

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, 23 FEBRUARY 2016, COMMENCING AT 10.00AM

1. PRESENT

Cr Julia Leu (Mayor), Cr Abigail Noli (Deputy Mayor), Cr David Carey, Cr Bruce Clarke, Cr Terry Melchert, Linda Cardew (Chief Executive Officer), Darryl Crees (General Manager Corporate Services), Paul Hoye (General Manager Operations), Wouter van der Merwe (Manager Water and Wastewater), Scott Hahne (NDRRA Project Engineer), Simon Clarke (Planning Consultant), Neil Beck (Planning Officer), Greg McLean (Communications/Events Officer), Sara Roberts (Mayoral and Councillor Support) and Nicole Barton (Minutes Officer).

ACKNOWLEDGEMENT OF COUNTRY

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

MINUTE OF SILENCE

A minute of silence was observed to acknowledge the devastation caused by Cyclone Winston in Fiji in which 21 people have perished.

APOLOGIES

Nil.

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Nil.

3. MAYORAL MINUTE

Nil.

4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

SPECIAL MEETING HELD ON 15 JANUARY 2016

Moved Cr Noli

Seconded Cr Carey

“That the Minutes of the Special Meeting held on Friday, 15 January 2016, be confirmed.”

Carried unanimously

SPECIAL MEETING HELD ON 22 JANUARY 2016

Moved Cr Noli

Seconded Cr Carey

“That the Minutes of the Special Meeting held on Friday, 22 January 2016, be confirmed.”

Carried unanimously

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ORDINARY MEETING HELD ON 28 JANUARY 2016

Moved Cr Carey

Seconded Cr Clarke

“That the Minutes of the Ordinary Meeting held on Tuesday, 28 January 2016, be confirmed.”

Carried unanimously.

5. AGENDA ITEMS

**5.01. APPLICATION FOR A COMMERCIAL HOTEL LICENCE - HEMINGWAY'S
BREWERY FNQ PTY LTD - THE REEF MARINA, PORT DOUGLAS**

Susanna Andrews, Technical Planning Officer

Moved Cr Leu

Seconded Cr Carey

“That the applicant and the Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General, be advised that Council does not object to the Application for a commercial hotel licence for Hemingway's Brewery FNQ Pty Ltd, Shops 66 & 67, The Reef Marina, 44 Wharf Street, Port Douglas, also described as Lot 146 on SR861.”

Carried unanimously.

**5.02. MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) - OUTDOOR
SPORT AND RECREATION (ELECTRICALLY ASSISTED MOUNTAIN
BIKE TOURS)**

Simon Clarke, Planning Consultant

Moved Cr Noli

Seconded Cr Carey

“That Council approves the development application for Outdoor Sport & Recreation (Electrically assisted mountain bike tours) over land described as Lot 1 on RP742906, Lot 2 on RP741072 and Lot 2 on RP742906, located at 3831R & 3781R Cape Tribulation Road, Cape Tribulation, 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</i>	<i>NC3615 prepared by Consultant Design and Draft, Town Planning and Project Management Services</i>	<i>9 December 2015</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*

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- 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.*

Limitation on Use

3. *The tracks are to be used for electric assisted bike tours and pedestrian tours only. General motor bike, quad bike or other motor transport is not to be part of the use.*
4. *The tours are to be conducted on the tracks generally as shown on the approved drawings and groups are to be supervised at all times by a tour guide.*
5. *Visiting groups are to dismount at creek crossings and walk bikes through creeks to reduce impacts on the creek environment.*

Hours of Operation

6. *The proposed use is limited to 7.00am – 6.00pm daily.*

Advertising signage

7. *One A-Frame Sign is approved for the tour operation and is to be located within the premises at all times.*

ADVICE

1. *This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse 4 years from the day the approval takes effect in accordance with the provisions of the Sustainable Planning Act 2009.*
2. *This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.*
3. *For information relating to the Sustainable Planning Act 2009 log on to 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.”*

Carried unanimously.

**5.03. REQUEST TO EXTEND RELEVANT PERIOD OF APPROVAL -
COMBINED APPLICATION FOR A MATERIAL CHANGE OF USE AND
RECONFIGURATION OF A LOT (33 LOTS & COMMON PROPERTY)
WITH A HOUSE ON EACH LOT & DISPLAY HOME**

Simon Clarke, Planning Consultant

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Moved Cr Clarke

Seconded Cr Carey

"That Council approves the request to extend the relevant period of approval for the combined application for a material change of use and reconfiguration of a lot (33 lots & common property) with a House on each lot and a display home over land described as Lots 41, 42, 49 and 51 on RP747344, located at 4-10 and 9 Escape Street, Port Douglas for 12 months (up to 21 January 2017), subject to the conditions of approval contained in the amended Decision Notice dated 12 December 2008."

Carried unanimously.

