

DOUGLAS SHIRE COUNCIL

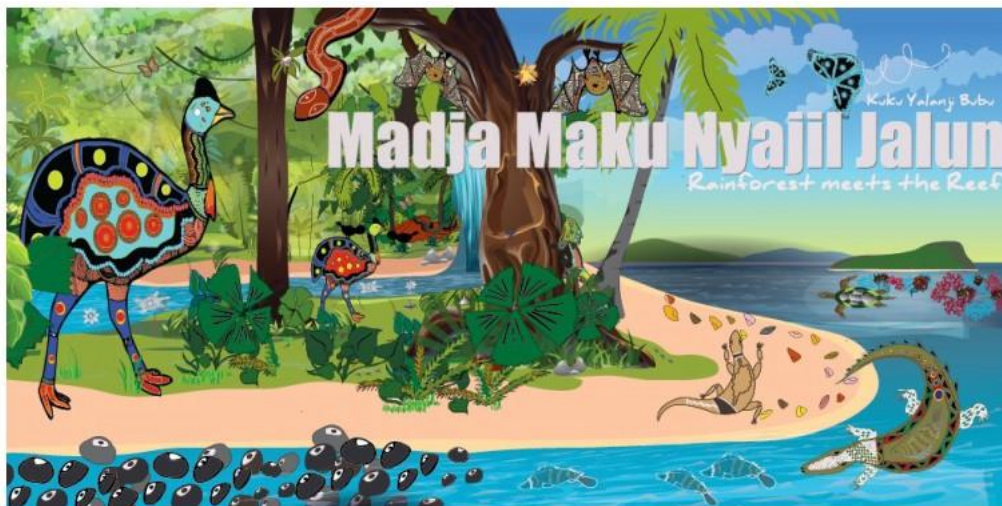
ORDINARY COUNCIL MEETING

MINUTES

Tuesday, 31 May 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, 31 MAY 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, 31 May 2022 at the Mossman Council Chambers commencing at 10.00am.

This Ordinary Meeting of Council is being Live Streamed and will be available for others to watch at a later time, however we are experiencing audio problems and that the meeting is also being recorded which will also be available on Council's Website.

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 (participating via MS Teams) and Cr Roy Zammataro.

APOLOGIES

Nil

OFFICERS IN ATTENDANCE

Rachel Brophy (Chief Executive Officer), Tara Killeen (Chief Financial Officer), Jonathan Ward (Manager Water and Wastewater), Scott Hahne (Manager Project Office), Natasha Murray (Manager Infrastructure), Lisa Golding (Manager People and Community Services), Daniel Lamond (Planning Officer), Gaye Scott (Community Liaison Officer), Jordin Steele (Arts and Culture Officer), Kelly Dean (Mayor and Councillor Support Officer), Jim Rhodes (Senior ICT Officer), Emma Tunnock (Tourism and Economic Development Officer) and Brenda Jang (Executive Assistant).

CONFLICT OF INTEREST

Nil

MAYORAL MINUTE

Nil

CONFIRMATION OF MINUTES OF COUNCIL MEETING

4.1 CONFIRMATION OF MINUTES OF COUNCIL MEETING HELD 26 APRIL 2022.

Moved Cr Scomazzon

Seconded Cr McKeown

That the Minutes of the Ordinary Meeting held on Tuesday, 26 April 2022 be confirmed.

Carried Unanimously

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5. AGENDA ITEMS

5.1. COMBINED DEVELOPMENT APPLICATION FOR MULTIPLE DWELLINGS AND RECONFIGURING A LOT AT 87-89 DAVIDSON STREET PORT DOUGLAS

Daniel Lamond, Planning Officer

Moved Cr Scomazzon

Seconded Cr McKeown

That Council approves the development application for Combined Application (Multiple Dwellings & 1 Lot into 4 Lots) over land described as LOT: 1 RP: 741340, subject to the following:

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

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

<i>Drawing or Document</i>	<i>Reference</i>	<i>Date</i>
<i>Site Plan, General Notes</i>	<i>87-89DSPD Sheet 01</i>	<i>6 April 2022</i>
<i>Floor Plan Ground</i>	<i>87-89DSPD Sheet 02</i>	<i>6 April 2022</i>
<i>Floor Plan Upper</i>	<i>87-89DSPD Sheet 03</i>	<i>6 April 2022</i>
<i>Ground Floor 1-50</i>	<i>87-89DSPD Sheet 04</i>	<i>6 April 2022</i>
<i>Upper Floor 1-50</i>	<i>87-89DSPD Sheet 05</i>	<i>6 April 2022</i>
<i>East and West Elevations</i>	<i>87-89DSPD Sheet 06</i>	<i>6 April 2022</i>
<i>North and South Elevations</i>	<i>87-89DSPD Sheet 07</i>	<i>6 April 2022</i>
<i>3D Views 1</i>	<i>87-89DSPD Sheet 07</i>	<i>6 April 2022</i>
<i>3D Views 2</i>	<i>87-89DSPD Sheet 07</i>	<i>6 April 2022</i>
<i>FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access</i>		
<i>Access Crossovers</i>	<i>Standard Drawing S1015 Issue D</i>	<i>23 October 2017</i>

