

**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, 15 MAY 2018, COMMENCING AT 10.02AM**

---

1. PRESENT

Cr Julia Leu (Mayor), Cr Abigail Noli (Deputy Mayor), Cr David Carey, Cr Michael Kerr, Cr Roy Zammataro, Joanne Jacobson (Acting Chief Executive Officer), Michael Kriedemann (Acting General Manager Operations), John Rehn (Acting General Manager Corporate Services), Nicole Barton (Mayoral and Councillor Support Officer) and Brenda Jang (Executive Assistant).

**Part Meeting:**

Paul Hoyer (Manager Sustainable Communities), Jenny Elphinstone (Senior Planning Officer), Peter White (Coordinator Water & Wastewater Operations), Daniel Lamond (Planning Officer), Tim Ellis (Community & Economic Development Officer), Michael Matthews (Project Engineer), Lloyd Nunns (Senior Procurement Officer) and Scott Hahne (Principal Project Manager).

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

Darryl Crees (Acting Chief Executive Officer)

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Cr Zammataro declared a real conflict of interest in regards to Item 9.2 (Prejudicial Matter S275 (1) (H) *Local Government Regulation 2012* - Regional Arts Development Fund (RADF) 2017-18 Approval of RADF Committee Recommendations for Funding) due to his sister being a potential grant recipient and proposed to exclude himself while the matter was debated and the vote was taken.

3. MAYORAL MINUTE

Nil

4. CONFIRMATION OF MINUTES OF COUNCIL MEETING HELD 24  
APRIL, 2019

**Moved** Cr Carey

**Seconded** Cr Noli

*“That the Minutes of the Ordinary Meeting held on 24 April, 2018 be confirmed.”*

**Carried** unanimously

5. AGENDA ITEMS

- 5.1. EXTEND CURRENCY FOR DEVELOPMENT PERMIT FOR STAGES 4 AND 5 OF SHEPHERD VALLEY ESTATE, MOSSMAN  
Jenny Elphinstone, Senior Planning Officer

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

**Moved** Cr Noli

**Seconded** Cr Zammataro

*“That Council approves the extension application for the Development Permit for the Reconfiguring of a Lot for Stages 4 and 5 of the Shepherd Valley Estate (two lots into 106 lots) over land described as Lot 10 on RP887362 and Lot 45 on SP183690, located at 52-80 Coral Sea Drive, Mossman Gorge for a further four years, up to and including 4 November 2022.”*

**Carried** unanimously

- 5.2. COMBINED APPLICATION PLANNING SCHEME VARIATION AND ROL  
(1 INTO 5 LOTS) 6 ENDEAVOUR ST, PT DOUGLAS  
Jenny Elphinstone, Senior Planning Officer

**Moved** Cr Kerr

**Seconded** Cr Noli

*“That Council approves the combined development application over land described as Lot 2 on RP739097, located at 6 Endeavour Street, Port Douglas, for: the reconfiguration of a lot (1 into 5 lots); and for a Preliminary Approval varying the effect of the 2006 Douglas Shire Planning Scheme (as amended) for a plan of development where the Material Change of Use for a House is self assessable development (subject to requirements) on proposed lots 1, 2, 3 and 4, subject to the following:*

- A. *Conditions of approval for the Reconfiguration of the Lot into five lots.*

*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>Proposed Rectory Site Plan</i>	<i>Best Overend &amp; Associates Drawing, WD0,3 Revision D, dated 27 September 2017 and as amended by Condition 3</i>	<i>To be determined.</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 the lodgement for the signing and dating of the Survey Plan except where specified otherwise in these conditions of approval.*

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

*Lot Design*

3. *The lot design is to be generally in accordance with Best Overend & Associates Drawing, Proposed Rectory Site Plan, WDO,3 Revision D dated 27 September 2017 subject to:*