5.04. PRELODGE MENT ENQUIRY - MOWBRAY ADVENTURE PARK

Simon Clarke, Planning Consultant

Moved Cr Leu

Seconded Cr Noli

- "1. *That with respect to the pre-lodgement enquiry lodged in relation to the proposed Education, Sport and Entertainment Facility (Mowbray Adventure Park) located at Andreassen Road, Craiglie, that the proponent be advised that Council provides its in principle support. The following advice is provided:*
- a. *The proposed use remaining a low-key 'nature-based' adventure park generally as presented in the application. However, the site is considered to be unsuitable for activities that will generate high volumes of traffic or generate significant noise (e.g. outdoor music venue, major sporting events, general theme park activities that are not based on the appreciation of the natural environment, and the like).*
 - b. *Rehabilitation of the land to support the 'nature-based' theme of the adventure park is an expectation and this must be demonstrated in a formal application.*
 - c. *The proposed use will be predominately a day-time venue. Accommodation is to be short-stay, dormitory style suitable for school groups, corporate groups or similar.*
 - d. *Consideration needs to be given to reverse amenity impacts associated with the land to the north and west being developed in the future as a residential estate;*
 - e. *Site-based management plans mentioned in the prelodgement submission form an up-front part of the development application (e.g. the biting-insect management plan, crocodile management plan, traffic assessment, engineering advice on services and site constraints);*
 - f. *Advice being sought from the Department of Transport and Main Roads with respect to the intersection of the Captain Cook Highway and Andreassen Road.*
2. *That the above information is offered in the context of providing open and frank without prejudice comment from Council in relation to the proposed uses. The determination of any future application is a matter for Council following detailed assessment of the application, including consideration of any properly made submissions."*

Carried unanimously

5.05 REQUEST FOR OWNERS CONSENT TO FACILITATE LODGMENT OF MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) - UNDEFINED USE (ACCOMMODATION OF MOTORHOMES AND CAMPERVANS NOT EXCEEDING 20 SITES) & CARETAKER'S RESIDENCE

Neil Beck, Planning Officer

Moved Cr Carey

Seconded Cr Leu

“That Council delegate authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to provide Owner’s Consent with respect to Lot 20 on SP212664 and sign IDAS Form 1 to enable the development application to be considered properly made in accordance with section 260 of the Sustainable Planning Act 2009.”

Carried unanimously.

5.06. MATERIAL CHANGE OF USE - SHOPPING FACILITIES AND RESTAURANT, 5961R DAVIDSON STREET, CRAIGLIE

Simon Clarke, Planning Consultant

Moved Cr Carey

Seconded Cr Clarke

“That Council approves the development application for Shopping Facilities (including a bottle shop) & Restaurant (other than a bistro, bar and grill, drive through food outlet and fast food outlet) with a combined total NLA of 482m² over land described as Lot 58 on C22511, located at 5961R Davidson Street, Craiglie, 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
Site Plan	PR1 prepared by Hunt Design	30 June 2015
Floor Plan	PR2 prepared by Hunt Design	30 June 2015
Elevations	PR3 prepared by Hunt Design	30 June 2015

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

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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.*

External Improvements

3. *The external improvements to the building design and landscaping generally as shown on the approved plans are an integral component to this approval and must be undertaken prior to commencement of any rear tenancy shopping facility / restaurant use.*

Air-Conditioning Screens

4. *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.*

Vehicle Parking

5. *The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of twenty (20) spaces of which (one) 1 must be provided for disabled parking. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.*

Landscaping Plan

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

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

Advertising Signage

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

Refuse Storage

8. *The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.*

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Food Premises

- 9. Premises intended to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the Food Act 2006 and the Food Standards Code.*

REFERRAL AGENCY CONDITIONS & REQUIREMENTS

<i>Referral Agency</i>	<i>Referral Agency Reference</i>	<i>Date</i>	<i>Council Electronic Reference</i>
<i>State Assessment & Referral Agency (Department of Infrastructure, Local Government & Planning)</i>	<i>SDA-0915-024147</i>	<i>21 October 2015</i>	<i>732872</i>

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

ADVICE

- 1. This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of the Sustainable Planning Act 2009.*
- 2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.*

Infrastructure Charges Notice

- 3. 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.

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4. For information relating to the Sustainable Planning Act 2009 log on to www.dilgp.qld.gov.au . To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au.”

Carried unanimously.

