

**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, 21 NOVEMBER, 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), Darryl Crees (General Manager Corporate Services), Nicholas Wellwood (General Manager Operations), Michael Kriedemann (Manager Infrastructure), Nicole Barton (Mayoral and Councillor Support Officer) and Brenda Jang (Executive Assistant).

Part Meeting: Simon Clarke (Coordinator Planning), Peter Logan (Coordinator Public Spaces), John Rehn (Manager Finance), Susanna Andrews Property Officer); Kerrie Hawkes (Executive Officer)

ACKNOWLEDGEMENT OF COUNTRY

Cr Leu acknowledged the Kuku Yalanji 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

Nil

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Cr Leu declared a real conflict of interest in regards to item 5.8 due to being a Council appointed Director of Tourism Port Douglas Daintree and proposed to exclude herself from the meeting whilst the matter was being debated and the vote taken.

3. MAYORAL MINUTE

Moved: Cr Leu

“That Council amend the commencement time of the Ordinary Meeting on Tuesday 12 December 2017 from 10.00am to 9.00am.”

BACKGROUND INFORMATION

The amendment to Council Meeting times is solely an operational matter and the amendment can be advertised through all usual media that Council utilises to convey information to the communities.

Carried Unanimously

4.1 CONFIRMATION OF MINUTES OF COUNCIL MEETING HELD 31
OCTOBER 2017

Moved Cr Noli

Seconded Cr Zammataro

“That the Minutes of the Ordinary Meeting held on Tuesday 31 October, 2017 be confirmed.”

Carried Unanimously

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4.2 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING HELD
13 NOVEMBER 2017

Moved Cr Noli

Seconded Cr Kerr

“That the Minutes of the Special Council Meeting held on Monday 13 November, 2017 be confirmed.”

Carried Unanimously

5. AGENDA ITEMS

5.1. DOUGLAS SHIRE PLANNING SCHEME AND ASSOCIATED PLANNING SCHEME POLICIES – ADOPTION AND COMMENCEMENT
Simon Clarke, Planning Coordinator

Moved Cr Leu

Seconded Cr Kerr

“That Council:

1. *resolves to adopt the Douglas Shire Council Planning Scheme 2018 and associated Planning Scheme Policies in accordance with the requirements of Statutory Guideline 01/016 Making and amending local planning instruments (MALPI);*
2. *establishes 2 January 2018 as the commencement date for the Douglas Shire Planning Scheme 2018 and associated Planning Scheme Policies;*
3. *places a notice in the Queensland Government Gazette, the Port Douglas and Mossman Gazette and on Council’s website advising the adoption and commencement date of the Douglas Shire Planning Scheme 2018 and associated Planning Scheme Policies; and*
4. *delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise all matters in relation to the adoption and commencement of the Douglas Shire Planning Scheme 2018 and associated Planning Scheme Policies, other than amending Council’s fees and charges triggered by the Douglas Shire Planning Scheme 2018.”*

For Cr Leu, Cr Kerr, Cr Noli, Cr Zammataro

Against Cr Carey

Carried

5.2. CHANGE DEVELOPMENT APPLICATION - 24 MUDLO STREET, PORT DOUGLAS
Daniel Lamond, Planning Officer

Moved Cr Carey

Seconded Cr Kerr

“That Council approves the Change Application to the combined development application for reconfiguring a lot and material change of use for multi-unit housing, over land described as Lot 60 on PTD20911, located at 24 Mudlo Street PORT DOUGLAS, subject to the following:

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

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

| Drawing or Document | Reference | Date |
|-----------------------------------|--|--------------|
| Site | Sheet 1, Prepared by Nathan Verri. | 19 July 2016 |
| Site Plan-Proposed | Revision ISOA3, Sheet 00. Prepared by Nathan Verri Masters of Design and Building. | 29 June 2017 |
| Floor Plans | Sheet 2, Prepared by Nathan Verri. | 19 July 2016 |
| Floor Plans- Typical Villa Layout | Revision ISOA3, Sheet 03. Prepared by Nathan Verri Masters of Design and Building. | 29 June 2017 |
| Elevations | Sheet 3, Prepared by Nathan Verri. | 19 July 2016 |
| Elevations | Revision ISOA3, Sheet 04. Prepared by Nathan Verri Masters of Design and Building. | 29 June 2017 |
| Area Plan-General | Sheet 4, Prepared by Nathan Verri. | 19 July 2016 |
| Area Plan-Site Cover | Sheet 5, Prepared by Nathan Verri. | 19 July 2016 |
| Area Plan-Gross Floor Area | Sheet 6, Prepared by Nathan Verri. | 19 July 2016 |
| 3D Views NE & NW | Sheet 7, Prepared by Nathan Verri. | 19 July 2016 |
| 3D Views SE & SW | Sheet 8, Prepared by Nathan Verri. | 19 July 2016 |
| Pictorial NE & NW | Sheet 9, Prepared by Nathan Verri. | 19 July 2016 |
| Pictorial SE & SW | Sheet 10, Prepared by Nathan Verri. | 19 July 2016 |
| Tree Location Survey | Drawing No. 134551-2. Plan prepared by RPS Australia East Pty Ltd. | 23 June 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.*

Air-conditioning Screens

3. *Air-conditioning units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.*

Damage to Council Infrastructure

4. *In the event that any part of Council's existing sewer/water or road infrastructure is damaged as a result of construction activities occurring on the site, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at no cost to Council.*

Water Supply and Sewerage Works External

5. *Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:*
 - a. *Augment existing water supply infrastructure to provide adequate water supply to the development. The extension of the water main must have regard to the ultimate configuration of the development;*
 - b. *Augment existing sewer main to ensure each proposed unit is adequately controlled by sewer;*
 - c. *Upgrade to the extent necessary water supply and sewer connections to cater for the demand of the development;*

The external works outlined above constitute Operational Works. Approval for Operational Works must be obtained prior to the issue of a Development Permit for Building Work. Such works must be designed and constructed in accordance with the FNQROC Development Manual. All works must be completed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

Vehicle Parking

6. *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.*

Lighting

7. *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.*

Protection of Significant Street Trees

8. *Undertake a survey identifying the street trees at the Beryl Street verge. Indicate the diameter, canopy cover and root sprawl of the significant street trees. Detail how the proposed access to each dwelling relates to each of the significant street trees and how this may effect a consequent amendment to design.*

An investigation to develop the most appropriate driveway access and to determine the least impact on the significant street trees within the road reserve of Beryl Street must be undertaken by an appropriately qualified arborist. Regard must be given to Australian Standard 4970-2009/Amdt 1-2010 (Protection of Trees on Development Sites). This investigation will be paramount in determining driveway access and footpath development. A plan detailing the above requirements must be submitted to Council for endorsement by the Chief Executive Officer prior to the issue of the development permit for building work.

External Works

9. *Undertake the following works external to the land at no cost to Council:*
- a. *Provide three vehicle crossovers and aprons to Beryl Street. The location and design of the access must not detrimentally impact on the significant street trees on the road verge of Beryl Street. The location and the design of vehicle access to the site will be in accordance with advice and recommendations of an appropriately qualified arborist to ensure the health of the trees as detailed in other conditions of the Development Permit;*
 - b. *Undertake planting of a 600mm wide garden bed with appropriate species along the exterior edge of the perimeter fence on the Mudlo and Beryl Street road reserve.*
 - c. *Construct a 1500mm wide concrete footpath across the Beryl Street frontage in accordance with the FNQROC Development Manual. The footpath must not detrimentally impact on the significant street trees on the road verge of the street.*
 - d. *Repair any damage to existing roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development.*

Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size of the above works must be endorsed by the Chief Executive Officer. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

Timing of Lot Reconfiguration

10. ~~*The development of the multi-unit housing component of the application must be complete prior to Council endorsement of survey plans.*~~
10. *Prior to Council endorsing the Plan of Survey:*
- a. *The under slab must be completed for all three units of housing with the relevant building inspection undertaken. The slab must be deemed satisfactory with the relevant documentation submitted to Council.*

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- b. Construction of the multi-unit housing component of the application must be commenced to the extent of three courses of blocks laid for each unit of housing.

Demolish Structures

11. *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.*

Stockpiling and Transportation of Fill Material

12. *Soil excavated from the site 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.*

Emissions

13. *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

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

Landscaping Plan

15. *The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must detail the following:*
- a. *Deep planting of setback areas and planter beds within the development;*
 - b. *Landscaping of areas and treatments external to the development as detailed in conditions of approval;*
 - c. *Include any other relevant conditions included in this Development Permit. A copy of this Development Approval must be given to the applicant's Landscape Architect/Designer.*

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.