- a. *Proposed Lots 1, 2, 3 and the balance Church lot (Lot 5) must be regraded to drain directly to Endeavour Street;*
- b. *Proposed Lot 4 may drain to the west, provided:*
  - i. *An easement is created over proposed Lot 4 to accept stormwater discharge from neighbouring properties that front Hope Street;*
  - ii. *The drainage is to a lawful point of discharge; and*
  - iii. *There is a no actionable nuisance or negligible impact to neighbouring or surrounding land or catchment area for 100% of post development flows on the proposed Lot (consider full development (100%) site coverage) and the existing stormwater discharge from neighbouring Hope Street land in a 1% AEP rainfall event;*

*Otherwise*

*Proposed Lot 4 must drain to Endeavour Street and ensure a no actionable nuisance or negligible impact to surrounding land and the catchment area;*

*Or*

*Proposed Lot 4 is removed from the plans.*

- c. *Suitable provision is to be made to accept the current storm water from lots north of the land (neighbouring Hope Street properties) and to discharge these waters to a lawful point of discharge that has a no actionable nuisance or negligible impact on upstream, downstream or surrounding land;*
- d. *Remove the drainage easement from proposed Lot 4 and the balance Church lot (rear of proposed Lots 1, 2 and 3);*
- e. *Relocate the new sewer extension line to the front of the lots, with a standard off-set alignment as per FNQROC Development Manual. The plan must identify a single sewer connection for each lot at the Endeavour Street frontage. The connection for proposed Lot 4 must be adjacent to the Endeavour Street frontage. Only one sewer connection is to be provided to the balance Church lot (proposed Lot 5);*
- f. *Update street lighting at the intersection of Endeavour Street and St Crispins Avenue (refer to Condition 21);*
- g. *Construct a two (2) metre wide footpath is to be constructed along the frontage of the land to Endeavour Street;*
- h. *Any fill on the land, necessary to achieve a immunity of flood level for the 1 in 100 year ARI event (1% AEP rainfall event) plus a freeboard of 300mm, must be suitably graded away from the neighbouring houses that front Hope Street; and*

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

- i. *Provide a low screen, deep planted landscaped buffer of approximately 500mm high to the front setback of the Church balance land (proposed Lot 5).*

*The detailed design plans incorporating the above requirements must be submitted to the satisfaction of the Chief Executive Officer with the application for a Development Permit for Operational Works.*

*Drainage Study of Site and Construction*

4. *Having regard to Condition 3 above revise the local drainage study by Civil Walker (GLF Developments Pty Ltd) for the subject land to determine drainage impacts on downstream properties and the mitigation measures required to minimise such impacts.*

*In particular, the study must establish the flood level for the 1 in 100 year ARI event (1% AEP event) for the site. The study must also confirm the allotment fill levels required to provide the freeboard of 300mm to the land as nominated in the Planning Scheme, the FNQROC Development Manual and Queensland Urban Drainage Manual.*

*The study must also confirm the post-development discharge of stormwater from the site and local external catchment for the point of reference being the kerb and piped drainage at the northern end of the site frontage. The capacity of the road and pipe drainage at this point is to be advised. The study must also identify the need and location of any drainage easements to convey stormwater to the lawful point of discharge. The drainage study must be provided with the application for a Development Permit for Operational Works.*

*The resultant post development drainage design (assuming a 100% development on the land) must result in no actionable nuisance, or negligible impact. Where works are required to achieve a no actionable nuisance or negligible impact, the applicant is only responsible to a cost commensurate with the change caused by the development.*

*The applicant / owner must undertake the development of the land in accordance with the findings of the Drainage Study as required above. Associated earthworks and landscaping must be completed in accordance with the approved plans prior to the lodgement for the signing and dating of the Plan of Survey.*

*Sewerage Works External*

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

- a. *Extend the sewer main from the existing sewer line crossing Endeavour Street to the south from the site. If the sewer line at the connection point is not on a standard 1.5m offset, an easement will be required over the sewer along the frontage of proposed Lot 5. All other sewers must be on standard alignments as nominated in the FNQROC Development Manual.*

- b. *Connection to the sewer for each lot is to be at the Endeavour Street frontage, including for the proposed Lot 4. For proposed Lot 5 only one sewer connection is to be provided and this is to cater for both the Church and any proposed future rectory.*

*Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.*

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

*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 lodgement for the signing and dating of the Plan of Survey.*