5.07. COMBINED APPLICATION FOR A MATERIAL CHANGE OF USE FOR A RETIREMENT FACILITY (DEVELOPMENT PERMIT FOR STAGE 1 AND PRELIMINARY APPROVAL FOR STAGE 2) AND LOT RECONFIGURATION (1 INTO 2 LOTS) OVER LAND DESCRIBED AS LOT 1 ON RP150474, LOCATED AT JOHNSTON ROAD, MOSSMAN GORGE

Simon Clarke, Planning Consultant

Moved Cr Leu

Seconded Cr Carey

“That Council approves the Combined Application for a Material Change of Use for a Retirement Facility (Development permit for Stage 1 and Preliminary approval for Stage 2) and Lot reconfiguration (1 into 2 lots) over land described as Lot 1 on RP150474, located at Johnston Road, Mossman Gorge, subject to the following:

AJ CONDITIONS APPLICABLE TO STAGE 1 RETIREMENT FACILITY (DEVELOPMENT PERMIT)

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

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

Drawing or Document	Reference	Date
Site Plan	15.0285.11 SK02 prepared by Thomson Adsett	17 December 2015
Floor Plan	15.0285.11 SK03 prepared by Thomson Adsett	17 December 2015
Section	15.0285.11 SK09 prepared by Thomson Adsett	17 December 2015
Elevations	15.0285.11 SK15 prepared by Thomson Adsett	17 December 2015

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

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Timing of Effect

2. *The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.*

Amendment to Design

3. *The proposed building / development must be amended to accommodate the following changes:*
 - a. *Provide a direct footpath to Johnston Road in the vicinity of the Chapel connecting to the Breezeway Connector Entry (see below).*



Street Layout and Design

4. *The street layout and design must be revised to comply with Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:*
 - a. *Provide a design for the new access road that is to service Stage 1 and future Stage 2 which shall have the following minimum dimensions unless otherwise approved by Council:*
 - *Verge width of 4.5m;*
 - *Carriageway width of 4.5m;*
 - *Median width of 4m;*
 - *Reserve width of 22m (Note: the additional 3 metres is to be added to proposed Lot 2 on the north-eastern side of the proposed road reserve).*
 - *2 metre wide footpath along the north-eastern side verge.*
 - b. *Provision of appropriate access arrangements for Stage 1 of the development and access to Stage 2 from the proposed new road in the south east corner of the site. The design must seek to locate infrastructure such that access from the new road is readily facilitated for the future development.*

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- c. *In particular, the operation of the two accesses from the proposed new road must be considered in determining the road form, median breaks and infrastructure locations (including stormwater and street lighting). The road layout and carriageway alignments must be updated to reflect this requirement.*

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 Commencement of Use.

Water Supply and Sewerage Master Plan

5. *A Water Supply and Sewerage Master Plan accompanied by supporting calculations must be provided which demonstrates how the current and future development can be serviced.*

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 issue of a Development Permit for Operational Works.

Water Supply and Sewerage Infrastructure Plan

6. *An updated water supply and sewerage infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced by Council's Infrastructure. In particular the plan must:*
- a. *Identify external catchments that will be connected to the internal sewer or water networks; and*
 - b. *Identify any trunk infrastructure external to the site that may require upgrading to accommodate the development.*

The water supply and sewerage infrastructure plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Water Supply and Sewerage Works External

7. *Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:*
- a. *Extend the water main to provide a loop main within the section of proposed new road. The minimum size is to be 100mm on one side and 50mm internal diameter on the other side subject to pressure and flow conditions. Road crossings are to be minimum of 100 mm. The water connection for the development is to be provided from the extended water main;*

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- b. *Extend the sewer main within the road reserve of Johnston Road to connect to Council's existing system at a point where sufficient capacity exists.*

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 Commencement of Use.

Water Supply and Sewerage Works Internal

8. *Undertake the following water supply and sewerage works internal to the subject land:*
- a. *Provide a single internal sewer connection to proposed lot 1 in accordance with the FNQROC Development Manual;*
- b. *Provide appropriate valves and fittings to enable the Stage 1 connection to the new main;*
- c. *Provide appropriate valves and fittings to enable the future connection of a minimum 100mm service at the northern end of the new road.*

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 issue of commencement of use.

Damage to Infrastructure

9. *In the event that any part of Council's existing sewer / water infrastructure is damaged as a result of construction activities occurring on the site, the applicant / owner must notify Douglas Shire Council immediately of the affected infrastructure and have it repaired or replaced by Douglas Shire Council, at the developer's cost, prior to the Commencement of Use.*

General External Works

10. *Undertake the following external works:-*
- a. *Upgrade the northern side of Johnston Road (eastbound carriageway) for the full frontage of the site to provide a minimum 3.5m wide lane and a 1m sealed shoulder.*
- b. *Provide a detail design for the intersection and access with Johnston Road including design for drainage between the existing road and the site boundary.*
- c. *The design must include suitable treatment for the intersection of the new access road with Johnston Road generally in accordance with Drawing Ref: Concept Site Access 645-001 Rev.1 prepared by Projex partners dated 17 December 2015;*

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- d. *The treatment required for the secondary access to the site (utility and staff access) may be a BAR/BAL treatment in accordance with Austroads Guide to Road design subject to reconfirming the traffic volumes based on the fully developed traffic conditions for the development approved within the catchment.*
- e. *Construct a 2.0 metre wide footpath for the full frontage of the Johnston Road frontage of the site;*

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 plan prior to the Commencement of Use.

