

DOUGLAS SHIRE COUNCIL

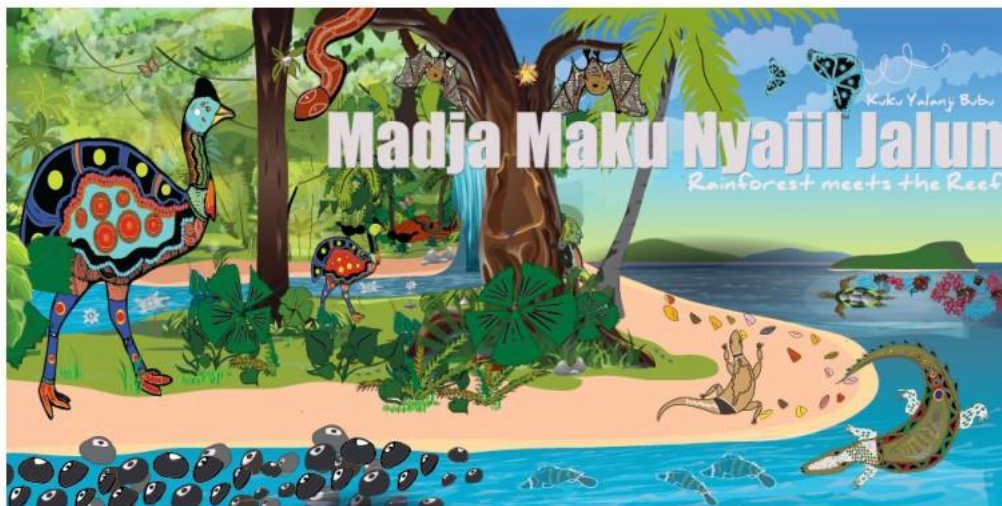
ORDINARY COUNCIL MEETING

MINUTES

Tuesday, 29 March 2022

ENSURING EXCELLENCE IN GOVERNANCE
ACCOUNTABLE AND TRANSPARENT DECISION-MAKING
ENGAGING, PLANNING, PARTNERING
CELEBRATING OUR COMMUNITIES

DOUGLAS
SHIRE COUNCIL



Douglas Shire Council would like to show its appreciation by acknowledging local indigenous artists Lenice Schonenberger, Loretta Pierce (Lenoy) and Ronald Bamboo for providing the cover artwork entitled "**Daintree Ferry**"

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 29 MARCH 2022 COMMENCING AT 10.00AM**

Mayor Cr Kerr opened the Meeting by welcoming everyone to the Ordinary Meeting of the Douglas Shire Council being held on Tuesday, 29 March 2022 at the Mossman Council Chambers.

This Ordinary Meeting of Council is being Live Streamed on Council's Website and will also be available for others to watch at a later time.

ACKNOWLEDGEMENT OF COUNTRY

Cr Kerr acknowledged the Kuku Yalanji people who are the Traditional Custodians of the Land on which this meeting is being held and paid respect to their Elders past, present and emerging, and extended that respect to other Indigenous Australians who may be listening or watching this morning.

1. ATTENDANCE AND APOLOGIES

PRESENT

Cr Michael Kerr (Mayor), Cr Lisa Scomazzon (Deputy Mayor), Cr Peter McKeown, Cr Abigail Noli and Cr Roy Zammataro.

APOLOGIES

Nil

OFFICERS IN ATTENDANCE

Rachel Brophy (Chief Executive Officer), Juanita Warner (Manager Governance), Tara Killeen (Chief Financial Officer), Paul Hoye (Manager Environment and Planning), Peter White (Acting Manager Water and Wastewater), Scott Hahne (Manager Project Office), Natasha Murray (Manager Infrastructure), Lisa Golding (Manager People and Community Services), Tom Volling (Senior Media and Communications Officer), Gabriel Nucifora (Project Manager), Neil Beck, (Team Leader Planning), Sara Roberts (Coordinator Environmental Health and Local Laws), Jenny Elphinstone (Senior Planning Officer), Donna Smith (Finance Officer, Rates), Woodhams (Digital Communications Officer), Kelly Dean (Mayor and Councillor Support Officer) and Brenda Jang (Executive Assistant).

2. CONFLICT OF INTEREST

Nil

3. MAYORAL MINUTE

Nil

4. CONFIRMATION OF MINUTES OF COUNCIL MEETING HELD TUESDAY, 22 FEBRUARY 2022

Moved Cr Scomazzon

Seconded Cr McKeown

That the Minutes of the Ordinary Meeting held on Tuesday, 22 February 2022 be confirmed.

Carried Unanimously

5. AGENDA ITEMS

5.1. GRANT STREET, PORT DOUGLAS - WATER MAIN RENEWAL

Gabriel Nucifora, Project Manager

Moved Cr Scomazzon

Seconded Cr McKeown

That Council:

1. *resolves to award Contract WO5667 - Grant Street, Port Douglas Water Main Replacement to FGF Developments Pty Ltd (ABN 67 102 951 039) for \$453,457.03 (GST exclusive); and*
2. *delegates authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise and execute any and all matters in relation to this contract.*

Carried Unanimously

5.2. FURTHER DEALING OVER TERM LEASE DESCRIBED AS LOT 11 ON SP150472 LOCALITY MIALLO

Property Services

Moved Cr Scomazzon

Seconded Cr Noli

That Council:

1. *advises the Department of Resources (DOR) that it has no objection to the renewal and/or conversion to freehold title of Term Lease 0/235982, described as Lot 11 on SP150472 Miallo;*
2. *advises the DOR that any costs related to surveying the lot as part of the freeholding process, or rectifying any road encroachments discovered, shall be borne by DOR; and*
3. *delegates authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer to determine and finalise any and all matters associated with this request.*

Carried Unanimously

5.3. COMBINED APPLICATION RESORT COMPLEX & RECONFIGURATION 1 LOT INTO 4 - 5640 CAPTAIN COOK HWY MOWBRAY

Neil Beck, Team Leader Planning

Moved Cr Kerr

Seconded Cr Noli

That Council approves the development application for a Combined Application and issues:

- A. *a Development Permit for a Resort Complex (Outdoor Sport & Recreation, Short-term Accommodation (Resort Hotel), Food & Drink Outlet, Shop, Tourist Park, Air Services & Caretakers Accommodation) & Reconfiguring a Lot (1 Lot into 4 Lots and Common Property);*
- B. *a Preliminary Approval for Short-term Accommodation (Maximum of 90 Villas) over proposed Lot 4 – Short-term Accommodation Precinct; and*
- C. *a Preliminary for Operational Work (Advertising Device)*