*Water Supply and Sewerage Works Internal*

6. *Undertake the following water supply and sewerage works internal to the subject land:*
  - a. *Provide a single internal water supply and sewer connection to each lot in accordance with the FNQROC Development Manual;*
  - b. *Provide an inspection outlet fixture to the private connection branch servicing the proposed Lot 4. From the internal sewer connection, extend a house drain for the full length of the access leg for proposed Lot 4. The house drain must be capped and staked for easy identification when a future house is constructed on this lot.*
  - c. *Provide the conduit for water supply for the full length of the access leg for proposed Lot 4. The conduit does not need to be connected to Council's water supply. The conduit must be capped and staked at the road frontage of proposed Lot 4 and at the end of the access leg for easy identification when a future house is constructed on this lot.*

*All 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 lodgement for the signing and dating of the Plan of Survey.*

*General External Works*

7. *Undertake the following external works:-*
  - a. *Construct a 2.0 metre wide pedestrian footpath to the front of the land to Endeavour Street.*
  - b. *Construct new vehicle crossings to proposed Lots: a single crossing, residential standard to proposed Lots 1-4; and a double crossing, commercial standard to the balance Church lot (proposed Lot 5);*
  - c. *Provide updated street lighting in regards to Conditions 3 and 21;*
  - d. *Remove existing redundant vehicle crossings and make good with new kerb and channel; and*
  - e. *Construct a manhole cover over the existing stormwater inlet chamber in the vehicle crossover to proposed Lot 5 and provide a new kerb inlet and associated stormwater pipe extension to locate the new inlet upstream from the pedestrian crossing. The location of the new kerb inlet must allow for the transition to be completed clear of the pedestrian crossing and kerb ramp. Details of the separation and set out are to be shown on engineering drawings provided for operational works approval.*

*Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works and the design must be RPEQ certified. All works must be carried out in accordance with the approved plan prior to the lodgement for the signing and dating of the Plan of Survey.*

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

*Access to the Battle-axe Lot*

8. *Construct a concrete driveway or other approved surface to the battle-axe lot (proposed Lot 4) extending the full length of the access leg from adjacent kerb and channel with a standard crossover in accordance with FNQROC Development Manual Standard Drawing S1015. Construction of the concrete driveway must be in accordance with FNQROC Development Manual Standard Drawing S1110, for a Type 2 driveway with kerbing to contain runoff from entering existing properties to the north. The grated pit will be required at the end of the driveway prior to discharge across the verge.*

*A Type 2 driveway with kerbing must also be provided for the driveway to the rectory to contain runoff from entering proposed Lot 1. The grated pit will be required at the end of the driveway/new carpark access prior to discharge across the verge.*

*All works must be carried out to the requirements and satisfaction of the Chief Executive Officer prior to the lodgement for the signing and dating of the Plan of Survey.*

*Service Conduits*

9. *Provide service conduits to proposed Lot 4 adjacent to the driveway together with associated access pits if necessary, to extend from the front boundary to the end of the access driveway.*

*All works must be carried out to the requirements and satisfaction of the Chief Executive Officer prior to the lodgement for the signing and dating of the Plan of Survey.*

*Demolish Structures*

10. *Demolish the existing vehicle driveways to the Church and make good the kerb and channel prior to the lodgement for the signing and dating of the Plan of Survey.*

*Stockpiling and Transportation of Fill Material*

11. *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; 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.*
12. *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*

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

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

*Notification of Vegetation Clearing*

14. Council must be notified two (2) business days prior to the proposed date of commencement of any approved vegetation clearing to facilitate community awareness of such works.

*Lawful Point of Discharge*

15. With the exception proposed Lot 4, where compliance is achieved under condition 3 above, all stormwater from the property must be directed to a lawful point of discharge being Endeavour Street such that it does not adversely affect surrounding properties or properties downstream from the development to the requirements and satisfaction of the Chief Executive Officer.

*Sediment and Erosion Control*

16. A sediment and erosion control plan must be submitted prior the issue of a Development Permit for Operational Works. Such 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*

17. 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, prior to the lodgement for the signing and dating of the Plan of Survey creating the lot.

*Electricity Supply*

18. 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 the issue of a Development Permit for Operational Works.