Drainage Study of Site

- 11. *Update the local drainage study of the site to determine the works necessary to provide flood immunity to the site to the 1 in 100 year ARI (1% AEP event) including determining the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:*
 - a. *The contributing catchment boundaries;*
 - b. *The extent of the 100 year ARI flood event in relation to the site both pre- and post-development;*
 - c. *Primary and secondary flow paths for the 5, 10 and 100 year ARI flood events;*
 - d. *The extent of filling and/or levee required to prevent the 100 year ARI (1%AEP) event from entering the site;*
 - e. *The extent of flow and depth of inundation through the site for events above 1 in 100 year ARI and up to 1 in 200 year ARI;*
 - f. *Identify any requirement for drainage easements including along the northern boundary of the site to facilitate drainage from the road back to Marrs Creek;*
 - g. *Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development.*
 - h. *Lawful point of discharge.*

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

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Access Construction

12. *Construct a concrete driveway or other approved surface to the nominated utility and Staff parking area as detailed on the architectural drawings for the site.*

All works must be carried out in accordance with the approved plans and must be to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

Service Conduits

13. *Provide appropriate service conduits to Stage 2 to the satisfaction of services authorities and Council to ensure that the road reserve constructed and formalised with stage 1 does not need further works to service the later stage. This includes conduits for underground power supply.*

All works must be carried out to the requirements and satisfaction of the Chief Executive Officer prior to commencement of use.

Stockpiling and Transportation of Fill Material

14. *Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.*

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

- a. peak traffic times; 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.*

15. *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

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

Construction Access

17. *Vehicular access to the site for construction and demolition purposes must be provided from Johnstone Road only, unless authorised by the Chief Executive Officer.*

Access Adjacent Creeks and Streams

18. *A Access Easement in favour of Council containing all land below the top of the high bank and nominally a minimum 5 metre minimum wide strip adjacent to the top of the bank, relative to the vegetation line that permits practical access along the top of the bank. The drainage easement is to be pegged on-site for Council's approval. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted prior to commencement of use.*

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Existing Creek and Drainage Systems

19. *All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.*

The applicant / owner must obtain any necessary approvals from the Department of Environment & Resource Management for carrying out works in a watercourse.

Lawful Point of Discharge

20. *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.*
21. *The lawful point of discharge for the new road opened with Stage 1 must be drained to Marrs Creek via an easement within the Stage 1 site or to Johnston Road.*

Sediment and Erosion Control

22. *A sediment and erosion control plan must be prepared as part of the construction phase of the development. Sediment and erosion control 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).*

Existing Services

23. *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, the lodgement of a Compliance Certificate for the Plan of Survey creating the lot.*

Electricity Supply

24. *Written evidence from Ergon Energy advising that the substation required for this development has the ability to be upgraded to accommodate the demand of Stage 2 over the balance of the land. 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

25. *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 prior to the issue of a Development Permit for Operational Works.*

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Street Lighting

26. *The following arrangements for the installation of street lighting must be provided prior to the Commencement of Use:-*
- a. *Prior to the issue of a Development Permit for Operational Works a Rate 2 lighting scheme is to be prepared by an Ergon Energy 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 lighting scheme must show light pole locations that represent the permitted design spacing and must not conflict with stormwater, kerb inlet pits and other services. For lighting associated with the new road, the lighting is to be located within the landscaped median.

The design must provide the applicable illumination level specified in the Road Lighting Standard AS/NZS 1158 and must be submitted in accordance with Ergon Energy's latest Distribution Design Drafting Standard for the intersections.

- 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 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. This applies for the new access road and Johnston Road intersection.*

Vehicle Parking

27. *The amount of vehicle parking must be as specified on the approved plan which is a minimum of fifteen (15) spaces of which 10 must be provided as visitor spaces. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.*

Bicycle Parking

28. *Provide secured, on-site bicycle parking in accordance with Table 10-1 of AUSTRROADS Guide to Traffic Engineering Practice Part 14 – Bicycles. The bicycle parking area must be constructed prior to Commencement of Use.*

Lighting

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

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Air-Conditioning Screens

30. *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.*

Landscaping Plan

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

Planting Design

- a. *Species to have regard to Council's Planning Scheme Policy No.7 Landscaping.*
- b. *A planting design that does not include any species that are identified as Declared or Environmental Weeds or constitute an Invasive Species;*
- c. *Provide a hierarchy of planting, which includes shade trees, shrubs and groundcovers.*

Hard Landscaping Works

- a. *Details of location and design of proposed artworks;*
- b. *Natural and finished ground levels including details of all retaining works;*
- c. *Details of any perimeter, private yard or street fencing (Note: A 1.8 metre high screen fence will be required to screen the extent of the working farm along the south-western boundary);*
- d. *Protection of landscaped areas adjoining parking areas from vehicular encroachment by a 150 mm high vertical concrete kerb or similar obstruction;*

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

Street Fencing

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

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Details of the street fencing must be detailed in the Landscape Plan and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work. In principle, the 'horizontal timber effect aluminium fence with random patterns to the street' as shown on the approved section drawings and perspective drawing 15.0285.11 SK11 prepared by Thomson Adsett and dated 17 December 2016 appear to satisfy this requirement.

