

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL HELD  
AT THE DOUGLAS SHIRE COUNCIL CHAMBERS, 64-66 FRONT STREET, MOSSMAN ON  
TUESDAY, 11 JULY 2017, COMMENCING AT 10.00AM**

1. PRESENT

Cr Julia Leu (Mayor), Cr Abigail Noli (Deputy Mayor), Cr David Carey, Cr Michael Kerr, Cr Roy Zammataro, Linda Cardew (Chief Executive Officer), Joanne Jacobson (A/General Manager Corporate Services), Nicholas Wellwood (General Manager Operations), Kerrie Hawkes (Executive Officer), Paul Hoyer (Manager Sustainable Communities), John Rehn (Manager Finance & IT), Michael Kriedemann (Manager Infrastructure), Simon Clarke (Planning Coordinator), Robert Donovan (Senior Property Officer), Susanna Andrews (Property Officer), Lloyd Nunns (Senior Procurement Officer), Peter Tonkes (Coordinator Civil Operations), Peter Logan (Coordinator Public Spaces), Brendan Leishman (Senior Community & Economic Development Officer), Helen Coulthard (Community & Economic Development Officer), Greg McLean (Communications and Event Officer), Nicole Barton (Mayoral and Councillor Support Officer) and Fionnuala Blayney (Executive Assistant).

ACKNOWLEDGEMENT OF COUNTRY

Cr Leu acknowledged the KukuYalanji people who are the Traditional Custodians of the Land and paid respect to their Elders both past and present and extended that respect to other Indigenous Australians present.

APOLOGIES

No apologies.

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Cr Kerr declared a perceived conflict of interest in Agenda item 5.5 as the applicant is a direct Neighbour but he has considered his position and is firmly of the opinion that he can participate in the debate and vote on this matter in the public interest.

Cr Kerr declared a conflict of interest in Agenda item 9.1 as he is on the committee of one of the organisations applying for the grant and proposed to leave the room while the matter is considered.

Cr Leu declared a conflict of interest in Agenda item 9.1 as she is on the committee of one of the organisations applying for the grant and proposed to leave the room while the matter is considered.

NOTED BY THE MAYOR

The Mayor referred to the resignation of the Communications and Events Officer, Mr Greg McLean, and thanked him on behalf of all Councillors for his dedication and service.

The Mayor requested that a letter of appreciation be prepared for Mr McLean on behalf of the Mayor and Councillors to acknowledge his efforts over the last 3 years.

3. MAYORAL MINUTE

**Moved** Cr Leu

*That Council confirm participation as a power partner in the Cities Power Partnership as part of the Climate Council national local government program and:-*

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1. *Within 6 months, identify 5 items included in the Cities Power Partnership Pledge that Douglas Shire will strive to achieve, noting that some projects already in the council pipeline could be included towards a council's pledge (refer to Attachments A and B);*
2. *Complete a 6 monthly online survey that provides the Climate Council with basic information on how Council is progressing on the 5 pledge items that council has selected;*
3. *Nominate a point of contact within Council that the Climate Council can liaise with on CPP matters, including contact details; and*
4. *Confirm that Council is willing to be buddied with two other local councils to share knowledge.*

**BACKGROUND INFORMATION**

The Mayor has received an invitation for Douglas Shire Council to join the *Cities Power Partnership* (CPP) which is part of the Climate Council national local government program. The CPP program is launching in July and focusses on supporting and celebrating the emissions reduction successes of local councils across the country. The program also aims to connect local councils with shared emissions reduction project interests across the pledge areas of renewable energy, energy efficiency, sustainable transport and community advocacy.

The CPP offers increased connectivity for shared learnings, exclusive access to an extensive online knowledge hub and project analytical tool as well as profiling of success stories via print and online media across Australia.

There are no costs associated with joining the CPP and Douglas Shire Council is invited to become part of the partnership in the first round prior to the program launch to complement the ongoing work of Council, particularly given our location, World Heritage listed natural assets and the low carbon advocacy role within Queensland.

As a council to join in the first round, the Mayor has been invited to launch of the Cities Power Partnership to be held in Canberra on 19 July with flight costs to be covered by the CPP.

**Carried** Unanimously

4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

**ORDINARY MEETING HELD ON 20 JUNE 2017**

**Moved** Cr Carey

**Seconded** Cr Noli

*“That the Minutes of the Ordinary Meeting held on Tuesday, 20 June 2017, be confirmed, with an amendment to the wording of item 5.1, to read- That the item be deferred to the next available Council Meeting.”*

**Carried** Unanimously

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**SPECIAL MEETING HELD ON 27 JUNE 2017**

**Moved** Cr Noli

**Seconded** Cr Zammataro

*“That the Minutes of the Special Meeting held on Tuesday, 27 June 2017, be confirmed.”*

The Mayor requested that the Minutes for this meeting include the communications and related documents contained in the Agenda papers.

**Carried** Unanimously

**5. AGENDA ITEMS**

**5.1. DEVELOPMENT APPLICATION - STORAGE SHED - REEF STREET  
PORT DOUGLAS**

**Neil Beck, Planning Officer**

**Nicholas Wellwood, General Manager Operations**

**Moved** Cr Noli

**Seconded** Cr Kerr

*“That Council approves the development application for a Storage Shed over land described as Lot 64 on RP573, located at 14-22 Reef Street Port Douglas, 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:*

<b>Drawing or Document</b>	<b>Reference</b>	<b>Date</b>
Site Plan	Received 13 June 2017 (#817814)	Undated
Floor Plan & Elevations	Drawing No. 608-16 Rev C	8 May 2017

**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.

**Drainage**

3. Undertake further investigations including site levels and detail how stormwater generated from the Storage Shed will be adequately controlled and managed as not to cause a nuisance to the surrounding area or result in standing water. Drainage details must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work with the necessary works being undertaken prior to Commencement of Use.