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.*

Air-conditioning Screens

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

Damage to Council Infrastructure

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

Sewerage Works Internal

5. *Connect each dwelling via separate jump-up to a private combined house drain Connecting to Councils sewerage network.*

Vehicle Parking

6. *The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular maneuvering areas must be imperviously sealed and drained with a minimum of two on-site car parking spaces provided for each dwelling unit.*

Lighting

7. *The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.*

External Works

8. *Undertake the following works external to the land at no cost to Council:*
 - a. *Provide four vehicle crossovers and aprons to Davidson Street;*
 - b. *Undertake planting of a 600mm wide garden bed with appropriate species along the exterior edge of the perimeter fence on the Davidson Street road reserve;*
 - c. *Repair any damage to existing roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development.*

Stockpiling and Transportation of Fill Material

9. *Soil excavated from the site is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.
Transportation of fill or spoil to and from the site must not occur within:*
 - a. *peak traffic times;*
 - b. *before 7:00 am or after 6:00 pm Monday to Friday;*
 - c. *before 7:00 am or after 1:00 pm Saturdays; or*

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- d. *on Sundays or Public Holidays.*

Emissions

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

Storage of Machinery and Plant

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

Landscaping Plan

12. *The site must be landscaped in accordance with details included on a landscaping plan and must;*
- a. *Be made up of species nominated in Planning Scheme Policy SC 6.7 Landscaping;*
 - b. *Be prepared by an experienced landscape designer;*
 - c. *Include street trees in accordance with the specifications of the FNQROC development manual.*
 - d. *Detail deep planting of setback areas and planter beds within the development.*

Prior to the issue of a Development Permit for Building Work, the landscaping plan must be endorsed by the Chief Executive Officer.

Lawful Point of Discharge

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

Ponding and/or Concentration of Stormwater

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

Minimum Fill and Floor Level

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

Sediment and Erosion Control

16. *Soil and water management measures must be installed/implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).*

Refuse Storage Area

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17. *Area for two (2) 240Litre wheelie bins must be provided for each dwelling unit.*

Construction Signage

18. *Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:*
- a. *Developer;*
 - b. *Project Coordinator;*
 - c. *Architect/Building Designer;*
 - d. *Builder;*
 - e. *Civil Engineer;*
 - f. *Civil Contractor;*
 - g. *Landscape Architect.*

Private Combined House Drain

19. *Sand must be the only material used for backfill of the private combined house drain between the two retaining walls at the rear of the site. Earth with clay is not permitted.*

Acid Sulfate Soils Investigation

20. *Provide an Acid Sulfate Soil investigation with recommendations for the management of acid sulfate soils in accordance with the State Planning Policy 2/02 "Planning and Managing Development Involving Acid sulfate Soils". The investigation must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.*

RECONFIGURATION OF A LOT

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

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<i>Drawing or Document</i>	<i>Reference</i>	<i>Date</i>
<i>Site Plan, General Notes</i>	<i>87-89DSPD Sheet 01</i>	<i>6 April 2022</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.*

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Except where modified by these conditions of approval

Timing of Effect

2. *The conditions of the Development Permit must be effected prior to Council endorsing the Plan of Survey, except where specified otherwise in these conditions of approval.*

Timing of Lot Reconfiguration

3. *Prior to Council endorsing the Plan of Survey;*
 - a. *The under slab must be completed for all four dwellings with the relevant building inspection undertaken. The slab must be deemed satisfactory with the relevant documentation submitted to Council.*
 - b. *Construction of each of the four dwelling units must be commenced to the extent of three courses of blocks.*

Water Supply

4. *Provide separate water meters and connection for each dwelling unit.*

Sewer Connection

5. *The development must have one connection to Councils reticulated sewer system in accordance with following requirements;*
 - a. *The combined house drain does not become a donated asset.*
 - b. *No sewer main extension is to occur.*
 - c. *The premises group is to be connected to Councils reticulated Sewer Network with one single connection*

Title Arrangement

6. *The title arrangement must in accordance with the Body Corporate and Community Management Act 1997 or the Building Units and Group Titles Act 1980 and must include common property for the premises group to have a private combined house drain.*

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

<i>Concurrence Agency</i>	<i>Concurrence Agency Reference</i>	<i>Date</i>	<i>Doc ID</i>
<i>State Assessment and Referral Agency</i>	<i>2201-26870 SRA</i>	<i>16 February 2022</i>	<i>1069611</i>

REASONS FOR DECISION

The reasons for this decision are:

1. *Sections 60, 62 and 63 of the Planning Act 2016:*
 - a) *to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and*

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- b) *to ensure compliance with the Planning Act 2016.*
2. *Findings on material questions of fact:*
- c) *the development application was properly lodged to the Douglas Shire Council on 18 January 2022 under section 51 of the Planning Act 2016 and Part 1 of the Development Assessment Rules;*
- d) *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 Centre 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) *Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.*

Carried Unanimously

5.2. CATTLE GRID POLICY

Gaye Scott, Community Liaison Officer

Moved Cr McKeown

Seconded Cr Scomazzon

That Council adopts the Cattle Grid Policy.