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over land described as Lot 123 on SR687 located at 5460 Captain Cook Highway 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
DA-01.6	MASTER PLAN	29/10/2021
DA-01.7	SITE CUT - FILL DIAGRAM	29/10/2021
DA-01.8	SITE - LANDSCAPE AREAS	29/10/2021
DA-01.9	SITE - ROADWAYS	29/10/2021
DA-01.10	SITE - WATER VOLUMES	29/10/2021
DA-01.11	RECONFIGURATION OF A LOT PROPOSAL PLAN	29/10/2021
DA-01.12	DROP OFF & LOADING BAYS	29/10/2021
DA-01.13	CARPARK_PART 01	29/10/2021
DA-01.14	CARPARK_PART 02	29/10/2021
DA-01.15	CAR PARK ROOF	29/10/2021
DA-01.16	HOTEL_SURROUNDINGS_PART 01	29/10/2021
DA-01.17	HOTEL_SURROUNDINGS_PART 02	29/10/2021
DA-01.18	WAVE PARK_SURROUNDINGS_PART 01	29/10/2021
DA-01.19	WAVE PARK_SURROUNDINGS_PART 02	29/10/2021
DA-01.20	CABIN PARK	29/10/2021
DA-01.21	ROAD BUFFER - LANDSCAPING	29/10/2021
DA-01.22	ROAD BUFFER - LANDSCAPING	29/10/2021
DA-01.23	ROAD BUFFER SECTIONS	29/10/2021
DA-01.24	MARINE PLANT REVEGETATION AREA	29/10/2021
DA-02.05	ENTRY SIGNAGE	29/10/2021
DA-03.1	GROUND FLOOR WAVE	29/10/2021
DA-03.2	FIRST FLOOR WAVE	29/10/2021
DA-03.3	SECOND FLOOR WAVE	29/10/2021
DA-03.4	INTERNAL AREAS - LEVEL 00	29/10/2021
DA-03.5	INTERNAL AREAS - LEVEL 01	29/10/2021
DA-03.6	INTERNAL AREAS - LEVEL 02	29/10/2021
DA-03.7	GROUND FLOOR WAVE Part A - 1:100	29/10/2021
DA-03.8	GROUND FLOOR WAVE Part B - 1:100	29/10/2021
DA-03.9	FIRST FLOOR WAVE Part A - 1:100	29/10/2021
DA-03.10	FIRST FLOOR WAVE Part B - 1:100	29/10/2021
DA-03.11	SECOND FLOOR WAVE Part A - 1:100	29/10/2021
DA-03.12	SECOND FLOOR WAVE Part B - 1:100	29/10/2021
DA-03.13	GROUND FLOOR LAGOON Part A- 1:100	29/10/2021
DA-03.14	GROUND FLOOR LAGOON Part B- 1:100	29/10/2021

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Drawing or Document	Reference	Date
DA-03.15	FIRST FLOOR LAGOON Part A- 1:100	29/10/2021
DA-03.16	FIRST FLOOR LAGOON Part B- 1:100	29/10/2021
DA-03.17	SECOND FLOOR LAGOON Part A- 1:100	29/10/2021
DA-03.18	SECOND FLOOR LAGOON Part B- 1:100	29/10/2021
DA-03.19	ELEVATIONS E1 +E2	29/10/2021
DA-03.20	ELEVATIONS E1 +E2	29/10/2021
DA-03.26	MATERIALS	29/10/2021
DA-03.27	HOTEL RENDERS	29/10/2021
DA-03.28	HOTEL RENDERS	29/10/2021
DA-04.1	KIOSK PLAN & ELEVATIONS	29/10/2021
DA-04.2	VIP PLAN & ELEVATIONS	29/10/2021
DA-04.3	BAR PLAN & ELEVATIONS	29/10/2021
DA-04.4	CABIN TYPE 1 - PLAN & ELEVATIONS	29/10/2021
DA-04.5	CABIN TYPE 2 - PLAN & ELEVATIONS	29/10/2021
DA-04.6	CABIN TYPE 3 (CARETAKER) - PLAN & ELEVATIONS	29/10/2021
DA-04.7	CAMP KITCHEN PLANS	29/10/2021
DA-04.8	CAMP KITCHEN ELEVATIONS	29/10/2021
DA-04.9	CAR PARK ROOF	29/10/2021
DA-04.10	SURF WALL ELEVATION	29/10/2021
DA-04.11	OPERATIONS ELEVATION	29/10/2021

ASSESSMENT MANAGER CONDITIONS & ADVICES

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.*

Amended Master Plans

3. *The Master Plan/s must be revised and provided to the satisfaction of the Chief Executive Officer prior to the lodgement of the application for Operational Work, generally in accordance with the Hunt Design Master Plans dated 29 October 2021 to illustrate the following:*

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- a. *Access requirements through all lots must be clarified and tenure provided along accessways;*
- b. *Detail the road form (temporary or permanent) for the access road to the rear of the Wave Park main building where access is required in Stage 1 for Wave Park mechanical equipment, workshop and access to Lot 3 – Surf Camp precinct;*
- c. *How on-site car parking can be augmented if the cross-utilisation assumptions are not reflective of the in-service parking demands. Additional “future” parking areas and spaces achieved in these areas must be identified on the Master Plans;*
- d. *Provide detail on drainage paths and suitable tenure arrangements for the conveyance of stormwater through the site to the storage lagoon;*
- e. *Accommodate required separation and buffer area from the short-term accommodation precinct to agricultural uses in accordance with conditions of this approval; and*
- f. *Remove one helipad from the Master Plan;*

Amended Master Plans are to be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Staging of Development

4. *The applicant must submit a Staging Plan which clearly identifies staging of the development with the Wave Park, Surf Camp Precinct and Resort Hotel being the first stage. Development applications can be made and approvals can issue for the Short-term accommodation precinct containing the 90 villas. However, separate titles will not issue until the Commence of Use for Stage 1. The reconfiguration of the site into the 4 lots containing each element of the Resort Complex cannot take place until practical completion of each component of Stage 1.*

The Staging Plan/s must also detail the staged provision of onsite carparking to correlate with each stage if this is intended. The Staging Plans are to illustrate how the development will be undertaken in an orderly sequential manner. The Staging Plans are to be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Road & Access (External)

5. *At a minimum, upgrade the access road intersection with the Captain Cook Highway as required by Queensland Department of Transport and Main Roads. All works are to be at no cost to Council.*

The upgrade must include associated line-marking, pavement widening and street lighting.

The applicant must obtain approval from the Department of Main Roads and Council regarding the works scope. The agreed scope must be to the satisfaction of the Chief Executive Officer and confirmed prior to the lodgment of the application for operational work for the subdivision.

Further Traffic Studies

6. *Prior to lodging the development application for Operational Works for Stage 1, the*

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applicant is to provide an updated traffic study for the development that considers the impact on the entry road and roundabout for a scenario that has a greater reliance on self-drive visitors and a lower patronage on buses. The updated study is to test the sensitivity of the assumptions to significant changes in on-site footprint and road outcomes. In particular, the implications on the lane lengths and separation distance between the roundabout and the highway intersection.