Lawful Point of Discharge

16. *All stormwater from the property must be directed to a lawful point of discharge being Mudlo Street or Beryl Street, such that it does not adversely affect surrounding properties or properties downstream from the development.*

Ponding and/or Concentration of Stormwater

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

Minimum Fill and Floor Level

18. *All floor levels in all buildings must be located 300mm above the Q100 flood immunity level, plus any hydraulic grade effect (whichever is the greater), in accordance with FNQROC Development Manual and Planning Scheme requirements.*

Sediment and Erosion Control

19. *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).*

Refuse Storage Area

20. *The refuse bin enclosure must be roofed, bunded, and connected to sewer with a bucket trap. A hose cock fitting must also be provided to the refuse facility.*

Construction Signage

21. *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;*
 - b. *Architect/Building Designer;*
 - c. *Builder;*
 - d. *Civil Engineer;*
 - e. *Civil Contractor;*
 - f. *Landscape Architect.*

Boundary Fence Height

22. *Advice is to be sought by an RPEQ certified traffic engineer or equivalent pertaining to the perimeter fence height at the corner of Mudlo and Beryl Street. The advice is to determine whether the fence needs to be truncated or lowered.*

Plan of Subdivision

23. *A Plan illustrating the future reconfiguration of the lot must be submitted to Council for endorsement by the Chief Executive Officer prior to the issue of a development permit for building work.*

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Limitation of Approval

24. *This approval does not include the configuration of the footpath or on street landscaping works as detailed on Site Plan- Proposed dated 29 June 2017, prepared by Nathan Verri Masters of Design and Building.*

RECONFIGURATION OF A LOT

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

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

| Drawing or Document | Reference | Date |
|----------------------------------|-----------|------|
| Sub-division plan to be provided | TBA | TBA |

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.*

Fire Separation

3. *The boundary placement between each dwelling must be in accordance with the National Construction Code and in particular, the building setbacks from the side boundaries must comply with the fire regulations within the code.*

Timing of Lot Reconfiguration

4. ~~*The development of the Multi-Unit Housing component of the application must be complete prior to Council endorsement of survey plans.*~~

4. *Prior to Council endorsing the Plan of Survey;*

- a. *The under slab must be completed for all three units of housing with the relevant building inspection undertaken. The slab must be deemed satisfactory with the relevant documentation submitted to Council.*
- b. *Construction of the multi-unit housing component of the application must be commenced to the extent of three courses of blocks laid for each unit of housing.*

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Water Supply and Sewerage Works External

5. *Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:*
 - a. *Augment existing water supply infrastructure to provide adequate water supply to the development. The extension of the water main must have regard to the ultimate configuration of the development;*
 - b. *Augment existing sewer main to ensure each proposed unit is adequately controlled by sewer;*
 - c. *Upgrade to the extent necessary water supply and sewer connections to cater for the demand of the development;*

The external works outlined above constitute Operational Works. Approval for Operational Works must be obtained prior to the issue of a Development Permit for Building Work. Such works must be designed and constructed in accordance with the FNQROC Development Manual. All works must be completed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

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.*

Infrastructure Charges Notice

4. *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 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.

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

5. *For information relating to the Sustainable Planning Act 2009 log on to 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.*

LAND USE DEFINITIONS*

In accordance with the Douglas Shire Planning Scheme 2006, the approved land use of Multi-Unit Housing is defined as:

Multi-Unit Housing

Means the use of premises comprising two or more dwelling units on one lot for residential purposes.

The use includes accommodation commonly described as:

- *duplexes;*
- *flats;*
- *home units;*
- *apartments;*
- *townhouses;*
- *villa houses; or*
- *a display unit which displays to the general public the type of construction or design offered by the builder/developer, for a maximum period of twelve (12) months and which is then demolished if a freestanding replica or converts to its intended use within the complex.*

**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. RECONFIGURING A LOT (1 LOT INTO 4 LOTS) 142R TATI ROAD
MIALLO
Neil Beck, Planning Officer

Moved Cr Kerr

Seconded Cr Noli

"That:

- A. *Council approves the development application for (1 lot into 4 lots) over land described as Lot 73 on RP240928, located at 142R Tati Road Miallo, subject to the following:*

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

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

| Drawing or Document | Reference | Date |
|-----------------------|--------------------------------------|-------------------|
| Proposed Lots 1-3 & 5 | Drawing No. 32204PP-01 Revision E | 16 September 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 Council endorsing the Plan of Survey, except where specified otherwise in these conditions of approval.