Construction Signage

33. *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.*

Colours/Materials of Construction

34. *The colours, textures and materials of construction are to be generally in accordance with perspective drawings 15.0285.11 SK10 – 12 & 14 prepared by Thomson Adsett and dated 17 December 2016.*

Siam Weed Control

35. *In order to prevent the spread of Siam Weed {a class 1 declared pest plant under the Land Protection (Pest and Stock Route Management) Act 2002}, all machinery working on site must be cleaned down on site prior to leaving. No material / soil is to leave the site wherever possible. Should material need to be carted away it should be taken to Council's Drumasara quarry and placed under quarantine where it can be monitored for recruitment and treated as required.*

Kitchen Facilities

36. *An application for the construction or alteration of any food premises must be accompanied by two (2) copies of plans drawn to a scale not smaller than 1:100. Such plans are to include details of ventilation (including mechanical exhaust ventilation systems), finishes to walls, floors and ceilings, details of the proposed layout and materials to be used in the construction of all fixtures, fittings and equipment. The plans should include detailed cross sections of all areas to be included in the construction or alteration. All works must be carried out in accordance with approved and the requirements of the Food Act 2006, Food Safety Standards and AS 4674 – 2004 – Design, construction and fit-out of food premises. Plans must be approved prior to the issue of a Development Permit for Building Work and all works must be completed in accordance with the approved plan prior to the Commencement of Use.*

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ADVICE

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

Infrastructure Charges Notice

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

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

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

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Development and Environment 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.

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

Bj Conditions applicable to RECONFIGURATION OF A LOT (1 lot into 2 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 Subdivision Plan</i>	<i>15.0285.11 SK30 prepared by Thomson Adsett</i>	<i>11 February 2016</i>

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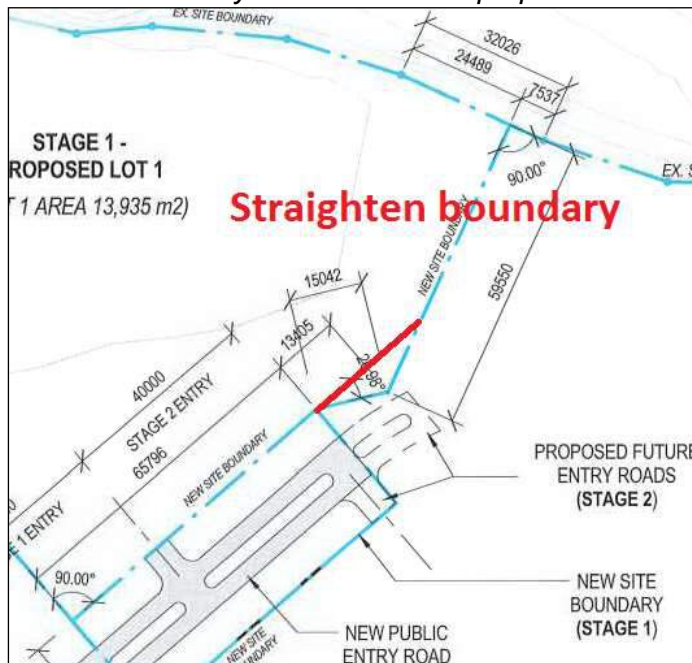
Assessment Manager Conditions

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

Amendment to Design

2. Straighten the boundary between proposed lots 1 and 2 to remove the kink in the common boundary at the end of the proposed road reserve (see below)



Street Layout and Design

3. The street layout and design must be revised to comply with Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:
 - a. Provide a design for the new access road that is to service stage 1 and future stage 2 which shall have the following minimum dimensions unless otherwise approved by Council:
 - Verge width of 4.5m;
 - Carriageway width of 4.5m;
 - Median width of 4m;
 - Reserve width of 22m (Note: the additional 3 metres is to be added to proposed Lot 2 on the north-eastern side of the proposed road reserve).
 - 2 metre wide footpath along the northern-eastern verge.

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- b. *Provision of appropriate access arrangements for Stage 1 of the development and access to Stage 2 from the proposed new road in the south east corner of the site. The design must seek to locate infrastructure such that access from the new road is readily facilitated for the future development.*
- c. *In particular, the operation of the two accesses from the proposed new road must be considered in determining the road form, median breaks and infrastructure locations (including stormwater and street lighting). The road layout and carriageway alignments must be updated to reflect this requirement.*

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 issue of a Compliance Certificate for the Plan of Survey.