The updated study is to confirm the footprint, extent of auxiliary lanes and location of roundabout for the entry road with updated SIDRA analysis to confirm the sensitivity of the entry road geometry to the traffic assumptions. The study must be to the satisfaction of Department of Transport & Main Roads and Council.

Updated Master Plans for the site are to be provided based on the outcomes of the traffic study.

Within 2 years of the completion of Stage 1, the traffic study is to be updated with actual traffic demand generated by the development. The study must detail the car parking operation and identify if any upgrades and additional onsite parking is required in accordance with the amended Master Plan/s.

Road and Access (Internal)

7. *Road connectivity within the site must be provided via an internal road layout generally in accordance with the Hunt Design Master Plans dated 29 October 2021 and GHD traffic study dated March 2021 as updated to meet the requirements of the conditions of this development approval.*

RPEQ certified design drawings are to be submitted with the application for 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 Commencement of Use.

8. *The Hunt Design Master Plans confirm that Lots 2 and 3 rely on vehicle access through Lot 4. Provide updated advice on security of tenure and staging to confirm that all internal lots to the site have lawful road access.*
9. *The street layout and design must include all internal roads and kerbing to the site and must be revised (where required) to comply with Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:*
 - a. *The Road reserve width through Lot 4 must have a minimum road reserve width of 20 metres, as nominated in the application material and Master Plans. A reduced road reserve width of 16.5m will be permitted for that length of road where the short-term accommodation is located on one side of the road to accommodate the landscaped buffer from the adjoining rural allotment;*
 - b. *The sealed road carriageway width through Lot 4 (future short term residential area) must be 6.5m in width to allow for passing of commercial vehicles parking on each side of the carriageway and passing of commercial vehicles accessing the rear of house facilities at the hotel. The road width must be supported by further engineering drawings and design information confirming that the sealed carriageway will provide the appropriate functionality noting its role to service the back of house for the Wave Park and the Surf Camp Precinct on proposed Lot 2 and Lot 3 respectively;*

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- c. *The geometric design for all intersections, turning areas and bus parking bays must be confirmed through analysis of vehicle turning paths. Any road elements requiring amendments to accommodate the turning movements from this analysis are to be updated on revised plans submitted as part of the supporting material for the Operational Works application;*
- d. *The Surf Camp gravel access is to be revised to provide an imperviously sealed surface for all weather access within this precinct;*
- e. *Provision of footpath connectivity is to be in accordance with the Hunt Design Master Plans with updated plans to confirm staging of the pathways. Any paths that are deferred to future stage must be identified and connectivity must be demonstrated for the stage being constructed; and*
- f. *Adjustments to incorporate land use separation and buffer requirements adjacent the southern boundary.*

An amended plan incorporating the above requirements must be submitted 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 Commencement of Use.

Carparking

10. *The minimum amount of vehicle parking must be as nominated in the Hunt Design Master Plan Diagrams dated 29 October 2021 which is 369 car parking spaces and 6 bus parking bays. This is in addition to the vehicle set down areas at the Resort Hotel entry area. This represents a reduced rate from that specified in Council's Planning Scheme and is contingent upon cross utilisation assumptions being achieved. The Master Plans must be updated to identify additional parking areas that could be constructed in the event that the assumptions are not consistent with operating conditions.*

The car parking utilisation and efficiency investigation / study must be reviewed at the completion of the Wave Park, Resort Hotel & Surf Camp precinct and after the uses have been in operation for over 12 months but not less than 24 months to confirm the demands observed on-site. The investigation must be undertaken during peak tourist season between the months of May to October.

Where an onsite parking shortfall is observed, additional parking must be provided in accordance with the approved Master Plan/s. Any additional parking must be provided within 12 months of the study being completed.

11. *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 maneuvering areas must be imperviously sealed, drained and line marked.*

Extent of Earthworks

12. *The concept for excavation and earthworks as detailed on Hunt Design Master Plan Site Cut Fill Diagram DA-01.7 is approved subject to compliance with the geotechnical and drainage conditions and subject to the following amendments:*
 - a. *the preliminary design for the earthworks inclusive of updated cut and fill volumes and confirmation of earthworks balance on site, is to be presented to Council with*

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the supporting geotechnical and drainage reports prior to making formal application for Operational Works, including but not limited to;

- i. The extent of the 100-year ARI flood event in relation to the site both pre- and post-development in accordance with the updated flood model; and*
 - ii. All new buildings and allotments shall have immunity from flooding associated with an ARI 100 year rainfall event and 1%AEP storm tide inundation (having regard to sea level rise for the year 2100. Minimum finished floor levels must be 3.55m AHD; and*
- b. The final earthworks design is to be lodged with the application for a Development Permit for Operational Works. Such earthworks must be completed in accordance with the approved plans prior to the Commencement of Use.*

Batter Treatment

- 13. The height of batters / retaining structures around the edges of the development shall be generally limited to a maximum height of 1.8 metres. All batters must be constructed in a manner to minimize the construction footprint and has the ability to be screened.*
- 14. Batters for the construction of the water bodies are to be nominated on the engineering drawings provided for operational works approval. The batter height and profile must be substantiated with geotechnical advice and regard given the design life of the product to be used. The lining of the batter must be nominated on the engineering drawings and endorsed by the geotechnical engineer and be to the satisfaction of the Chief Executive Officer.*

A geotechnical assessment by a qualified and experienced geotechnical consultant must also be submitted with the application for Operational Works, with a final geotechnical report to be endorsed by the Chief Executive Officer at the completion of the earthworks.

Helipad – Limitation of Use

- 15. The facility is permitted to accommodate one (1) helipad. The helipad is not permitted to be used for activities such as hosting commercial scenic flights or activities of a similar nature. The helipad is to provide for alternatives forms of travel to the site by visitors to the Wave Park or the Resort Hotel or in the event of an emergency.*

Hours of operation of the Helipad is permitted between the hours of 7.00am – 6.00pm daily excluding emergency situations.