**Vegetation Removal**

4. The footprint of the shed must be pegged onsite and the extent of vegetation to be removed including any pruning of existing trees must be clearly identified and inspected and approved by Council Officers prior to any works taking place.

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**Temporary Fencing & Construction**

5. *During construction of the Storage Shed, the site must be securely fenced using temporary construction fencing or equivalent to identify the site as a work site. The site must remain clean, tidy and presentable at all times during the construction phase and once works are complete and the use has commenced.*

**ADVICE**

1. *This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse 4 years from the day the approval takes effect in accordance with the provisions of sections 339 and 341 of the Sustainable Planning Act 2009.*
2. *All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.*
3. *This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.”*

**Carried Unanimously**

- 5.2. 3 ESCAPE STREET PT DOUGLAS TELECOMMUNICATIONS FACILITY  
**Jenny Elphinstone, Senior Planning Officer**  
**Nicholas Wellwood, General Manager Operations**

**Moved Cr Kerr**

**Seconded Cr Leu**

*“That Council approves the development application for a Material Change of Use for a Telecommunication Facility over land described as Lot 48 on RP747344, located at 3 Escape Street, Port Douglas, 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:*

<b>Drawing or Document</b>	<b>Reference</b>	<b>Date</b>
<i>Draft Site Layout</i>	<i>Huawei Drawing B1232-P1 Revision 01 dated 27 September 2017 and amended by Condition 3.</i>	<i>To be determined</i>
<i>Draft Site Elevation</i>	<i>Huawei Drawing B1232-P2 Revision 01</i>	<i>27 September 2016</i>

**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.*

**Amendment to Design**

3. *The proposed development must be amended to accommodate the following changes:*

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- a. *Incorporate within the design aviation hazard lights being installed in accordance with the specifications of the Civil Aviation Safety Authority;*
- b. *Incorporate a vegetation buffer of five (5) metres width surrounding the fenced compound to screen the development from the remaining park;*
- c. *Incorporate into the tower design the ability to co-locate at least three (3) other telecommunications carriers; and*
- d. *Incorporate screening to the gates to minimise visual impact of the use within the compound.*

*Details of the above amendments must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.*

**Limited Approval**

- 4 *The Development hereby approved lapses at the expiry of agreement to lease the land from the land owner or entity from which a lease may be attained. Prior to the lapse of the life of the approval the telecommunications tower and all associated infrastructure, buildings, structures and fencing must be decommissioned and removed and the site reinstated to its original condition to the satisfaction of the Chief Executive Officer. All costs associated with the decommissioning and final removal shall be borne by the Applicant or entity that operates the tower at the time of removal.*

**Health**

5. *The facility must comply with all relevant State and National Standards in relation to emission of light, vibration, odour and radiation.*  
*The telecommunications facility must be operated in accordance with Radio Communications (Electromagnetic Radiation – Human Exposure) Standard 2003 in relation to the limits for continuous exposure of the general public to radio-frequency electromagnetic energy or other Standard of the Commonwealth of Australia more relevant at the time.*
6. *Light overspill must not be emitted from any source on the land so as to become an environmental nuisance.*
7. *Prior to the commencement of use the Applicant must establish, to the reasonable satisfaction of the Chief Executive Officer, a landscaped screening buffer surrounding the compound and tower site, specifically comprising native species indigenous to the locality including trees that will achieve a mature height of approximately 15 metres (or greater) to obscure direct view of the lower half of the tower, and additional low level trees and shrubs to screen the direct ground level view of the compound and equipment hut.*
8. *The site must be kept in a neat and tidy manner at all times. Landscaping surrounding the compound, as required under Condition 7 above must be maintained to the satisfaction of the CEO and all ongoing costs associated with maintaining the vegetation buffer, including watering and mulching and future replacement replanting where required are to be the Applicant's responsibility.*

**Construction Process**

9. *No trees or tree roots are to be damaged in the process of construction or use of the premises without the authorisation of the Chief Executive Officer. Attention should be paid not only to the canopy but also to potential root disturbance from fencing and tower foot excavation. Where necessary the assistance of an arborist should be retained to ensure the health of nearby trees.*  
*All construction should occur with minimal damage to existing trees and particular attention be given to the root systems.*

**Colours**

10. *The exterior finishes and colours of the facility must be non-reflective and must blend with the natural colours of the surrounding environment.*

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**Fencing and Signage**

11. Construct fencing for the perimeter of the facility with a minimum 1.8 metre high mesh security fence being of a dark colour. The facility is to be signed with appropriate hazard and warning signs.

**Underground Connection to Electricity Supply**

12. Connection to electricity supply must be provided underground.

**Damage to Council Infrastructure**

13. In the event that any part of Council's existing infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to, mobilisation of heavy construction equipment, stripping, grubbing, the applicant/owner must notify Douglas Shire Council immediately of the affected infrastructure and have it repaired or replaced at the developer's cost, prior to Commencement of Use.

**Lawful Point of Discharge**

14. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

**Acid Sulfate Soils**

15. The footing excavation proposed may result in disturbance of potential acid sulfate soils (PASS). Prior to excavation, in association with a geotechnical assessment, an acid sulfate soil investigation must be undertaken. The investigation must be performed in accordance with the latest 'Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland' produced by the Department of Natural Resources and Mines (previously DNRW), and State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils. 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 DNRW 'Queensland Acid Sulfate Soil Technical Manual'.