*Electricity and Telecommunications*

19. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to the lodgement for the signing and dating of the Plan of Survey.

*Electricity Supply*

20. Where Ergon Energy requires a padmount substation within the development site, written confirmation from Ergon Energy of this requirement and details of the proposed location must be submitted to the Chief Executive Officer. The facility must have a dark green exterior finish.

*Street Lighting*

21. The following arrangements for the installation of street lighting within the proposed subdivision must be provided prior to the lodgement for the signing and dating of the Plan of Survey:

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

- a. *Prior to the approval and dating of the Plan of Survey, a Rate 2 lighting scheme is to be prepared by Ergon Energy or its approved consultant and submitted to the Chief Executive Officer for approval. The Rate 2 lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1 and the corresponding applicable Lighting Categories Table D8.1 as identified in the FNQROC Development Manual. The design must provide the applicable illumination level specified in the Road Lighting Standard AS/NZS 1158 at the following road elements:*

- i. Intersections*
- ii Pedestrian Refuges*
- iii Cul-de-sacs*
- iv LATM Devices (Including Roundabouts)*

*LATM Devices are to be shown on the civil layout design, the electrical services and street lighting design must be submitted in accordance with Ergon Energy's latest Distribution Design Drafting Standard. At a minimum a new light is to be provided at the intersection of St Crispins Avenue and Endeavour Street.*

- b. *Prior to the issue of a Compliance Certificate for the Plan of Survey written confirmation that the relevant capital contribution required by Ergon Energy has been paid must be submitted, to ensure that the street lighting will be constructed.*
- c. *Where a new intersection is formed on an existing roadway for the purpose of accessing a new subdivision development, the intersection and existing road approaches must be provided with street lighting for a distance equivalent to at least two (2) spans either side of the intersection to the relevant Lighting Category.*
- d. *Where an existing intersection is required to be upgraded as part of a development approval, the intersection and existing road approaches must be provided with street lighting for a distance equivalent to at least two (2) spans either side of the intersection to the relevant Lighting Category.*

*Damage to Council Infrastructure*

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

- B. *Conditions for the Preliminary Approval to vary the Planning Scheme to allow a Material Change of Use for a House to be self assessable development subject to conditions as follows.*



**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

*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>Proposed Rectory Site Plan</i>	<i>Best Overend &amp; Associates Drawing, WD03 Revision D, dated 27 September 2017 and as amended by Condition 3 of the ROL component conditions</i>	<i>To be determined.</i>
<i>Proposed 4 Lot Subdivision Concept Layout Option 3</i>	<i>KFB Engineers Drawing K-2950, Sheet SK3, Revision B, dated 12 September 2017 and as amended by Condition 3 of the ROL component conditions.</i>	<i>To be determined</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. *Prior to the issue of a Development Permit for Building Work for the new residential lots (proposed Lots 1, 2, 3 and 4) the lots must be fully created as per the Reconfiguration of a Lot component of the combined approval and all associated works fully completed.*

*Approved Uses*

3. *The use of proposed Lots 1 to 4 inclusive is limited to the use of a House as defined in the 2006 Douglas Shire Planning Scheme (and as amended) whereby the siting of the House:*
  - a. *must comply with the Queensland Development Code MP 1.2 Lots greater than 400m<sup>2</sup> applicable at the time of application; or*
  - b. *where not complying with the Queensland Development Code MP1.2 for Lots greater than 400m<sup>2</sup>, must lodge a plan and request for a variation that is found to be satisfactory by the Chief Executive Officer.*

- C. *Advices for the approval conditions are as follows.*

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

1. *This approval, granted under the provisions of the Sustainable Planning Act 2009, and the Planning Act 2016 shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of sections 339 and 341 of the Sustainable Planning Act 2009 and section 85 of the Planning Act 2016.*
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*

1. *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.  
The time when payment is due is contained in the Adopted Infrastructure Charges Notice.*
2. *For information relating to the Sustainable Planning Act 2009 log on to [www.dilqp.qld.gov.au](http://www.dilqp.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 preliminary land use of House is defined as:*