The motion was put to the vote.

For: Nil

Against: Cr Kerr, Cr Scomazzon, Cr McKeown, Cr Noli, Cr Zammataro

LOST

Moved Cr Scomazzon

Seconded Cr Kerr

That Item 5.2 Cattle Grid Policy be deferred to the June Ordinary Council meeting.

Carried Unanimously

5.3. RADF 2022-23 COUNCIL BUDGET ALLOCATION

Jordin Steele, Arts and Culture Officer

Moved Cr McKeown

Seconded Cr Scomazzon

That Council;

1. *accepts Arts Queensland's Regional Arts Development Fund (RADF) 2022-2023 Funding offer of \$30,000 (exc GST);*

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2. *notes that \$25,000 (exc. GST) as Council's funding contribution for the 2022-2023 RADF program is included in the 2022-2023 draft budget; and*
3. *delegates authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise any minor amendments in relation to administering the Regional Arts Development Fund program for 2022–2023.*

Carried Unanimously

5.4. RADF 2021-22 FUNDING RECOMMENDATIONS

Jordin Steele, Arts and Culture Officer

Moved Cr Noli

Seconded Cr Scomazzon

That Council:

1. *ratifies the RADF Committee funding recommendations totaling \$36,656 (exc. GST) for thirteen Regional Arts Development Fund (RADF) projects for 2021– 2022 detailed in Table One of this report; and*
2. *delegates authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise any minor amendments in relation to administering the Regional Arts Development Fund program for 2021–2022.*

Carried Unanimously

5.5. CAPITAL WORKS PROGRESS FOR THIRD QUARTER 2021-2022

Scott Hahne, Manager Project Officer

Moved Cr Kerr

Seconded Cr Zammataro

That Council receives the progress of the Capital Works Program to 31 March 2022 for the 2021/2022 financial year.

Carried Unanimously

5.6. RATES PENSIONER REMISSION POLICY

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr Kerr

That Council adopts the Rates pensioner remission policy.

Carried Unanimously

5.7. PROCUREMENT GENERAL POLICY

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr Zammataro

That Council adopts the Procurement General Policy for the 2022/2023 financial year.

Carried Unanimously

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5.8. SOLE SPECIALISED SUPPLIER REGISTER

Tara Killeen, Chief Financial Officers

Moved Cr McKeown

Seconded Cr Kerr

That Council resolves to:

1. *approve the attached list of Sole suppliers and/or Specialised suppliers under s 235 (a) and (b) of the Local Government Regulation 2012 for the supply of equipment and services, for a period of one year; and*
2. *delegates authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer to enter into contracts, negotiate, finalise and execute any and all matters associated with or in relation to Sole Suppliers subject to Council's normal procurement policies and practices.*

Carried Unanimously

5.9. FINANCIAL REPORT APRIL 2022

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr Kerr

That Council notes the Financial Report for April 2022.

Carried Unanimously

5.10. DAINTREE FERRY ADVISORY COMMITTEE - TERMS OF REFERENCE

Juanita Warner, Manager Governance

Moved Cr McKeown

Seconded Cr Kerr

That Council:

1. *adopt the Daintree Ferry Advisory Committee Terms of Reference;*
2. *delegate authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer to undertake an Expression of Interest Process for the Daintree Ferry Advisory Committee Membership; and*
3. *delegate authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise any minor administrative adjustments to the Daintree Ferry Advisory Committee Terms of Reference.*

For Cr Kerr, Cr McKeown

Against Cr Scomazzon, Cr Noli, Cr Zammataro

LOST

5.11. ANNUAL OPERATIONAL PLAN 2022 - 2023

Juanita Warner, Manager Governance

Moved Cr

Seconded Cr

That Council adopts the Operational Plan 2022-2023.

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Moved Cr Noli

Seconded Cr Kerr

That Council defer Item 5.11 Annual Operational Plan 2022 – 2023 to the June Ordinary Council Meeting.

Carried Unanimously

The alternative motion became the substantive motion and was put to the vote.

Moved Cr Noli

Seconded Cr Kerr

That Council defer Item 5.11 Annual Operational Plan 2022 – 2023 to the June Ordinary Council Meeting.

Carried Unanimously

6. NOTICES OF MOTION

Nil

7. URGENT BUSINESS

Nil

8. PETITIONS

Nil

CLOSURE OF MEETING

The meeting closed at 10.42am.

CONFIRMED THIS 28TH DAY OF JUNE 2022


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MAYOR/CHAIR