Drainage

3. Undertake drainage investigations of the site and surrounds to determine the following:-
 - a. The finished surface levels of the lots to achieve immunity from a 100 year ARI event and extent of earthworks required to achieve the required immunity;
 - b. Detail the lawful point of discharge for each allotment along with any necessary drainage easements, the profile of the drainage easement and supporting stormwater calculations;
 - c. Nominate the minimum floor level for the future houses to provide immunity to the 100 year ARI flood event including the appropriate freeboard as required by the Queensland Urban Drainage Manual; and
 - f. Information on the drainage outlet(s) from the proposed development.

The above investigations must be endorsed by an RPEQ and submitted to Council as supporting documentation to an Operational Works application. All works must be undertaken in accordance with approved plans prior to Council endorsing the Plan of Survey.

Fencing

4. A timber paling fence having a minimum height of 1.8 metres is to be installed along the rear boundary of proposed Lots 1 – 3 inclusive. The height of the fence will need to increase in the south western portion of Lot 3 to maintain a minimum height of 1.8 metres above finished lot levels. Details of the fence are to be provided as part of the Operational Works application.

Stockpiling and Transportation of Fill Material

5. 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.

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

- a. *peak traffic times; or*
 - b. *before 7:00 am or after 6:00 pm Monday to Friday; or*
 - c. *before 7:00 am or after 1:00 pm Saturdays; or*
 - d. *on Sundays or Public Holidays.*
6. *Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.*

Storage of Machinery and Plant

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

Sediment and Erosion Control

8. *An erosion and sediment control plan (ESC Plan) must be submitted prior the issue of a Development Permit for Operational Works for any filling proposed on the land. The measures detailed on the ESC Plans must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).*

Existing Services

9. *Written confirmation of the location of existing services for the land must be provided. In any instance where existing services are contained within another lot, the following applies, either:*
- a. *Relocate the services to comply with this requirement; or*
 - b. *Arrange registration of necessary easements over services located within another lot prior to, or in conjunction with seeking Council endorsement of the Plan of Survey creating the lot.*

Electricity Supply

10. *Written evidence from Ergon Energy advising if distribution substation/s are required within the development must be provided. If required, details regarding the location of these facilities must be submitted to the Chief Executive Officer accompanied by written confirmation from Ergon Energy. Details regarding electricity supply must be provided prior to Council endorsing the Plan of Survey.*

Electricity and Telecommunications

11. *Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both electricity supply and telecommunications service will be provided to the development prior to Council endorsing the Plan of Survey.*

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 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.*

Infrastructure Charges Notice

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

- B. *The following notation will be placed on Council's future rates record in respect of the proposed Lots 1-3 inclusive:*

A cane railway line exists along the frontage of the lot which may give rise to noise and dust issues during times of cane harvesting.

- C. *The following notation will be placed on Council's future rates record in respect of the proposed Lot 2:*

The vehicle crossing over the cane railway line must be constructed in accordance with the Cane Railway - Standard Road Crossing (#831679)

For Cr Leu, Cr Noli; Cr Kerr

Against Cr Carey, Cr Zammataro

Carried

- 5.4. PLAQUES MEMORIALS AND MONUMENTS GENERAL POLICY
Peter Logan, Coordinator Public Spaces

Moved Cr Carey

Seconded Cr Noli

"That Council resolves to adopt the Plaques, Memorials and Monuments General Policy".

Carried Unanimously

- 5.5. CAPITAL WORKS PROGRESS REPORT FOR THE 1ST QUARTER 2017 - 2018
Michael Kriedemann, Manager Infrastructure

Moved Cr Noli

Seconded Cr Kerr

“That Council receives and notes the progress of the Capital Works Program to the 30 September 2017 for the 2017 - 2018 financial year.”