*Means the use of premises comprising one Dwelling Unit, located on one lot for the exclusive residential use of one Household. The use includes:*

- *outbuildings/structures incidental to and necessarily associated with the residential use;*

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

- *the care of children in accordance with the Child Care (Family Day Care) Regulation 1991;*
- *accommodation for a member or members of the extended family of the Household occupying the House and for personal staff;*
- *a display house which displays to the general public the type of construction or design offered by a builder/developer, for a maximum period of twelve (12) months and which then converts to a House for the exclusive use of one Household; and*
- *the short term letting of a house for the purpose of holiday rental accommodation.*

*\*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.*

D. *The Decision Notice states the following grounds are considered sufficient to overcome the conflict with the Planning Scheme in this particular instance.*

1. *The land was created through the original rezoning and development of an urban area for a local resident population. The land was identified for the community use for a Church. The Church has identified that the entire site is no longer required and this area has been identified as surplus. The sale of the resultant residential lots will enable further community services to be provided on the remaining Church lot.*
2. *The land is contained within the Urban Footprint under the FNQ Regional Plan and therefore the Regional Plan anticipates and supports the land being developed for an urban purpose.*
3. *The land is located within an established residential estate of Reef Park and provides infill housing where future residents will have convenient access to a range of commercial and community facilities.*
4. *All urban services associated with the development of land for residential purposes is available to the site.*
5. *The local street hierarchy of Endeavour Street and the adjacent St Crispin's Avenue have capacity to cater for the increased number of lots.*
6. *The development is consistent with the surrounding land use of residential and represents a logical extension of residential development fronting Endeavour Street."*

**Carried** unanimously

5.3. WATER AND WASTEWATER QUARTERLY REPORT FOR THE PERIOD  
ENDING 31 MARCH 2018

Michael Kriedemann, Acting General Manager Operations

**Moved** Cr Noli

**Seconded** Cr Zammataro

*"That Council receive and note the Quarterly Report of the Water and Wastewater branch for the period ending 31 March 2018."*

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

**Carried** unanimously

- 5.4. FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2018  
John Rehn, Manager Finance and IT

**Moved** Cr Leu

**Seconded** Cr Carey

*“That Council notes the Financial Report for the period ended 30 April 2018.”*

**Carried** unanimously

- 5.5. 2018/19 REVENUE GENERAL POLICY AND 2018/19 DEBT GENERAL  
POLICY  
John Rehn, Manager Finance and IT

**Moved** Cr Noli

**Seconded** Cr Leu

*“That Council adopts the:*

1. 2018/19 Revenue General Policy; and
2. 2018/19 Debt General Policy.”

**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 G **Local Government Regulation 2012 - Planning Compliance Matter Cooya Beach**
- 9.2 Prejudicial Matter S275 (1) (H) **Local Government Regulation 2012 - Regional Arts Development Fund (RADF) 2017-18 Approval of RADF Committee Recommendations for Funding**
- 9.3 Contractual Matter S275 (1) (E) **Local Government Regulation 2012 - Contract for Diggers Bridge Upgrade Project, Mowbray**
- 9.4 Prejudicial Matter S275 (1) (H) **Local Government Regulation 2012 - Ribbon and**

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

**St Crispins Avenues Drainage**

- 9.5 Contractual Matter S275 1 E *Local Government Regulations 2012* - **Contract 2018-001 Mossman WWTP Secondary Clarifier**
- 9.6 Prejudicial Matter S275(1)(h) *Local Government Regulation 2012* - **Write Off of Bad Debts**

**Carried** unanimously

**MEETING WITHDRAWAL**

Cr Zammataro declared a real conflict of interest in regards to Item 9.2 (Prejudicial Matter S275 (1) (H) *Local Government Regulation 2012* - Regional Arts Development Fund (RADF) 2017-18 Approval of RADF Committee Recommendations for Funding) due to his sister being a potential grant recipient and withdraw from the meeting at 10.49am.

**MEETING RE-ATTENDANCE**

Cr Zammataro re-attended the meeting at 10.50am.