**REFERRAL AGENCY CONDITIONS & REQUIREMENTS**

<b>Referral Agency</b>	<b>Referral Agency Reference</b>	<b>Agency Date</b>	<b>Council Electronic Reference</b>
State Assessment & Referral Agency (Department of Infrastructure, Local Government & Planning)	SDA-0317-037652	18 May 2017	814603

Refer to Attachment 2: Referral Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

**ADVICE**

1. This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of sections 339 and 341 of the Sustainable Planning Act 2009.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

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**LAND USE DEFINITIONS\***

*In accordance with the Douglas Shire Planning Scheme 2006, the approved land use of Telecommunications Facilities is defined as:*

*Means the use of premises for the provision of telecommunication services.*

*The use excludes Low Impact Telecommunications Facilities as defined by the Telecommunications (Low Impact Facilities Determination) 1997 under the Telecommunications Act.*

*\*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual."*

**Carried** Unanimously

- 5.3. 59R CREES ROAD CRAIGLIE RECONFIGURATION OF LOT  
**Jenny Elphinstone, Senior Planning Officer**  
**Nicholas Wellwood, General Manager Operations**

The Mayor noted the advice of Officers that the report had been withdrawn at the request of the applicant, to enable the applicant to amend the application.

- 5.4. HEWITT MCU CARAVAN PARK L45 CAPTAIN COOK HWY  
**Jenny Elphinstone, Senior Planning Officer**  
**Nicholas Wellwood, General Manager Operations**

**Moved** Cr Noli

**Seconded** Cr Kerr

*"That Council approves the development application for a Material Change of Use (impact assessment) for a Caravan Park over land described as Lot 45 on RP835, located at Lot 45 Captain Cook Highway, Port Douglas, 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:*

<i>Drawing or Document</i>	<i>Reference</i>	<i>Date</i>
<i>Site Masterplan Concept</i>	<i>Generally in accordance with Studio Mango LA3 Job 57, Drawing L-02, Revision 4, Dated 24 January 2017 and submitted to Council 8 March 2017 and as amended by conditions of the approval.</i>	<i>To be determined</i>
<i>Drainage Concept Plan</i>	<i>Generally in accordance with Studio Mango LA3 Job 57, Drawing L-05, Revision 3, Dated 12 December 2016 and submitted to Council 8 March 2017 and as amended by conditions of the approval.</i>	<i>To be determined</i>
<i>Landscape Masterplan Concept</i>	<i>Generally in accordance with Studio Mango LA3 Job 57, Drawing L-04, Revision 3, Dated 12 December 2016 and submitted to Council 8 March 2017 and as amended</i>	<i>To be determined</i>



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*by conditions of the approval.*

**ASSESSMENT MANAGER CONDITIONS**

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  - a. The specifications, facts and circumstances as set out in the application submitted to Council;
  - 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.

*Amendment to Design*

3. The proposed development must be amended to accommodate the following changes:
  - a. remove wording of "bush camping" from the plan other than the designated individual sites (B1 to B30 inclusive) on Drawing L-05 Revision 3 dated 12 December 2017 and L-03 Revision 3 dated 12 December 2016;
  - b. camping sites are to be as per the general layout of Drawing L-05 Revision 3 dated 12 December 2017 and L-03 Revision 3 dated 12 December 2016 and not as per Drawing L-02 Revision 4 dated 24 January 2017.
  - c. having regard to condition 12, clarification that all permanent buildings and ablution facilities are sited above 1% flood inundation and storm tide inundation (including 0.8m sea level rise);
  - d. inclusion of drainage buffer for introduced nutrients;
  - e. inclusion of undulated mounds along the front setback for noise reduction accompanied by dense landscaping of the frontage setback;
  - f. inclusion of crocodile fencing to areas adjacent to waterways and drain to the mangrove vegetation area;
  - g. all powered sites to be above 1% flood inundation level and storm tide hazard;
  - h. relocate powered sites 32 and 51 on (Drawing L-05 Revision 3 dated 12 December 2017 and L-03 Revision 3 dated 12 December 2016 ) at least 30m from the front boundary. This is also in reference to sites 23, 34 and 53 (on Drawing L-02 Revision 4 dated 24 January 2017) to be located at least 30 metres away from the front setback; and
  - i. drain lots to the internal road network.

*Details of the above amendments must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.*

*Damage to Council Infrastructure*

4. In the event that any part of Council's existing; water, road, or drainage infrastructure is damaged as a result of construction activities occurring on the site or adjoining road, including, but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify Douglas Shire Council immediately of the affected infrastructure and have it repaired or replaced at the developer's cost, prior to the Commencement of Use or issue of a Compliance Certificate for the Plan of Survey, whichever occurs first.

*Operational Works*

5. An Operational Works Approval is required for the earthworks, drainage, water supply and sewerage associated with the development.

*Such works must be completed to the satisfaction of the Chief Executive Officer prior to Commencement of Use or issue of a Compliance Certificate for the Plan of Survey,*



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*whichever occurs first. Where plans are required, three (3) A1 size copies of the plans and one (1) copy at A3 size must be submitted to Council.*

**Earthworks**

6. *The extent of the works is to be clearly delineated for the site. In particular, the filling for the permanent structures and earthworks for the pool area. The limit of works for the proposed drainage swales and the filling associated with the disposal of excavated material on the site is also to be detailed on the earthworks plan.*

*The minimum finished floor level for all permanent structures including but not limited to Reception, kitchen, BBQ and pool and ablution facilities is to be 3.3m in accordance with the applicant's response to information request.*

*Any earthworks required at the eastern bathroom, toilet and laundry (nominated to be on stilts) is to be confirmed on appropriate site plans to ensure the site remains free drainage. Similarly, where localized earthworks are proposed at the ensuite sites, this information and grading should be nominated to confirm the site remains free drainage.*

*Earthworks to achieve the minimum floor levels outlined above and including excavation of the swimming pool require approval from Council and 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 Commencement of Use.*