4. *Undertake the following external works:-*

- a. *Provide a detail design for the intersection and access with Johnston Road including design for drainage between the existing road and the site boundary.*
- c. *The design must include suitable treatment for the intersection of the new access road with Johnston Road. Such treatments must include at a minimum Auxiliary right turn and left turn treatments (AUR and AUL) in accordance with the Austroads Guide to Road design. Any impacts on the southern side of the road to accommodate the intersection are to be defined on the drawings;*
- d. *The treatment required for the secondary access to the site (utility and staff access) may be a BAR/BAL treatment in accordance with Austroads Guide to Road design subject to reconfirming the traffic volumes based on the fully developed traffic conditions for the development approved within the catchment.*

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 plan prior to the Commencement of Use.

Drainage Study of Site

- 5. *Update the local drainage study of the site to determine the works necessary to provide flood immunity to the site to the 1 in 100 year ARI (1% AEP event) including determining the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:*
 - a. *The contributing catchment boundaries;*
 - b. *The extent of the 100 year ARI flood event in relation to the site both pre- and post-development;*

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- c. *Primary and secondary flow paths for the 5, 10 and 100 year ARI flood events;*
- d. *The extent of filling and/or levee required to prevent the 100 year ARI (1%AEP) event from entering the site;*
- e. *The extent of flow and depth of inundation through the site for events above 1 in 100 year ARI and up to 1 in 200 year ARI;*
- f. *Identify any requirement for drainage easements including along the northern boundary of the site to facilitate drainage from the road back to Marrs Creek;*
- g. *Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development.*
- h. *Lawful point of discharge.*

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

Access Adjacent Creeks and Streams

- 6. *An Access Easement in favour of Council containing all land below the top of the high bank and nominally a minimum 5 metre minimum wide strip adjacent to the top of the bank, relative to the vegetation line that permits practical access along the top of the bank. The drainage easement is to be pegged on-site for Council's approval. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted prior to commencement of use.*

Drainage Easement

- 7. *A Drainage Easement must be granted in favour of Council within proposed Lot 1 providing for any required drainage of stormwater from the end of the new road to Marrs Creek. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted prior to the issue of a Compliance Certificate for the Plan of Survey.*

Service Conduits

- 8. *Provide appropriate service conduits to Stage 2 to the satisfaction of services authorities and Council to ensure that the road reserve constructed and formalised with stage 1 does not need further works to service the later stage.*

All works must be carried out to the requirements of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

Siam Weed Control

- 9. *In order to prevent the spread of Siam Weed {a class 1 declared pest plant under the Land Protection (Pest and Stock Route Management) Act 2002}, all machinery working on site must be cleaned down on site prior to leaving. No material / soil is to leave the site wherever possible. Should material need to be carted away it should*

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be taken to Council's Drumasara quarry and placed under quarantine where it can be monitored for recruitment and treated as required.

ADVICE

1. *This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of the Sustainable Planning Act 2009.*
2. *This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.*
3. *For information relating to the Sustainable Planning Act 2009, log on to www.dip.qld.gov.au. To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.dsc.qld.gov.au.*

CJ CONDITIONS APPLICABLE TO STAGE 2 RETIREMENT FACILITY (PRELIMINARY APPROVAL)

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>Master Plan</i>	<i>Mossman and District Aged Care Precinct prepared by Hunt Design</i>	<i>10 February 2016</i>

Assessment Manager Conditions

1. *Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:*
 - a. *The specifications, facts and circumstances as set out in the application submitted to Council; and*
 - b. *The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.*

Except where modified by these conditions of approval

Timing of Effect

2. *The conditions of the Preliminary Approval must be demonstrated in any future application for a development permit for a Retirement Facility over the land to the extent relevant, unless specified otherwise in these conditions of approval.*

Design Parameters (Applicable over proposed Lot 2)

3. *The site coverage of the development does not exceed 40%.*
4. *The gross floor area of the development does not exceed 0.5 x site area.*
5. *Buildings and structures are setback no less than:*

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- a. 6 metres to Johnston Road;
 - b. 4.5 metres to the new road;
 - c. 4 metres to the common boundary with the showgrounds and hospital; and
 - d. 10 metres from the top of the high bank to Marrs Creek; and
 - e. Outside that part of the land included within the Conservation planning area.
6. Buildings and structures are limited to 2 storeys (8.5 metres) in height (Note: height is inclusive of roof height).
7. Future development reduces the appearance of building bulk, ensures a human scale and demonstrates variations in horizontal and vertical profile by incorporating a range of design elements including balconies, verandahs, terraces, recesses and the like.
8. Buildings must exhibit tropical design elements that are appropriate to Douglas Shire's tropical climate, character and lifestyle such as:
- a. pitched roofs;
 - b. wide eaves to shade and protect external walls;
 - c. light colours;
 - d. variations in building colours, materials and texture;
 - e. permeable external building facades;
 - f. well-considered cross-ventilation;
 - g. weather protected external extensions to living spaces;
 - h. verandahs;
 - i. well-insulated roofs;
 - j. low thermal mass construction;
 - k. seamless integration of external and internal spaces.
9. Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements:
- a. seating;
 - b. barbecue;
 - c. swimming pool;
 - d. communal gardens.