Hours of Operation

- 16. Operation of the Wave Park is permitted to take place between 9.00am to 6.30pm 7 days per week. Operation of the facility to 10.00pm to cater for peak season is permitted subject to achieving satisfactory performance of conditions of the approval relating to noise and light.*

Length of Stay

- 17. The Short-term Accommodation precinct to establish on Lot 4 is limited to stays not exceeding 6 months.*

Acoustic Report

- 18. A noise impact assessment report must be prepared to demonstrate that the development appropriately responds to and addresses potential acoustic impacts on the surrounding*

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environment and sensitive land uses. The assessment must have regard to the following:

- a. The acoustic environment at the nearest sensitive land uses;*
- b. Detail the noise emissions associated with the mechanical plant of the Wave Park and any acoustic treatments required to maintain existing noise conditions;*
- c. Investigate the noise impacts from helicopter flights on sensitive land uses external to the site and proposed sensitive land uses internal i.e Short-term accommodation precinct. Identify if any building treatments are necessary to the future short-term accommodation precinct, particularly the north western area of the precinct; and*
- d. Any other matters considered relevant by the acoustic engineer to ensure the proposed development does not unduly impact on surrounding properties or cause a noise nuisance under the EPP – Noise & requirements of the Environmental Protection Act 1994.*

The report must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Water Supply Works External

19. Undertake the following water supply pipeline works external to the site to connect the site to existing water supply infrastructure:

- a. The proposed development is to be connected to the existing 300mm water main on Beor Street near its intersection with the Captain Cook Highway. The applicant is to construct a 300mm diameter water main from the Beor Street connection point to the development site, approximate distance 2.5km. Unless otherwise approved following detailed design, the new main is to be constructed along the eastern side of the Captain Cook Highway road reserve.
The applicant must liaise with Officers from Council and Transport and Main Roads (TMR) to determine alignment and design. All road surfaces, kerbing, drainage elements, services disturbed during the construction works must be reinstated to the satisfaction of Transport & Main Roads and the Chief Executive Officer.
The water main alignment at Andreasson Road must have regard to the future road intersection requirements in the location. The applicant is to liaise with Council and Transport & Main Roads with regard to future road layout in developing the water main alignment concepts.
The water alignment must be approved in-principle by Transport & Main Roads and Council prior to finalising the engineering design;*
- b. A 150mm diameter cross connection is to be provided to the existing 150mm diameter main in Beor Street; and*
- c. A 150mm diameter cross connection is to be provided across the Captain Cook highway to the existing water main in Mowbray River Road;*

The external water supply mains required under this condition must be designed and constructed in accordance with the FNQROC Development Manual and must be accepted by Council prior to the Commencement of Use.

The external water supply works will require:

- . a Works on Road Permit from Transport and Main Roads for construction within the State Controlled Road Corridor; and*

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- . *an Operational Works Permit from Council prior to construction of the works;*

The above water supply infrastructure is to be provided in accordance with an Infrastructure Agreement between the Applicant & Council whereby the applicant will be reimbursed for part of the costs for the section between Beor Street and Andreassen Road.

20. *Undertake the following water Storage Augmentation works to offset the impact on Council's storage infrastructure capacity following connection of the site to existing water supply infrastructure:*

The applicant must either:

- a. *Construct a 3ML reservoir on the Crees Road site to mitigate the impact of storage on Council's water reservoir. The infrastructure is to be provided at no cost to Council and must take into account Council's master planning on the site.*

Advice Note: The timing for the construction must be agreed with Council and may be linked with Stage 2 – Short-term Accommodation as detailed in item (b) below;

Or

- b. *Enter into an agreement with Council to meter and monitor the actual demands of the Wave Park, Resort Hotel & Surf Camp (Stage 1) to determine the reliance on the reticulation network for top-up flows to water bodies and daily consumption rates to inform and revise the impacts on Council's Storage.*

Subject to the Stage 1 demands and the sites effectiveness in harvesting top up water on site, the applicant will be permitted to undertake further modelling by a Council approved independent water supply modeller to verify the actual impact on Council's water storage reservoirs and revise the impact of the development on Council's pre-development storage capacity.

Based on the revised modelling outputs, Council will determine the impact of the development on the predevelopment storage capacity.

The applicant must either construct a new reservoir to mitigate the storage reduction due to the development in its ultimate form; or contribute to the cost of storage to the satisfaction of the Chief Executive Officer.

The construction of the reservoir or contribution to storage must be completed prior to the endorsement of the Survey Plan or Commencement of Use of the Short-term accommodation precinct, whichever occurs first.

Sewerage Works External

21. *Enter into an agreement with Council to contribute towards the provision of upgraded sewage treatment facilities to cater for the increased demand placed on the Treatment Plant which is estimated to be 648 Equivalent persons (EPs), noting that the calculation of EPs excludes backwash demands associated with the pool facilities and may increase from this current estimate. The contribution amount will be calculated as a percentage amount of the sewage loading generated from the development and in proportion to the additional capacity being provided.*

The agreement must be entered into prior to the Commencement of Use.

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22. *Undertake the following sewerage works external to the site to connect the site to Council's existing sewerage infrastructure:*

Pressure main from the site.

The proposed development is to provide a pressure main within the Captain Cook Highway road reserve through to Council's existing 300mm sewer main near the intersection of Beor Street and the Captain Cook Highway, a distance of 2.5km approximately. The following elements must be addressed in the design of the external sewer main:

- a. The diameter of this main and the material type is to be confirmed with Council and is to be based on updated modelling. Preliminary results indicate a 140mm OD PE pipe will be required through to a point approximately 700m south from Beor Street. The updated modelling must account for backwash of the pool facilities and detail if any detention of this water is required onsite before being discharged to sewer.*
- b. The applicant is to provide for connection point(s) for future interconnectivity with a confirmed connection point nominated approximately 700m south from Beor Street. Council is currently modelling these scenarios and impacts and will formalise the connection details with the Applicant once that information is known.*
- c. The applicants design engineers are to work with Council's Water & Wastewater team to address the issue of sewage age in the system. The applicant will need to meet with Council to determine the extent of the issue and how this will be resolved.*
- d. The applicant must liaise with Officers from Council and Transport and Main Roads in development the alignment and design. All road surfaces, kerbing, drainage elements, services disturbed during the construction works must be reinstates to the satisfaction of Transport & Main Roads and Council.*
- e. The alignment of the sewerage pressure main at Andreasson Road must have regard to the future road intersection requirements in the location. The applicant is to liaise with Council and Department of Transport & Main Roads (DTMR) in regard to future road layout in developing the sewer main alignment concepts.*
- f. The alignment must be approved in-principle by DTMR and Council prior to finalising the engineering design.*

The sewer pressure main required under this condition must be designed and constructed in accordance with the FNQROC Development Manual and must be accepted by Council prior to the Commencement of Use.