**Water Supply and Sewerage Infrastructure Plan**

7. *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. *confirm the site population and associated loadings for each service noting the apparent anomaly between the engineering advice and the town planning advice on site population; and*
- b. *identify any trunk infrastructure external to the subdivision that may require upgrading to accommodate the development. The plan should also clarify the proposed infrastructure corridors and land tenure for the external mains.*

*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.*

*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 the Plan of Survey.*

**Water Supply and Sewerage Works External**

8. *Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:*

- a. *the applicant is to augment existing water supply infrastructure to the extent necessary such that the development does not adversely affect the water supply to adjacent properties;*
- b. *extend the water and sewerage rising mains from the proposed site to connect to Council's Existing infrastructure at the point(s) where sufficient capacity exists. Once demands have been confirmed Council is to be contacted to confirm the connection points;*
- c. *the extension require works in the State road reserve and approval from DTMR will be required. The alignments within the state road corridor are to be agreed with DTMR and Council prior completion of the detailed design for each service and must have regard to accessibility for operational and maintenance requirements; and*
- d. *owner consent will be required if the sewerage main is required to enter private property or Council land. The applicant will need to secure the owner's consent*

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*and comply with any conditions attached to that approval. A copy of the owner's consent must be provided with the application for operational works.*

*The 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 the Plan of Survey.*

*Water Supply Internal*

9. *Undertake the following water supply works internal to the subject land:*

- a. *ensure the appropriate minimum water pressure and flows (including fire-fighting flow) requirements can be provided to the site in accordance with FNQROC and the appropriate building classification for the use. Identify any extensions or upgrades proposed including on-site storage if required to achieve compliance for the classification of building and the use. Certification from an appropriately qualified hydraulic designer is required to confirm compliance; and*
- b. *provide a single metered internal water connection;*

*The above works must be designed and constructed in accordance with the FNQROC Development Manual.*

*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 the Plan of Survey.*

*Sewerage Internal*

10. *Undertake the following Sewerage works internal to the subject land:*

- a. *design a private pump station and rising main to connect the subject site to Council's sewerage system.*
- b. *provide a design report confirming operation levels, storage, backup power etc. in accordance with the FNQROC development manual and WASA codes. The supporting information is to include draft operational plan and must nominate how the pump station will be operated and maintained; and*
- c. *provide confirmation of how the internal, supporting water and sewer infrastructure for the site including the ensuite facilities and the eastern bathroom/toilet/laundry block that is susceptible to inundation are located clear of flood waters;*

*The above works must be designed and constructed in accordance with the FNQROC Development Manual.*

*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 the Plan of Survey.*

*Vehicle Parking*

11. *The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of 13 spaces of which 3 must be provided as visitor spaces. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.*

*Turning templates for the design vehicle must be submitted to confirm the manoeuvring areas and to demonstrate the clearances to proposed parking areas.*

*The parking, manoeuvring and access plans (and construction details) must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.*

*The areas set aside for parking, vehicle manoeuvring must not be used for the storage or placement of goods or materials.*

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*Drainage Study of Site*

12. *The applicant is to review the existing local drainage study and update where necessary to ensure it addresses the following requirements.*

*The operation of the adjacent drainage lines to ensure that they do not impose a greater hydraulic constraint than the whole of catchment assessments undertaken to date. In particular, for the local catchments the applicant must confirm:*

- a. the contributing catchment boundaries;*
- b. the extent of the 1%AEP/100 year ARI flood event and 1% AEP/100 year storm tide inundation in relation to the site both pre and post development;*
- c. primary and secondary flow paths for the 5, 10, and 100 year ARI flood events;*
- d. storm tide inundation must consider 0.8 metre sea level rise;*
- e. the location of proposed drainage crossings of the flow paths (if any) for pedestrian and vehicle movements within the site and the hydraulic implication of these on the flood modelling;*
- f. confirm the extent of the stormwater swales through the site.*
- g. identify the need and tenure for flood detention areas to ensure a no worsening impact on downstream properties for the entire development;*
- h. information on the proposed works and any impacts proposed at the drainage outlet from the proposed development;*
- i. drain to the internal road network, not to behind the sites; and*
- j. lawful point of discharge.*

*The study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work with the necessary works being undertaken prior to Commencement of Use or issue of a Compliance Certificate for the Plan of Survey, whichever occurs first.*

*Acid Sulfate Soil Investigation*

13. *The earthworks to be undertaken onsite may result in disturbance of potential acid sulfate soils (PASS).*

*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 'Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines, and the State Planning Policy- Appendix 3 SPP code: Water quality.*

*Stockpiling and Transportation of Fill Material*

14. *Soil used for filling or spoil from the excavation is 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.*

*Transportation of fill or spoil to and from the site must not occur within:*

- a. peak traffic times;*
- b. before 7:00 am or after 6:00 pm Monday to Friday;*
- c. before 7:00 am or after 1:00 pm Saturdays; or*
- d. on Sundays or Public Holidays.*

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

*Storage of Machinery and Plant*

16. *The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.*

*Demolish Structures*

17. *All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to Commencement of Use.*

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*Existing Creek and Drainage Systems*

18. *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 Resource Management for carrying out works in a watercourse.*

*Lawful Point of Discharge*

19. *All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.*

*Sediment and Erosion Control*

20. *Soil and water management measures 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).*
21. *An electrical design must be undertaken by a suitably qualified consultant to provide connection to the powered sites within the development and their protection from inundation by storm tide and floods. Details regarding this supply must be provided to the Chief Executive Officer prior to commencement of the use.*

*Demarcation of Boundaries - Crocodile Management*

22. *Provide a crocodile management plan that includes suitable demarcation (fencing / bollards) along boundaries of adjacent waterways and tidal creeks to prevent crocodiles from accessing the low-lying areas. The management plan is to include suitable signs are to be provided to warn people of the presence of crocodile's adjacent estuarine environment and as found necessary at any other locations within the development. The design outcomes from the management plan are to be erected prior to the site being opened to the public.*