Carried Unanimously

- 5.6. PROPOSED AMENDMENT TO THE FNQROC DEVELOPMENT MANUAL PLANNING SCHEME POLICY
Michael Kriedemann, Manager Infrastructure

Moved Cr Noli

Seconded Cr Zammataro

“That Council resolves to:

- 1. adopt the proposed amendments for Version 03.17 (Issue 7) to the FNQROC Development Manual Planning Scheme Policy, as modified, having regard to the submissions received in accordance with Section 22 of the Planning Act 2016 and Chapter 3 Minister's rules for making and amending a planning scheme policy (PSP); and*
- 2. place a notice in the Port Douglas and Mossman Gazette newspaper advising of Council's decision to adopt the amendments and the effective date of version 03/17 (Issue 7).*

Carried Unanimously

- 5.7. COUNCIL COMMITMENT TO FUNDING - DIGGERS BRIDGE REPLACEMENT PROJECT
Darryl Crees, General Manager Corporate Services

Moved Cr Leu

Seconded Cr Carey

“That Council:

- confirms its commitment to match the Bridge Renewal Program Round Three Grant funding on a 50/50 basis (\$1,339,250) and will include this commitment in the 2017/18 budget review and future budgets as required; and*
- delegates to the Chief Executive Officer the authority under section 257 of the Local Government Act 2009, to finalise all matters associated with this funding agreement.”*

Carried Unanimously

MEETING WITHDRAWAL

Cr Leu declared a real conflict of interest in regards to item 5.8 due to being a Council appointed Director of Tourism Port Douglas Daintree and withdrew from the meeting at 11.06am. Cr Noli took the Chair.

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- 5.8. TOURISM PORT DOUGLAS DAINTREE ANNUAL REPORT 2016 2017
Kerrie Hawks, Executive Officer

Moved Cr Zammataro

Seconded Cr Kerr

“That Council receives and notes the Annual Report for Tourism Port Douglas Daintree (TPDD) for the 2016-2017 financial year, provided in accordance with TPDD’s Resource and Performance Agreement.”

Carried Unanimously

MEETING RE-ATTENDANCE

Cr Leu re-attended the meeting at 11.08am and resumed the Chair.

- 5.9 FINANCIAL REPORT FOR THE PERIOD ENDED 31 OCTOBER 2017
John Rehn, Manager Finance and IT

Moved Cr Noli

Seconded Cr Kerr

“That Council notes the Financial Report for the period ended 31 October 2017.”

Carried Unanimously

- 5.10. OPERATIONAL PLAN PROGRESS REPORT JULY - SEPTEMBER 2017
Linda Cardew, Chief Executive Officer

Moved Cr Leu

Seconded Cr Noli

“That Council notes the progress of the implementation of the Operational Plan 2017 - 2018.”

Carried Unanimously

6. NOTICES OF MOTION

Nil.

7. URGENT BUSINESS

Nil.

- 8. PETITION IN SUPPORT OF AN APPLICATION FOR AN EXTENSION TO
THE MOSSMAN SKATE PARK**
Linda Cardew, Chief Executive Officer

Moved Cr Leu

Seconded Cr Kerr

“That Council receives the Petition which is to be referred to a responsible Officer for consideration in the 2018/2019 Annual Budget.”

Carried Unanimously

9. CLOSED SESSION

Moved Cr Noli

Seconded Cr Kerr

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

- 9.1 *Prejudicial matter S275(1)(H) Local Government Regulation 2012 – Renewal of Special Lease 50018 – Lots A & B on Crown Plan SR805, Gorge Road, Mossman Gorge."*

Carried Unanimously

OUT OF CLOSED SESSION

Moved Cr Kerr

Seconded Cr Zammataro

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

Carried Unanimously

9.1. PREJUDICIAL MATTER S 275 (1) (H) LOCAL GOVERNMENT REGULATION 2012 - RENEWAL OF SPECIAL LEASE 50018 - LOTS A & B ON CROWN PLAN SR805, GORGE ROAD, MOSSMAN GORGE

Susanna Andrews, Property Officer

Moved Cr Kerr

Seconded Cr Carey

"That Council:

- 1. advises the Department of Natural Resources and Mines that it has no objection to the renewal of Special Lease 50018, described as Lots A and B on Crown Plan SR805, over part of Reserve 1505 (R81) described as Lot 152 on Crown Plan SR832, Locality of Mossman; 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 request."*

Carried Unanimously

CLOSURE OF MEETING

The meeting closed at 11.32am.

CONFIRMED THIS 12th DAY OF DECEMBER 2017.


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MAYOR/CHAIR