The external works will require:

- . a Works on Road Permit from DTMR for construction within the State Controlled Road Corridor; and*
- . an Operational Works Permit from Council prior to construction of the works.*

Water Supply and Sewerage Master Plan – Internal

23. *Individual Master Plans for the provision of Water Supply and Sewerage within the development must be prepared and accompanied by supporting calculations to demonstrates how each lot can be serviced and establish the operational structure and responsibility for the private infrastructure.*

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The Development Application for Operational Work must include these Master Plans with supporting information (including Hydraulic Network Analysis for the internal network). In particular:

- a. For sewerage, the sizing, location and services corridor is to be identified for the gravity sewerage alignment within the site servicing each lot and through to the private pump station; and*
- b. The Master Plans must set out the proposed infrastructure delivery matched to the timing and staging of the development.*

Water Supply and Sewerage Works Internal

- 24. The extent of Internal Private Water Supply and Sewerage Works within the development to provide the site with water supply and sewerage infrastructure will be determined by the Master Plans to be prepared by the Applicant for consideration and approval by Council. The following minimum infrastructure elements are required:*
 - a. The development must be serviced from Council's water supply main by a single internal metered water connection made clear of any buildings or structures. The water supply meter must be provided at an accessible location near the front boundary to enable meter readings to be taken by Council Officers. Council is to be contacted to confirm the meter type and specification based on the peak flows to the site;*
 - b. The development must be provided with a private sewage pump station and pressure main for sewage. The pump station and rising main will be private assets to be maintained and operated by the body corporate;*
 - c. All internal water supply and sewerage infrastructure will be private assets and must provide water and sewerage connectivity to each lot being created under the reconfiguration. As-constructed records of the infrastructure must be provided for Council's records; and*
 - d. Water supply sub-metering must be designed and installed in accordance with the Plumbing and Drainage Act 2002 and the Water Supply (Safety and Reliability) Act 2008.*

All of the above works must be designed and constructed in accordance with the FNQROC Development Manual.

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.

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 of the Survey Plan with Council for endorsement.

Sediment and Erosion Control

- 25. 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).*

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The sediment and erosion control plan must detail the various stages of earthworks for the development and the measures to be installed for each stage as the earthworks are progressed.

Acid Sulfate Soil Investigation

26. *Undertake an Acid Sulfate Soil investigation in the area to be affected by this development. Soil sampling and analysis must be undertaken in accordance with procedures specified in 'Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland' (1998) or updated version of document produced by Department of Environment and Resource Management, (Previously DNRW – QASSIT), and State Planning Policy 2/02 – 'Planning and Managing Development involving Acid Sulfate Soils'. The results of this investigation must be submitted to Council for approval prior to any earthworks or clearing being commenced on the site.*

Identification of soils with a pyrite content in excess of the action levels nominated in the latest version of DNRW – QASSIT: 'Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland' (1998) will trigger the requirement for preparation of an Acid Sulfate Soil Environmental Management Plan in accordance with the most recent requirements of the DNRW: 'Queensland Acid Sulfate Soil Technical Manual' (2002), including Soil Management Guidelines (updated Feb 2003), which must be prepared to the satisfaction of the Chief Executive Officer and form part of the application for a Development Permit for Operational Work.

Internal Drainage Study

27. *Undertake a local drainage study and/or drainage master plan for the site to determine the drainage internal drainage design for the site to provide the required level of service for roadways, pathways and essential service elements and the immunity to buildings as nominated in the FNQROC Development Manual and Queensland Urban Drainage Manual. In particular, the study and/or master plan must address the following:*
- a. The contributing catchment boundaries for each drainage element;*
 - b. The extent of the 100-year ARI flood event in relation to the site both pre- and post-development in accordance with the updated flood model;*
 - c. Primary and secondary flow paths within the site and between each Lot for the 5, 10 and 100 year ARI flood events;*
 - d. Drainage paths for water harvesting through to the storage lagoon identifying where these differ from the above primary and secondary rainfall runoff flow paths;*
 - e. Identify any requirement for drainage easements between the lots to secure tenure arrangements for inter-allotment drainage, water harvesting infrastructure paths and on-site water storage;*
 - f. Information on the proposed drainage works and any impacts proposed at the drainage outlet(s) from the proposed development.*
 - g. Identify the need and tenure for flood detention area(s) to ensure the concentrated runoff from the site during peak discharge(s) is not erosive and does not destabilise the downstream land or the bank of the Mowbray River;*

Advice Note: it is considered that the water storage lagoon for water harvesting may achieve this outcome, subject to details on lagoon outlet and operation in overflow

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conditions during peak rainfall events.

- h. Lawful point of discharge for each lot and tenure arrangements associated with these flow paths.*

The study and Master Plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Existing Creek and Drainage Systems

- 28. 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.*

Confirmation is to be provided that any impact of the filling in terms of changes to velocity does not have a destabilising effect of the vegetation. Confirmation to be provided at the time of seeking Development Permit for Operational Works.

The applicant / owner must obtain any necessary approvals for carrying out works in a watercourse or within a Coastal Management District from the relevant State Government Departments and must make an application through State Assessment and Referral Agency (SARA).

Lawful Point of Discharge

- 29. All stormwater from each lot must be directed to a lawful point of discharge 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.*

Plan of Drainage Works

- 30. The subject land must be drained in accordance with the local drainage study to the satisfaction of the Chief Executive Officer. In particular:*

a. Privately owned drainage infrastructure designed and constructed in accordance with the FNQROC Development Manual; and

b. The drainage system from the development must incorporate a gross pollutant trap(s) or equivalent measure(s), meeting the following specifications for stormwater quality improvement devices (SQID), namely:

i. End-of-line stormwater quality improvement devices (SQID) shall be of a proprietary design and construction and shall carry manufacturer's performance guarantees as to removal of foreign matter from stormwater and structural adequacy of the unit;

ii. SQIDs shall remove at least ninety-five per cent of all foreign matter with a minimum dimension of three (3) mm and shall be configured to prevent re-injection of captured contaminants. The SQID treat all first flush runoff, which shall be defined as that volume of water equivalent to the runoff from the three (3) month ARI storm event. The location of SQIDs within the drainage system shall be planned to ensure that the first flush waters from all parts of the (developed) catchment are treated;

iii. The design of the SQID shall not compromise the hydraulic performance of the overall drainage system; and

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- iv. *SQIDs shall be positioned so as to provide appropriate access for maintenance equipment. Maintenance of the facility is to be undertaken by the Body Corporate.*
- c. *All new buildings and allotments shall have immunity from flooding associated with an ARI 100 year rainfall event and 1%AEP storm tide inundation (having regard to sea level rise for the year 2100. Minimum finished floor levels must be 3.55m AHD;*
- d. *Where practical, all new allotments must be drained to the road frontages, drainage easements or drainage reserves and discharged to the existing drainage system via storm water quality device(s); and*
- e. *For the absence of doubt, all drainage infrastructure and quality improvements devices internal to the property will remain private infrastructure and Council will have no maintenance obligations associated with this internal infrastructure.*

Street Lighting & Wave Park Lighting

31. *The following arrangements for the installation of street lighting within the proposed development must be provided prior to the issue of a Compliance Certificate for the Plan of Survey:*

- a. *Prior to the issue of a development permit for Operational Works a Privately Owned and operated lighting scheme is to be prepared by an Ergon Energy approved consultant and submitted to the Chief Executive Officer for approval.*

The Privately owned lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158, the FNQROC Development Manual and must comply with the AS/NZS 3000 Wiring Rules. Beyond the Point of Supply, the reticulation will be owned and maintained by the applicant/consumer.

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 and Roundabouts;*
- ii. *Pedestrian Refuges;*
- iii. *Cul-de-sacs or Tee heads at end of roads; and*
- iv. *LATM Devices or access restriction points*

LATM Devices and any road access restriction points 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.