*Weed Management*

23. *A Weed Management Plan for Class 1-3 Pest Plants under the Land Protection (Pest & Stock Route Management) Act 2002, prepared in accordance with AP1.34 'Pest Plant Management' of the FNQROC Development Manual, must be submitted to and endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.*
24. *A vehicle wash down and inspection facility for all machinery entering and leaving the site during construction must be provided to reduce the spread of invasive weed species.*

*Compliance with Access and Mobility*

25. *Prior to the commencement of use provide written advice, from a suitably qualified professional that the development complies with all relevant disability standards. This approval has not been assessed for compliance with the requirements for disability access.*

*Lighting*

26. *All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.*

*Above Ground Transformer Cubicles / Electrical Sub-Station*

27. *Any above ground transformer cubicles and/or electrical sub-stations are to be positioned so that they do not detract from the appearance of the streetscape and must be clear of footpath areas. This will require cubicles / sub-stations to be setback*

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*from the street alignment behind a screen of landscaping, or incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.*

*Construction Access*

28. *Vehicular access to the site for construction and demolition purposes must be provided from Captain Cook highway at the Department of Transport and Main Roads approved point of access only, unless authorised by the Chief Executive Officer.*

*Landscaping Plan*

29. *The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:*

*Planting Design*

- a. *the location and species of all existing trees, with an indication as to whether each tree is to be retained or removed, and natural and finished ground levels if filling is to occur in the vicinity of any tree;*
- b. *species to have regard to Council's Planning Scheme Policy No.7 Landscaping;*
- c. *a planting design which is in accordance with the FNQROC Development Manual;*
- d. *a planting design that does not include any species that are identified as Declared or Environmental Weeds or constitute an Invasive Species;*
- e. *provide a hierarchy of planting, which includes shade trees, shrubs and groundcovers;*
- f. *planting details of the ten (10) metre wide landscape zone as a setback to the frontage. Tree species to be used must have the ability to grow in excess of six (6) metres and must be well established at the time of planting. They must be planted at regular intervals to achieve an immediate screening effect. The whole planting area must be mulched with shredded / chipped vegetation waste, or similar material. All the trees in the planting sites must be watered during dry periods, either by water truck or with a temporary drip or sprinkler irrigation system; and*
- g. *the detail concerning the soil preparation of the ten (10) metre wide landscape zone adjacent the earthworks. The soil must be well prepared (not compacted) and fertilized with organic fertilizers to encourage strong growth; and*

*Hard Landscaping Works*

- h. *natural and finished ground levels including details of all retaining works; and*
- i. *protection of landscaped areas adjoining parking areas from vehicular encroachment by a 150 mm high vertical concrete kerb or similar obstruction.*

*Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs first. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.*

*Vegetation Clearing*

30. *Existing vegetation on the subject land must be retained in all areas except those affected by the construction of roadworks / access driveways, the installation of services as detailed on the approved plans as stated in Condition 1. Any further clearing requires an Operational Works Approval.*

*Vegetation to be retained is to be identified and adequately fenced off for protection purposes prior to construction work commencing on the site.*

*Building Colours*

31. *The exterior finishes and colours of Buildings must be non-reflective and must blend*

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*with the natural colours of the surrounding environment. Roofs and structures (including Water Tanks) must be of moderately dark to darker shades of green, grey, blue and brown.*

*The applicant / owner must also ensure that the above Building Exterior requirements are made known in writing to all prospective purchasers.*

*Wildlife*

32. *Prior to removal of any tree, an inspection must be carried out for any signs of protected wildlife including nests and animal habitat. Should any recent wildlife activity be identified, removal of the tree must not occur until the animal has vacated the area of immediate danger. If the animal does not move from the area of danger, the Queensland Parks and Wildlife Service must be contacted for advice. Important habitat trees should be retained wherever possible.*

*Removal of Protected Vegetation*

33. *A clearing permit (protected plants) must be obtained from the Department of Environment and Heritage Protection prior to the clearing of vegetation and/or tree removal as plant species protected under the provisions of the Nature Conservation Act 1992 are known to occur within the area covered by this development approval. Information on clearing permits may be obtained at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)*

*Notification of Vegetation Clearing*

34. *Council must be notified two (2) business days prior to the proposed date of commencement of any approved vegetation clearing.*

*Parkland Protection*

35. *Any common boundaries to the adjacent creek and wetlands must be temporarily delineated and fenced off to restrict building access for the duration of construction activity.*

*Minimum Fill and Floor Levels*

36. *All floor levels in all buildings must be located 150mm above the Q100 flood immunity level, plus any hydraulic grade effect (whichever is the greater), plus storm tide inundation areas, in accordance with FNQROC Development Manual and Planning Scheme requirements.*

*Street Fencing*

37. *Any proposed fences and/or walls to any road frontage are to be limited to the following:*
- a. 1.2 metres in height if solid; or*
  - b. 1.5 metres in height if at least 25% visually transparent; or*
  - c. 1.8 metres in height if at least 50% visually transparent.*

*Details of the street fencing must be detailed in the Landscape Plan and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.*

*Ponding and/or Concentration of Stormwater*

38. *The proposed development is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties.*

*Refuse Storage*

39. *Refuse storage is required to service the site in accordance with Council requirements. The refuse bin storage area must be on a concrete base of a size suitable for the development.*

*The refuse bin enclosure must be roofed, bunded, fitted with a bucket trap and discharge to sewer.*

*The area must be screened from the public view to the satisfaction of Council.*



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*Liquid Waste Disposal*

40. *Any liquid discharge to sewer must comply with Council's Trade Waste requirement.*