OUT OF CLOSED SESSION

**Moved** Cr Carey

**Seconded** Cr Zammataro

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

**Carried** unanimously

- 9.1. PREJUDICIAL MATTER S275 1 G *LOCAL GOVERNMENT REGULATION 2012* - PLANNING COMPLIANCE MATTER COOYA BEACH  
Daniel Lamond, Planning Officer

**Moved** Cr Zammataro

**Seconded** Cr Carey

*"That Council resolve to commence compliance action in response to the ongoing tourist attraction land use at Cooya Beach, formally described as Lot 10 on RP727060."*

**Carried** unanimously

**MEETING WITHDRAWAL**

Cr Zammataro declared a real conflict of interest in regards to Item 9.2 due to his sister being a potential grant recipient and withdrew from the meeting at 11.47am.

- 9.2. PREJUDICIAL MATTER S275 (1) (H) *LOCAL GOVERNMENT REGULATION 2012* - REGIONAL ARTS DEVELOPMENT FUND (RADF) 2017-18 APPROVAL OF RADF COMMITTEE RECOMMENDATIONS FOR FUNDING  
Tim Ellis, Community & Economic Development Officer

**Moved** Cr Leu

**Seconded** Cr Kerr

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

*“That Council:*

- 1. ratifies the RADF Committee funding recommendations totaling \$39,107 (GST Exec) for nine Regional Arts Development Fund (RADF) projects for 2017 – 2018 detailed in Attachment One of this report; and*
- 2. 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 2017 – 2018.”*

**Carried** unanimously

**MEETING RE-ATTENDANCE**

Cr Zammataro re-attended the meeting at 11.48am

- 9.3. CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT REGULATION 2012 - CONTRACT FOR DIGGERS BRIDGE UPGRADE PROJECT, MOWBRAY  
Michael Matthews, Project Engineer

**Moved** Cr Noli

**Seconded** Cr Kerr

*“That Council resolves to:*

- 1. enter into contract 2018-088 Diggers Bridge Replacement Project at Mowbray Valley with Kenmac Constructions Pty Ltd ABN: 27 059 322 235; and*
- 2. that the Chief Executive Officer be delegated authority (under Section 257(1)b of the Local Government Act 2009) to negotiate, finalise and execute any and all matters associated with the contract.”*

**Carried** unanimously

- 9.4. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT REGULATION 2012 - RIBBON AND ST CRISPINS AVENUES DRAINAGE  
Michael Matthews, Project Engineer

**Moved** Cr Leu

**Seconded** Cr Carey

*“That Council resolves to:*

- 1. note the recommendations of the Concept Design Report – Stormwater Upgrades for Ribbon Avenue;*
- 2. adopt Option 8 as the preferred upgrade option; and*
- 3. proceed to final detailed design and documentation for construction.”*

**Carried** unanimously

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
COUNCIL HELD ON TUESDAY, 15 MAY 2018, COMMENCING AT 10.02AM**

---

9.5. CONTRACTUAL MATTER S275 1 E LOCAL GOVERNMENT  
REGULATIONS 2012 - CONTRACT 2018-001 MOSSMAN WWTP  
SECONDARY CLARIFIER  
Scott Hahne, Principal Project Manager

**Moved** Cr Noli

**Seconded** Cr Kerr

*"That Council resolves to:*

- 1. award Contract Number 2018-001 Mossman Wastewater Treatment Plant Secondary Clarifier and Associated Works to John Beever (Aust) Pty Ltd for an amount of \$700,00.00 exclusive of GST; and*
- 2. delegates authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to this contract.*

**Carried** unanimously

9.6. PREJUDICIAL MATTER S275(1)(H) LOCAL GOVERNMENT  
REGULATION 2012 - WRITE OFF OF BAD DEBTS  
Darryl Crees; Acting Chief Executive Officer

**Moved** Cr Leu

**Seconded** Cr Noli

*"That Council resolves to:*

- write off as a bad and doubtful debt all monies owed under Rating Assessment Number 888826 and Accounts Receivable Account Number 23393; and*
- delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise all matters relating to these write offs.*

**Carried** unanimously

**CLOSURE OF MEETING**

The meeting closed at 11.49am.

**CONFIRMED THIS DAY OF 2018**

.....  
**MAYOR/CHAIR**