The proposed development must include an 'activities building' as part of stage 1 of any proposed retirement facility.

10. No development is to occur in that part of the land included within the Conservation Planning Area.

Access

11. Access to Jack Street via the Showgrounds is not part of this approval.

ADVICE

1. This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse 4 years from the day the approval takes effect in accordance with the provisions of the Sustainable Planning Act 2009.
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

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3. For information relating to the Sustainable Planning Act 2009 log on to www.dilgp.qld.gov.au . To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .

LAND USE DEFINITIONS*

In accordance with the Douglas Shire Planning Scheme 2006, the approved land use of Retirement Facility is defined as:

The use of premises as an integrated community for permanent residential accommodation for older or retired persons, generally 55 or more years in age.

The use can include:

- *dwelling units*
- *serviced rooms/Private rooms*
- *nursing home accommodation as well as facilities for the use of residents and staff, such as:*
 - *indoor and outdoor recreational facilities;*
 - *meeting rooms;*
 - *medical consulting rooms;*
 - *therapy rooms;*
 - *chapels;*
 - *meal preparation facilities; and*
 - *staff accommodation*
- *a display unit which displays to the general public the type of construction or design offered by builder/developer, for a maximum period of twelve months and which is then demolished, (if freestanding replica), or converts to its intended use within the complex.*

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

Carried unanimously.

**5.08. REMOVAL OF LOCAL GOVERNMENT AGREEMENT FROM LOT 1
RP843598 AND LOT 104 SP146780**

Robert Donovan, Property Officer

Moved Cr Carey

Seconded Cr Melchert

"That Council resolves:

1. *To consent to the removal of the Local Government Agreements from Lot 1 RP843598, 2105R Mossman-Daintree Road and Lot 104 SP146780, 2125R Mossman-Daintree Rd.*
2. *Require all associated costs with the removal of the Local Government Agreements to be met by the registered owner.*

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3. *To delegate authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to finalise all matters in removing the Local Government Agreements from Lot 1 RP843598 and Lot 104 SP146780.*

Carried unanimously.

5.09. WASTE REDUCTION RECYCLING PLAN

Abbey Belcher, Technical Officer Resource Management

Moved Cr Carey

Seconded Cr Leu

‘That the report be deferred to the next meeting of the Council and staff be requested to explore options for inclusion of composting of putrescible waste by residents and businesses across the Shire’.

Carried unanimously.

5.10. ILLEGAL DUMPING STRATEGY

LISA GOLDING, COMMUNITY & ECONOMIC DEVELOPMENT OFFICER

Moved Cr Noli

Seconded Cr Carey

‘That Council resolves to adopt the Illegal Dumping Strategy 2016’

Carried unanimously.

5.11. OLD MOWBRAY RIVER BRIDGE REMOVAL

Scott Hahne, Project Engineer

Moved Cr Carey

Seconded Cr Noli

‘That Council resolves to:

- 1. note the reasons for the immediate removal of the Mowbray River Fishing Jetty;*
- 2. note that assessment of the structural condition of the piers is to be commissioned as soon as practicable; and*
- 3. undertake a thorough community consultation process to determine options for the replacement of the jetty as soon as all necessary technical information is available.’*

Carried unanimously.

5.12 NDRRA PROGRESS REPORT #12 - DECEMBER 2015

Scott Hahne, NDRRA Project Engineer

Moved Cr Noli

Seconded Cr Carey

‘That Council notes the results achieved to date and the future projections contained in the 2014 NDRRA PCG Monthly Report 12 – December 2015.’

Carried unanimously.

5.13 CAPITAL WORKS PROGRESS REPORT 2ND QUARTER 2015-2016

Paul Hoye, General Manager Operations

Moved Cr Melchert

Seconded Cr Carey

"That Council resolves to:

- 1. receive and note the progress of the Capital Works Program for the 2015 - 2016 financial year; and*
- 2. allocate \$30,000.00 from the Asset Register project to the Dixie Shed project; and*
- 3. allocate \$20,000.00 from the Fire Hydrant Project to the Macrossan Street Bin project."*

Carried unanimously.

**5.14 WATER AND WASTEWATER QUARTERLY REPORT FOR THE PERIOD
ENDING 31 DECEMBER 2015**

Wouter van der Merwe, Manager Water and Wastewater

Moved Cr Carey

Seconded Cr Melchert

"That the Quarterly Report of the Water and Wastewater branch for the period ending 31 December 2015 be received and noted."

Carried unanimously.

5.15 FINANCIAL REPORT FOR THE PERIOD ENDED 31 JANUARY 2016

John Rehn, Manager Finance and IT

Moved Cr Leu

Seconded Cr Noli

"That Council notes the Financial Report for the period ended 31 January 2016."