*Land Use*

- 41. *The use does not include the accommodation of any relocatable homes or permanent residential uses/ buildings.*
- 42. *The facilities within the site are only available to the persons accommodated on the land and are not available to the general public.*
- 43. *Where a dump point is to be incorporated into the designated it must be at a suitable location on the land and be in a bunded and roofed area.*
- 44. *An emergency evacuation plan must be developed and maintained to demonstrate safe emergency evacuation is feasible without increasing the burden on the State Emergency Service.*

*Details of Development Signage*

45. *The development must provide clear and legible signage incorporating the street number for the benefit of the public.*

*Advertising Signage*

46. *All signage associated with the use must be approved by the Chief Executive Officer. The signage must comply with the Design and Siting of Advertising Devices Code contained within the Douglas Shire Planning Scheme and plans detailing the signage must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Works or Commencement of Use, whichever occurs first.*

*Construction Signage*

47. *Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:*
- a. *developer;*
  - b. *project coordinator;*
  - c. *architect / building designer;*
  - d. *builder;*
  - e. *civil engineer;*
  - f. *civil contractor; and*
  - g. *landscape architect.*

*Crime Prevention Through Environmental Design*

48. *All lighting and landscaping requirements are to comply with Council's General Policy Crime Prevention Through Environmental Design (CPTED).*

*Fuel Storage*

49. *All fuels must be stored in an undercover and secure location at all times.*

**REFERRAL AGENCY CONDITIONS & REQUIREMENTS**

<i>Referral Agency</i>	<i>Referral Reference</i>	<i>Agency Date</i>	<i>Council Reference</i>	<i>Electronic</i>
<i>State Assessment &amp; Referral Agency (Department of Infrastructure, Local Government &amp; Planning)</i>	<i>SDA-0117-036553</i>	<i>17 March 2017</i>	<i>D#809506</i>	

*Refer to Attachment 2: Referral Agency Requirements. (Please note that these conditions /*

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requirements may be superseded by subsequent negotiations with the relevant referral agencies).

**ADVICE**

1. *This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse four(4) years from the day the approval takes effect in accordance with the provisions of sections 339 and 341 of the Sustainable Planning Act 2009.*
2. *All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.*
3. *This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.*

**Conflict Between Plans and Written Conditions**

4. *Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plan(s), the requirements of the written condition(s) will prevail.*
5. *Premises intended to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the Food Act 2006 and the Food Standards Code.*
6. *Prior to construction or alteration of any premises used for storage, preparation, handling, packing and/or service of food, application for such must be made with Council's Public Health Unit.*
7. *An application for the construction or alteration of any food premises must be accompanied by two (2) copies of plans drawn to a scale not smaller than 1:100. Such plans are to include details of ventilation (including mechanical exhaust ventilation systems), finishes to walls, floors and ceilings, details of the proposed layout and materials to be used in the construction of all fixtures, fittings and equipment. The plans should include detailed cross sections of all areas to be included in the construction or alteration. All works must be carried out in accordance with the requirements of the Food Act 2006, Food Safety Standards and AS 4674 – 2004 – Design, construction and fit-out of food premises.*
8. *Noise from generators, air-conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Chief Executive Officer, create an environmental nuisance having regard to the provisions of Chapter 8 Part 3B of the Environmental Protection Act 1994.*
9. *Swimming pool water quality must be maintained in accordance with the Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines 2004 and Council's Local Law.*
10. *The proprietor of proposed rental accommodation premises must make application for approval under Council's Local Law.*

**Infrastructure Charges Notice**

11. *A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.*

*The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.*

*Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. The Sustainable Planning Act 2009 confers rights to make representations and appeals in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.*

*The amount in the Adopted Infrastructure Charges Notice is subject to index*

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*adjustments and may be different at the time of payment. Please contact Development Assessment and Coordination at Council for review of the charge amount prior to payment.*

*The time when payment is due is contained in the Adopted Infrastructure Charges Notice.*

12. *For information relating to the Sustainable Planning Act 2009 log on to [www.dilgp.qld.gov.au](http://www.dilgp.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).*

*Advice Statement for Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).*

*You are advised that the EPBC Act 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 Environment's website [www.environment.gov.au/epbc](http://www.environment.gov.au/epbc) EPBC Act Policy Statement 1.1 Significant Impact Guidelines Matters of National Environmental Significance (Oct 2009).*

**LAND USE DEFINITIONS\***

*In accordance with the Douglas Shire Planning Scheme 2006, the approved land use of Caravan Park is defined as:*

*Means the use of premises for the placement of cabins, camping areas, caravans, campervans and motorhomes, primarily for temporary residential accommodation.*

*A Caravan Park includes:*

- camping areas and cabins for overnight and holiday accommodation;*
- amenity Buildings;*
- recreational and entertainment facilities;*
- manager's office and residence;*
- kiosk and storage facilities which cater exclusively for occupants of the Caravan Park.*

*\*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.*

**Carried** Unanimously

- 5.5. REQUEST FOR VIEWS - PERMANENT ROAD CLOSURE - OWEN ST, CRAIGLIE, ADJOINING LOT 13 ON SP192591 LOCATED AT 14 YIKI ST, CRAIGLIE

**Susanna Andrews, Property Officer**  
**Darryl Crees, General Manager Corporate Services**

**Moved** Cr Noli

**Seconded** Cr Kerr

*"That Council:*

1. *advises the Department of Natural Resources and Mines that it:*
  - a. *does not object to the permanent closure of an area of about 82 m<sup>2</sup> of Owen Street, abutting the western boundary of land described as Lot 13 on SP192591 located at 14 Yiki Street, Craiglie;*
  - b. *requires the area of closed road be amalgamated with Lot 13 on SP192591; and*
  - c. *requires all costs associated with the road closure be paid by the applicant.*

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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 this matter.”*

