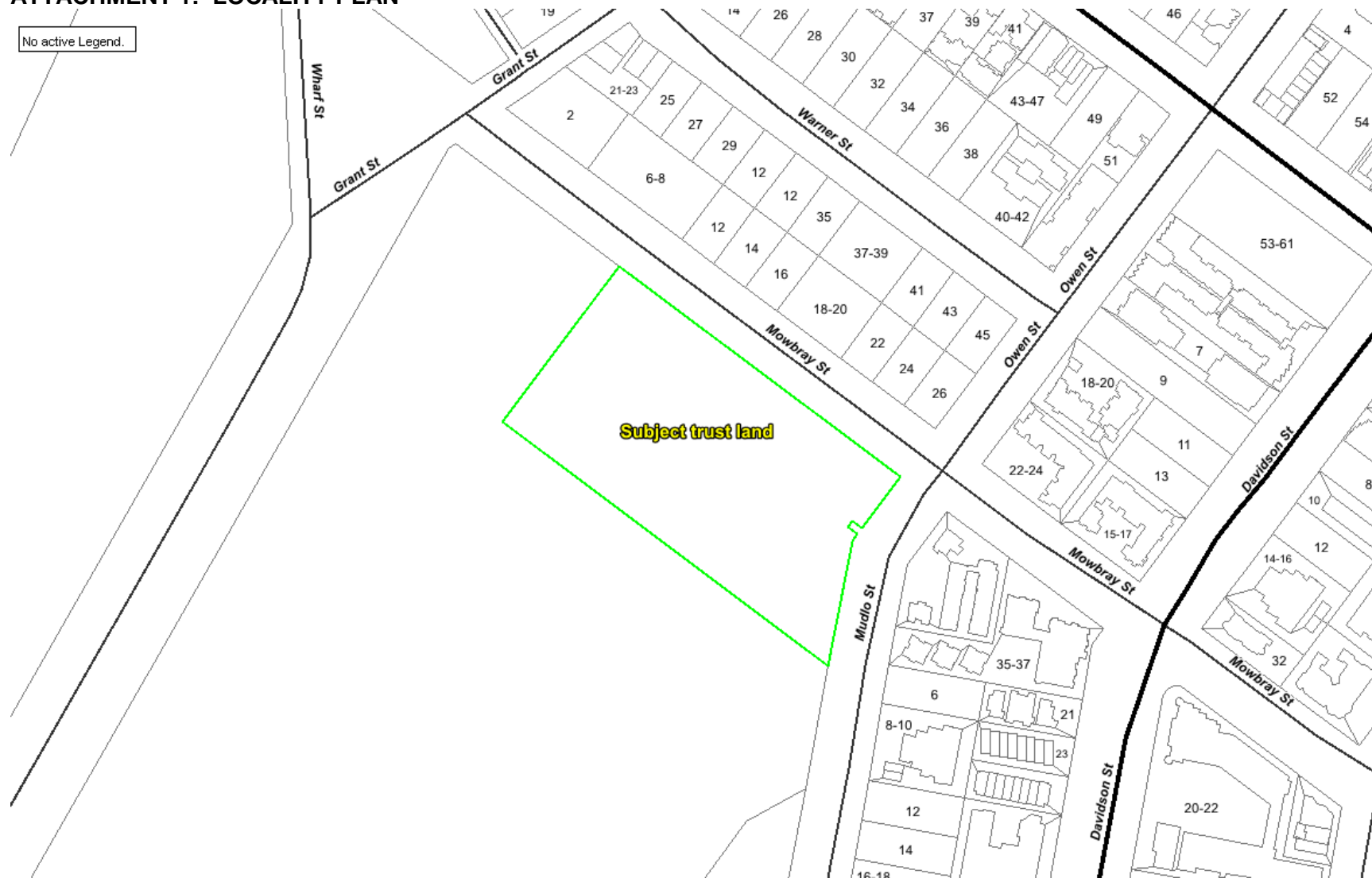
Attachment 3: Base map showing location of physical and biophysical features

VERSION HISTORY

Version	Date	Comment
v1 #806586	01/03/2017	Draft prepared by Douglas Shire Council

ATTACHMENT 1: LOCALITY PLAN

No active Legend.



ATTACHMENT 2: AERIAL PHOTO



ATTACHMENT 3: BASE MAP