- b. *Further details are required in relation to the lighting of the Wave Park and the assessment of the proposed lighting by appropriately qualified person to demonstrate compliance with AS4282-1997 – Outdoor Lighting Obtrusive Effects and to ensure the lighting design does not adversely impact on the locality. In particular, but not limited to, the height and number of lighting structures required and the potential light spill and visibility of those structure external to the site. Findings of the assessment must be to the satisfaction of the Chief Executive Officer*

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with the findings endorsed prior to the Commencement of Use.

- c. *Prior to the issue of a Compliance Certificate for the Plan of Survey written confirmation that any relevant capital contribution required by Ergon Energy has been paid.*

Landscape Buffer

32. *A landscape buffer ranging in width from 15m to 20m and comprising of deep plantings of suitable tree and shrub species to form an effective screen overtime must be provided adjacent the south eastern boundary between the Short-term residential precinct and the adjoining rural land. The area of land utilised for road access and the provision of services is in addition to the landscape buffer requirements.*

Landscape Plan

33. *The site must be landscaped generally in accordance with the Landscape Design Report prepared by RPS dated 26 February 2021 and in accordance with a Landscaping Plan. All landscaping works must be contained on the site. The Landscaping Plan must show:*

- a. *A landscape buffer along the full frontage of the site adjacent the Captain Cook Highway to screen the development overtime. Landscape plan to nominate;*
- b. *Confirmation from a landscape designer that the species as detailed on Drawing No. DA 01.21 – DA 01.23 inclusive are suitable tree and shrub species and are fit for purpose which will form an effective screen overtime.*

Note: The Eugenia Reinwardtiana nominated in the above drawings is susceptible to myrtle rust disease which could spread to other plants in the myrtaceae family;

- c. *Deep planting of the setback areas between the car parking areas (Hotel Carpark & Public Carpark) and the Captain Cook Highway. Lower ground levels plantings are also to be included;*
- d. *Plan to nominate planting densities and pot sizes. Plants of varying pot sizes from 5 litre contains to 120 litre containers must be used to create an effective landscaped area from the onset;*
- e. *Detail the landscape buffer adjacent the short-term accommodation precinct and the adjoining rural land in accordance with conditions of the approval;*
- f. *Landscaping of internal car parking spaces with appropriate species to provide shade to car parking areas;*
- g. *Landscaping of Surf Camp precinct and communal areas;*
- h. *Street tree plantings of internal roads and paths;*
- i. *Detail ground preparation and removal of any unsuitable material. The soil must be well prepared (not compacted) and fertilized with organic fertilizers to encourage strong growth;*
- j. *Species to have regard to Council's Planning Scheme Policy SC6.7 Landscaping;*
- k. *Details of any proposed fencing; and*

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- I. *Inclusion of 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.*

The Landscape Plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work. All landscaping works must be undertaken in accordance with the endorsed plan prior to the Commencement of Use and maintained at all times to the satisfaction of the Chief Executive Officer.

Electricity Supply

34. *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

35. *Written evidence of negotiations with Ergon Energy, NBN Co and the telecommunication authority must be submitted to Council stating that both an underground electricity supply, NBN services and telecommunications services will be provided to the development prior to the issue of a Compliance Certificate for the Plan of Survey.*

Freshwater Lagoon Construction

36. *Prior to the Building Permit for the construction of the lagoon structure, Council is to be provided with a Form 15 and certified drawings prepared by a suitably qualified and experienced RPEQ. Council's acceptance of the supporting information must be provided in writing prior to the issue of a Development Permit for Building Work.*

Demolish Structures

37. *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.*

Environmental Protection Policy – Noise

38. *In addition to the requirement to provide a noise impact assessment report, all reasonable and practicable measures must be implemented during the design, construction, and operational stages for the purpose of managing noise emissions. These measures must be capable of minimising the potential for unreasonable impacts to residents, guests and other activities that may be occurring on site or at nearby locations.*

ADVICES

1. *This approval, granted under the provisions of the Planning Act 2016, shall lapse six (6) years from the day the approval takes effect in accordance with sections 85(1)(b) and 71 of the Planning Act 2016.*
2. *This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.*
3. *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*

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potential cyclone warning and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.

4. *For information relating to the Planning Act 2016, log on to www.dsd.qld.gov.au . To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au.*
5. *The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 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 Agriculture, Water and the Environment, website at <https://www.awe.gov.au/environment/epbc> .*
6. *The taking of water, or interfering with water from streams or groundwater sources, will require a permit administered under the Water Act 2000 and issued by the regional office of the Department of Natural Resources. Further information can be obtained from the Department at www.dnr.qld.gov.au.*
7. *An Ecoaccess approval should be obtained, if necessary, from the Department of Environment and Heritage Protection prior to the clearing of vegetation and/or tree removal that involves damage or destruction of plant species protected under the provisions of the Nature Conservation Act 1992. Information on Ecoaccess approvals may be obtained at www.des.qld.gov.au.*

Cultural Heritage

8. *The Aboriginal Cultural Heritage Act 2003 and Torres Strait Islander Cultural Heritage Act 2003 (the Cultural Heritage Acts) require anyone who carries out a land-use activity to exercise a duty of care.*

This 'duty of care' means land users must take all reasonable and practicable measures to ensure their activity does not harm Aboriginal or Torres Strait Islander cultural heritage. The duty of care applies to any activity where Aboriginal or Torres Strait Islander cultural heritage is located. This includes cultural heritage located on freehold land and regardless of whether or not it has been identified or recorded in a database.

Consultation with the Aboriginal or Torres Strait Islander party for an area may be necessary if there is a high risk that the activity may harm Aboriginal or Torres Strait Islander cultural heritage. Guidelines have been produced to enable assessment of sites under the Act. These are available from the Queensland Government website and can be downloaded from the following website.

<https://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care>.

Operation of Aquatic Facilities

9. *Prior to the operation of any swimming pool or aquatic facility an approval under Douglas Shire Council Subordinate Local Law No. 1(Administration 2020) - Schedule 16 Operation of public swimming pools must be obtained.*

Swimming pools and aquatic facilities must be maintained and operated in accordance with the Queensland Health Water Quality Guidelines for Public Aquatic Facilities December 2019 at all times.