**Carried** Unanimously

- 5.6. PERMIT TO OCCUPY SURRENDER AND RE-ISSUE - CANETAINER STATION - LOT 1 ON PER5726 - CONNOLLY ROAD, MOWBRAY  
**Susanna Andrews, Property Officer**  
**Darryl Crees, General Manager Corporate Services**

**Moved** Cr Noli

**Seconded** Cr Zammataro

*“That Council:*

1. *advises the Department of Natural Resources and Mines that it does not object to the surrender and re-issue of a Permit to Occupy for the purposes of a Canetainer Station over an area of Connolly Road, cancelling Lot 1 on PER5726;*
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 surrender and re-issue of the Permit to Occupy.”*

**Carried** Unanimously

- 5.7. REQUEST TO EXECUTE PART C ROAD CLOSURE - ADJOINING 12-36 ALCHERA DRIVE, MOSSMAN - LOT 1 ON RP851435  
**Susanna Andrews, Property Officer**  
**Darryl Crees, General Manager Corporate Services**

**Moved** Cr Noli

**Seconded** Cr Leu

*“That Council:*

1. *delegates authority to the Chief Executive Officer, in accordance with section 257 of the Local Government Act 2009, to execute a form Part C as Road Manager so an application can be lodged with the Department of Natural Resources and Mines for a proposed temporary road closure over part esplanade adjoining land located at 12-36 Alchera Drive, Mossman, also described as Lot 1 on RP851435; and*
2. *requires all costs associated with the temporary road closure be paid by the applicant.”*

**Carried** Unanimously

- 5.8. LAND MANAGEMENT PLAN - 13-29 MOWBRAY ST, PORT DOUGLAS - RESERVE FOR PUBLIC HALLS  
**Susanna Andrews, Property Officer**  
**Darryl Crees, General Manager Corporate Services**

**Moved** Cr Zammataro

**Seconded** Cr Kerr

*“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*

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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.”*

**Carried** Unanimously

5.9. REVIEW JOINT TRUSTEE ARRANGEMENTS WITH JABALBINA  
YALANJI ABORIGINAL CORPORATION - LOT 900 SP238233 BLUE  
POOLS

**Robert Donovan, Senior Property Officer  
Darryl Crees, General Manager Corporate Services**

**Moved** Cr Noli

**Seconded** Cr Zammataro

*“That Council:*

- 1. commences formal discussions with Jabalbina Yalanji Aboriginal Corporation concerning Council relinquishing Joint Trusteeship of Lot 900 SP238233;*
- 2. subject to a favourable outcome of item 1, undertakes public consultation in regard to the potential relinquishing of the Trusteeship to Jabalbina;*
- 3. requires officers to bring a further report to Council detailing progress of the discussions with Jabalbina and the outcome of the community consultation;*
- 4. delegates authority to the Chief Executive Officer, in accordance with section 257 of the Local Government Act 2009, to progress all matters associated with these discussions.”*

**Carried** Unanimously

5.10. APPLICATION FOR REGIONAL JOBS AND INVESTMENT PACKAGES  
(RJIP) FUNDING

**Brendan Leishman, Senior Community & Economic Development Officer  
Linda Cardew, Chief Executive Officer**

**Moved** Cr Leu

**Seconded** Cr Kerr

*“That Council confirms its commitment to:*

- 1. Support a funding application under the current round of the Federal Government's 'Regional Jobs and Investment Packages (RJIP)' funding for \$80,000 towards developing a Port Douglas Waterfront South: Marine and Tourism Feasibility Study; and*
- 2. Commence the project within 12 week of executing the grant agreement; and*
- 3. Complete the project and meet the cost of the project not covered by grant funding should the application be successful; and*
- 4. Delegate authority to the Mayor and Chief Executive Officer in accordance with the Local Government Act 2009 to administer this project.”*

**Carried** Unanimously

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**5.11. SURF LIFE SAVING SERVICE CONTRACT**

**Michael Kriedemann, Manager Infrastructure Services  
Nicholas Wellwood, General Manager Operations**

**Moved** Cr Leu

**Seconded** Cr Noli

*“That Council:*

1. *resolves in accordance with section 235 of the Local Government Regulation 2012 that the Council's register of sole source suppliers be extended to include:*
  - *Surf Life Saving Queensland (ABN: 27 360 485 381)*
2. *delegates authority to the Chief Executive Officer in accordance with Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to this contractual arrangement.”*

**Carried** Unanimously

**5.12. FLYING FOX ISSUE PORT DOUGLAS**

**Peter Logan, Coordinator Public Spaces  
Nicholas Wellwood, General Manager Operations**

**Moved** Cr Zammataro

**Seconded** Cr Noli

*“That Council resolve to grant permission to Niramaya Villas and Spa, to make application for a permit for flying fox roost management directly to Department Environment Heritage and Protection, with all works and actions being undertaken by Niramaya Villas and Spas at their cost.”*

**Carried** Unanimously

**5.13. INTERIM FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE  
2017**

**John Rehn, Manager Finance and IT  
Darryl Crees, General Manager Corporate Services**

**Moved** Cr Leu

**Seconded** Cr Noli

*“That Council notes the Interim Financial Report for the period ended 30 June 2017.”*

**Carried** Unanimously

**5.14. COUNCILLOR REMUNERATION GENERAL POLICY**

**Darryl Crees, General Manager Corporate Services**

**Moved** Cr Noli

**Seconded** Cr Kerr

*“That Council:*

1. *Nominates the following meetings to be attended by Councillors to receive the meeting attendance component of their remuneration –*
  - *the Ordinary Meeting schedule for the 2017/18 financial year adopted by Council on 24 January 2017; and*
  - *the Special (Budget) Meeting to adopt the 2018/19 Annual Budget; and*



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- *any other Special Meetings as required during the year.*

2. *Adopts the revised Councillor Remuneration General Policy.”*

**Carried** Unanimously

5.15. POLICY DIRECTION FOR WATER LEAKS ON PRIVATE PROPERTY  
Darryl Crees, General Manager Corporate Services

**Moved** Cr Leu

**Seconded** Cr Zammataro

*“That the matter be deferred and considered at a future meeting.”*

**Carried** Unanimously

6. NOTICES OF MOTION

Nil.