10. *Swimming Pool Safety must be complaint with the Building Act 1975 - Chapter 8 Swimming Pool Safety - Part 2 Compliance with pool safety standard and other matters about pool safety.*

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Shared Facilities

11. *Prior to the construction of Shared Facility Accommodation (i.e.- Surf Camp) an Approval for the design and fit-out of accommodation and communal facilities must be obtained from Council. This is to ensure that the design and fit-out of accommodation and associated facilities are compliant with provisions of the relevant Local Law Schedule.*
12. *Shared Facility Accommodation must be approved under Douglas Shire Council Subordinate Local Law No.1 (Administration 2020) – Schedule 17 Operation of Shared Facility Accommodation. Such approval must be obtained prior to the Commencement of Use.*

Food Premises

13. *Prior to the construction of any premises that is intended to be used for storage, preparation, handling, packaging, or service of food, an Approval for the design and fit-out under the Food Act 2006 must be obtained from the Chief Executive Officer.*
14. *Prior to the operation of a licensable food business as defined in the Food Act 2006, a Food Licence must be obtained from the Chief Executive Officer.*

Infrastructure Charges Notice

15. *A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice, refer to Attachment 3. The original Infrastructure Charges Notice will be provided under cover of a separate letter.*

The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution. Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The Planning Act 2016 confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

Concurrence Agency		Concurrence Reference	Agency Date	Doc ID
State Assessment & Referral Agency Response (SARA)		2108-24005 SRA	11 January 2022	#1060545

REASONS FOR DECISION

1. *The reasons for this decision are:*
 - a. *Sections 60, 62 and 63 of the Planning Act 2016:*
 - b. *to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and*
 - c. *to ensure compliance with the Planning Act 2016.*
2. *Findings on material questions of fact:*
 - a. *the development application was properly lodged to the Douglas Shire Council 16*

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July 2021 under section 51 of the Planning Act 2016 and Part 1 of the Development Assessment Rules;

- b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.*
- 3. Evidence or other material on which findings were based:*
- a. the development triggered assessable development under the Assessment Table associated with the Rural Zone Code;*
 - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the Planning Act 2016; and*
 - c. the applicant's reasons have been considered and the following findings are made:*
 - i. Due to the unique characteristics and size of the proposed development, the development cannot be accommodated on land designated for urban development. The Craiglie Residential Investigation Area is not suitable as the development of this land for this purpose is not in keeping with the development intent and would likely give rise to land use conflicts in the future should the land be developed for residential purposes;*
 - ii. In terms of land use designations, the Planning Scheme does not anticipate this type of development taking place and therefore does not designate land accordingly. The Rural zone is the only zone that can accommodate the development;*
 - iii. Despite not being anticipated development to establish in the Rural zone, the development is adequately separated from sensitive land uses external to the site. Continued use of rural land external to the site is not compromised by the development through the implementation of landscape buffers that will provide adequate separation. Such requirements form conditions of approval;*
 - iv. The proposed development supports the strategic outcomes related to advancing diversification in the Shire's tourism offering and providing for a range of employment opportunities. The proposed development supports the diversification in the Shire's tourism offering by introducing new markets for adventure tourism. The proposed development furthers the Shire's Economic Development Strategy, where it is identified that the 'Douglas Shire is well-positioned to attract new markets with fresh experiences to capitalise on our appeal to the lucrative sports tourism and adventure markets'. This is especially relevant with regards to Council's commitment in the strategy to 'leverage the development of the State-delivered Wangetti Trail to explore opportunities to expand the region's offering in adventure tourism'. The proposed development is well positioned to take advantage of significant new adventure tourist markets to the region;*
 - v. The development involves the rehabilitation of approximately 25% of the site which will enhance the environmental and biodiversity values and the receiving catchment of the Mowbray River. The project's landscaping vision aspires to celebrate the surrounding natural environment while the development will incorporate a number of initiatives to re-use and recycle and reduce energy consumption;*

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- vi. *The built structures of the Resort Complex are substantially setback from the Captain Cook Highway and will be screened from view over time by a dense landscaped buffer adjacent the Captain Cook Highway for the full frontage of the site, excluding access;*
- vii. *Sufficient information has been obtained to demonstrate that the development can be serviced by the reticulated water and sewer network subject to certain requirements being performed by the Applicant. Such requirements are detailed in conditions of approval;*
- viii. *The site adequately contains the use with the ability to provide additional onsite car parking should the provision of 369 spaces and 6 bus parking bays not be sufficient.*
- ix. *The subdivision of the land into 4 lots is an ordinary consequence of developing the land for the approved use. The subdivision of the land is not permitted to take place prior to the practical completion of each component of Stage 1.*
- x. *The development application triggered referral to the State Assessment & Referral Agency (SARA) regarding a number of State Interests pertaining to development in a Coastal Management District, damage to marine plants and State transport corridor considerations. The SARA issued correspondence approving the development subject to conditions.*

Assessment Benchmarks

The following are the benchmarks applying to the development.

Benchmarks applying for the development	Benchmark reference
Strategic Framework	Douglas Shire Planning Scheme 2018 (V1.0) in effect 2 January 2018
Rural zone code	
Multiple Dwellings, Short-term Accommodation & Retirement Village Code	
Relocatable Home Park and Tourist Park Code	
Reconfiguring a lot code	
Acid sulphate soils overlay code	
Coastal environment overlay code	
Flood and storm tide hazard overlay code	
Landscape values overlay code	
Natural areas overlay code	
Transport network overlay code	
Access, parking and servicing code	
Advertising devices code	
Environmental performance code	
Filling and excavation code	
Infrastructure works code	
Landscaping code	

Compliance with Benchmarks

The development complies with the benchmarks as per the summary provided in Reasons For Decision in particular Item 3c.

Carried Unanimously

5.4. CAPITAL WORKS PROGRESS FOR SECOND QUARTER 2021-2022

Scott Hahne, Manager Project Office

Moved Cr Noli

Seconded Cr Kerr

That Council receives and notes the progress of the Capital Works Program to 31 December 2021 for the 2021/22 financial year.

Carried Unanimously

5.5. BODY WORN CAMERA GENERAL POLICY

Sara Roberts, Coordinator Environmental Health and Local Laws

Moved Cr Zammataro

Seconded Cr McKeown

That Council adopt the Body Worn Camera Policy.

Carried Unanimously

**5.6. PUBLIC LIABILITY INSURANCE FOR FACILITY HIRE AND PRESCRIBED
ACTIVITY APPROVALS GENERAL POLICY**

Sara Roberts, Coordinator Environmental Health and Local Laws

Moved Cr Scomazzon

Seconded Cr Noli

That Council adopts the Public Liability Insurance for Facility Hire and Prescribed Activity Approvals General Policy.

Carried Unanimously

5.7. FINANCIAL REPORT FEBRUARY 2022

Tara Killeen, Chief Financial Officer

Moved Cr Kerr

Seconded Cr Zammataro

That Council notes the Financial Report for February 2022.

Carried Unanimously

5.8. DEBT GENERAL POLICY 2022-2023

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr McKeown

That Council adopts the Debt General Policy 2022-2023.

Carried Unanimously

5.9. INVESTMENT GENERAL POLICY

Tara Killeen, Chief Financial Officer

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Moved Cr Scomazzon

Seconded Cr McKeown

That Council adopts the Investment General Policy.

Carried Unanimously

5.10. REVENUE GENERAL POLICY 2022-2023

Tara Killeen, Chief Financial Officer

Moved Cr Noli

Seconded Cr McKeown

That Council adopts the Revenue General Policy 2022-2023.

Carried Unanimously

5.11. RESERVES GENERAL POLICY

Tara Killeen, Chief Financial Officer

Moved Cr Zammataro

Seconded Cr Scomazzon

That Council adopts the Reserves General Policy.

Carried Unanimously

5.12. RATES FINANCIAL HARDSHIP POLICY

Tara Killeen, Chief Financial Officer

Moved Cr Noli

Seconded Cr Scomazzon

That Council adopts the Rates Financial Hardship Policy.

Carried Unanimously

5.13. CONCEALED LEAK FINANCIAL ASSISTANCE POLICY

Tara Killeen, Chief Financial Officer

Moved Cr Zammataro

Seconded Cr Scomazzon

That Council adopts the Concealed Leak Financial Assistance Policy.

Carried Unanimously

**5.14. SALE OF LAND FOR OVERDUE RATES OR CHARGES - LOCAL
GOVERNMENT REGULATION 2012 S 140(2)**

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr Kerr

That Council resolves:

- *In accordance with s 140(2) of the Local Government Regulation 2012, to sell the land associated with rating assessment 945832, being Lot 10 SP212667, to recover overdue rates and charges;*

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- *to delegate to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12, Division 3 of the Local Government Regulation 2012 to effect sale of the land (including, for avoidance of doubt, the power to end sale procedures (s 141(3) of the Local Government Regulation 2012)); and*
- *to further delegate authority to the Chief Executive Officer in accordance with s 257 of the Local Government Act 2009 to determine and finalise any and all other matters associated with this resolution.*

Carried Unanimously

5.15. INTERNAL AUDIT PLAN FOR FY2022

Juanita Warner, Manager Governance

Moved Cr Scomazzon

Seconded Cr McKeown

That Council endorses the Annual Internal Audit Plan for FY2022.

Carried Unanimously

6. NOTICES OF MOTION

6.1 NOTICE OF MOTION - MAIL DELIVERY TO COOYA BEACH

Cr Abigail Noli

Moved Cr Noli

Seconded Cr Kerr

That Council:

1. *contacts Australia Post on behalf of Cooya Beach residents and requests that Australia Post conducts a survey into mail delivery requirements in this suburb;*
2. *assists, if necessary, Australia Post to conduct the survey with any available resources; and*
3. *presents the petition to Australia Post that has been tabled at the 29 March Douglas Shire Council ordinary meeting.*

6.1.1 PROPOSED AMENDMENT TO MOTION

Moved Cr Kerr

Seconded Cr McKeown

That Council:

1. *contacts Australia Post on behalf of Cooya Beach residents and requests that Australia Post conducts a survey into mail delivery requirements in this suburb;*
2. *assists, if necessary, Australia Post to conduct the survey with any available resources;*
3. *presents the petition to Australia Post that has been tabled at the 29 March Douglas Shire Council ordinary meeting; and*
4. *also contacts State and Federal MPs and ask for assistance in advocating for Cooya Beach residents.*

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For: Cr Kerr, Cr Scomazzon, Cr Zammataro, Cr McKeown

Against: Cr Noli

Carried

6.1.2 PROPOSED AMENDMENT TO MOTION

Moved Cr Noli

Seconded Cr Zammataro

That Council:

1. *contacts Australia Post on behalf of Cooya Beach residents and requests that Australia Post conducts a survey into mail delivery requirements in this suburb;*
2. *assists, if necessary, Australia Post to conduct the survey with any available resources;*
3. *presents the petition to Australia Post that has been tabled at the 29 March Douglas Shire Council ordinary meeting; and*
4. *advise State and Federal Members that council will request Australia Post to carry out a survey and ask for assistance if necessary to advocate for Cooya Beach residents.*

Cr Noli withdrew this Motion

6.1.3 PROPOSED AMENDMENT TO MOTION

Moved Cr Scomazzon

Seconded Cr Noli

That Council:

1. *contacts Australia Post on behalf of Cooya Beach and Newell Beach residents and requests that Australia Post conducts a survey into mail delivery requirements in these suburbs;*
2. *assists, if necessary, Australia Post to conduct the surveys with any available resources;*
3. *presents the petition to Australia Post that has been tabled at the 29 March Douglas Shire Council ordinary meeting; and*
4. *contacts State and Federal MPs and ask for assistance in advocating for Cooya Beach and Newell Beach residents.*

Carried Unanimously

6.1.4 PROPOSED AMENDMENT TO MOTION

Moved Cr Kerr

Seconded Cr McKeown

That Council:

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1. *contacts Australia Post on behalf of Cooya Beach and Newell Beach residents and requests that Australia Post conducts a survey into mail delivery requirements in these suburbs;*
2. *assists, if necessary, Australia Post to conduct the surveys with any available resources;*
3. *notes the petition to Australia Post is to be tabled at 26 April 2022 Douglas Shire Council ordinary meeting; and*
4. *contacts State and Federal MPs and ask for assistance in advocating for Cooya Beach and Newell Beach residents.*

Carried Unanimously

The amended motion (6.1.4) became the substantive motion and was put to the vote.

Moved Cr Kerr

Seconded Cr McKeown

That Council:

1. *contacts Australia Post on behalf of Cooya Beach and Newell Beach residents and requests that Australia Post conducts a survey into mail delivery requirements in these suburbs;*
2. *assists, if necessary, Australia Post to conduct the surveys with any available resources;*
3. *notes the petition to Australia Post is to be tabled at 26 April 2022 Douglas Shire Council ordinary meeting; and*
4. *contacts State and Federal MPs and ask for assistance in advocating for Cooya Beach and Newell Beach residents.*

Carried Unanimously

BACKGROUND

Information

Cooya Beach is a rapidly growing suburb within Douglas and currently there is no mail delivery to the residents. The population of Cooya Beach will continue to grow as further housing developments are constructed. Data suggests that Cooya Beach may be one of the most rapidly growing suburbs in Douglas.

The increasing population will place increasing strain on the Mossman Australia Post branch if the residents are forced to travel the distance to collect their mail.

The current situation is not ideal as important mail is sometimes not being promptly attended to and some residents have difficulty travelling into Mossman.

This notice of motion seeks to assist residents in obtaining mail delivery to their residential addresses.

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 29 MARCH 2022 COMMENCING AT 10.00AM

Petition

There are 288 properties on Council's rate database. The 2016 Census showed a population of 546 and 266 private households the attached petition has over 350 signatures. [Petition · Mail delivery for Cooya Beach, QLD 4873 · Change.org](#)

It is noted that Cr Noli presented the petition to Council at the meeting.

7. URGENT BUSINESS

Nil

8. PETITIONS

Nil

CLOSURE OF MEETING

The meeting closed at 11.00am.

CONFIRMED THIS 26TH DAY OF APRIL 2022


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MAYOR/CHAIR