7. URGENT BUSINESS

Nil.

8. PETITIONS

Nil.

9. CLOSED SESSION

**Moved** Cr Leu

**Seconded** Cr Noli

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

- 9.1. *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 - Regional Arts Development Fund (RADF) Funding Recommendations 2016-2017;*
- 9.2. *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 - Crocodile Trophy - Resource and Performance Agreement;*
- 9.3. *Contractual Matter S275 (1) (E) Local Government Regulation 2012 Section 235 - Purchase of UF Filter Cartridges; and*
- 9.4. *Contractual Matter S275 1 (E) Local Government Regulation 2012 - Regional Bitumen Reseal Contract Award.”*

**Carried** Unanimously

Cr Leu and Cr Kerr declared a conflict of interest in item 9.1 and withdrew from the meeting at 10.55am

Cr Noli took the Chair

Cr Leu and Cr Kerr re-entered the meeting at 10.56am

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Cr Leu resumed the Chair.

OUT OF CLOSED SESSION

**Moved** Cr Noli

**Seconded** Cr Kerr

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

**Carried** Unanimously

Cr Leu and Cr Kerr declared a conflict of interest in item 9.1 and withdrew from the meeting at 11.10

Cr Noli took the Chair

9.1. PREJUDICIAL MATTER S275 1 H LOCAL GOVERNMENT  
REGULATION 2012 - REGIONAL ARTS DEVELOPMENT FUND (RADF)  
FUNDING RECOMMENDATIONS 2016-2017  
**Helen Coulthard, Community & Economic Development Officer**  
**Kerrie Hawkes, Executive Officer**

**Moved** Cr Noli

**Seconded** Cr Carey

*“That Council:*

- 1. ratifies the RADF Committee funding recommendations totalling \$18,718 (GST Exc) for five Regional Arts Development Fund (RADF) projects for 2016 – 2017 detailed in Attachment One of this report;*
- 2. ratifies the RADF Committee funding recommendation totalling \$5,000 (GST Exc) for one Regional Arts Development Fund (RADF) project for 2016 – 2017 detailed in Attachment Two of this report;*
- 3. ratifies the RADF Committee funding recommendation totalling \$5,000 (GST Exc) for one Regional Arts Development Fund (RADF) project for 2016 – 2017 detailed in Attachment Three of this report; and*
- 4 delegates authority to the Mayor and Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any minor amendments in relation to administering the Regional Arts Development Fund program for 2016 – 2017.”*

**Carried** Unanimously

Cr Leu and Cr Kerr reentered the meeting at 11.11am

Cr Leu resumed the Chair.

9.2. PREJUDICIAL MATTER S275 1 H LOCAL GOVERNMENT REGULATION  
2012 - CROCODILE TROPHY - RESOURCE AND PERFORMANCE  
AGREEMENT  
**Kerrie Hawkes, Executive Officer**  
**Linda Cardew, Chief Executive Officer**

**Moved** Cr Noli

**Seconded** Cr Zammataro

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*“That Council resolves to:*

- 1. decline the proposal submitted by World Wide Sports Agency Pty Ltd to renew the Resource and Performance Agreement for the Crocodile Trophy Mountain Bike race for three years at an amount of \$15 000 (exc GST) per year.*
- 2. Offer World Wide Sports Agency Pty Ltd In-kind support to a value of \$1000 should the final event stage remain in the Douglas Shire.”*

**Carried** Unanimously

9.3. CONTRACTUAL MATTER S275 1 E LOCAL GOVERNMENT  
REGULATION 2012 SECTION 235 - PURCHASE OF UF FILTER  
CARTRIDGES

Lloyd Nunns, Senior Procurement Officer  
Nicholas Wellwood, General Manager Operations

**Moved** Cr Noli

**Seconded** Cr Leu

*“That Council:*

- 1. resolves in accordance with section 235 of the Local Government Regulation 2012 to accept a single source quotation from Akvotek Pty Ltd (ABN: 60 609 331 008) for an amount of A\$253,720.00 excluding GST for the purchase of 56 Koch Cartridges (Targa 11 HF8-72-35-PMPW); and*
- 2. delegates authority to the Chief Executive Officer in accordance with Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to this contractual arrangement.”*

**Carried** Unanimously

9.4. CONTRACTUAL MATTER S275 1 E LOCAL GOVERNMENT  
REGULATION 2012 - REGIONAL BITUMEN RESEAL CONTRACT  
AWARD

Peter Tonkes, Coordinator Civil Operations  
Nicholas Wellwood, General Manager Operations

**Moved** Cr Leu

**Seconded** Cr Noli

*“That Council resolves to:*

- 1. Award Contract 2017-054 – 2017/2018 Regional Bitumen Reseal to FGF Bitumen Pty Ltd. Based on the indicative works program and pricing the annual contract value is estimated to be in the vicinity of \$1,078,000 excluding GST.*
- 2. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with or in relation to this contract.”*

**Carried** Unanimously

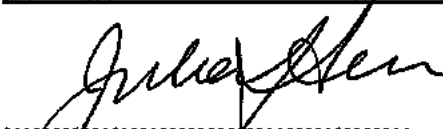
**CLOSURE OF MEETING**

The meeting closed at 11.12am

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 11 JULY 2017, COMMENCING AT 10.00AM

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CONFIRMED THIS 1 DAY OF AUGUST 2017



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MAYOR/CHAIR