Carried unanimously.

6. NOTICES OF MOTION

**6.01. NOTICE OF MOTION - DAINTREE FERRY NORTHERN APPROACH
TOILETS**

Moved Cr Melchert

Seconded Cr Clarke

"That Council move immediately utilising funding available from the Daintree Ferry Fund to acquire and install a two to three pedestal demountable toilet, including pump out facilities at the northern bank ferry crossing, and of a design similar to the southern side toilet facilities. The facility to be installed in the vicinity of the current "portaloos"."

For:- Crs Melchert and Clarke.

Against:- Crs Leu, Noli and Carey.

Lost.

6.02. NOTICE OF MOTION - DAINTREE FERRY VISITOR TICKETS

Moved Cr Melchert

Seconded Cr Clarke

"That Council resolve to amend the validity period of the Daintree River Visitor Tickets to have a common expiry date with the Daintree River Ferry Concession Cards and this change is to take effect from 1 July 2016."

Carried unanimously.

6.03. NOTICE OF MOTION – REVISION OF FINANCIAL REPORTING

Moved Cr Melchert

Seconded Cr Clarke

"That Council move to revise its monthly financial reporting as soon as possible to include more information about its financial performance generally in line with the attached statements prepared by Cairns Regional Council the template of which is quite common in Queensland Local Government. In particular the revised reports include revised graphs showing the monthly budgeted estimated for the full year and actual results, for the Operating Position, Operating Revenue, Operating Expenditure and Capital Expenditure with relevant comments. The report also include a Statement of Financial Position and a Statement of Cash Flows."

For:- Crs Melchert and Clarke.

Against:- Crs Leu, Noli and Carey.

Lost.

Moved Cr Carey

Seconded Cr Melchert

That the Audit Committee be requested to review the financial reports that are provided to Council and provide some suggestions for possible improvements.

For:- Crs Leu, Carey, Melchert and Clarke.

Against:- Cr Noli

Carried.

6.04. NOTICE OF MOTION - ADVERTISING OF COUNCIL EMPLOYMENT OPPORTUNITIES

Moved Cr Melchert

Seconded Cr Clarke

"That Council in accordance with the Enterprise Agreement reaffirm and direct that all vacant employment positions within Council be openly advertised within the organisation, and where the position is not or cannot be filled internally it be publically advertised in the Port Douglas and Mossman Gazette, on the Council's web site and as may be necessary via other media. Further Council actively publish and promote on its website full details of its recruitment and selection processes, and develop a formal and advertised recruitment and selection policy within four months of the date of this resolution."

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For:- Crs Melchert and Clarke.

Against:- Crs Leu, Noli and Carey.

Lost.

6.05. NOTICE OF MOTION - MOWING OF TRIANGULAR PART OF SAINT DAVID'S CHURCH PROPERTY CORNER OF MOSSMAN AND FRONT STREETS, MOSSMAN

Notice of Motion withdrawn by Cr Melchert.

6.06. NOTICE OF MOTION - RELOCATION OF SHOWGROUNDS FOOTBALL FIELD

Moved Cr Melchert

Seconded Cr Clarke

"That Council (including all Councillors if they so desire) move immediately (within not more than 3 days of the date of this Ordinary Council meeting) to convene a meeting on-site at the Mossman Showgrounds with all relevant stakeholders, including in particular The Junior and Senior Rugby League Clubs and the Show Society to assess the feasibility of relocating the Senior Rugby League field closer to the grandstand and Clubhouse by April 2016, and note that the Rugby League Clubs have agreed to fully fund the project."

For:- Crs Melchert and Clarke.

Against:- Crs Leu, Noli and Carey.

Lost.

6.07. NOTICE OF MOTION – COMMERCIAL WASTE SERVICES NORTH OF THE DAINTREE RIVER

Moved Cr Melchert

Seconded Cr Clarke

"That in relation to 2015/2016 Special Refuse Charge for commercial refuse services North of the Daintree river the Council resolve:-

- i. in accordance with section 124 of the Local Government Regulation 2012 to grant a 50% rebate for the refuse special charge applied to Commercial premises North of the Daintree River for the 2015/2016 Financial year.*
- ii. Immediately commence discussions with the affected property owners and business owners north of the Daintree River to determine the Special needs they have in operating businesses in this remote area which has no grid mains power and limited Local Government Services, to ensure the Special Refuse charges for 2016/2017 are implemented in an open, transparent and consultative way."*

For:- Cr Melchert

Against:- Crs Leu, Noli, Carey and Clarke.

Lost.

**6.08. NOTICE OF MOTION - CLARIFICATION OF DOWNLOAD SPEEDS FOR
NBN FIXED WIRELESS SERVICES**

Moved Cr Carey

Seconded Cr Leu

"That the Council make immediate representations to Federal Member for Leichhardt, Hon Warren Entsch MP, and NBN Co requesting urgent clarification of the download speeds which will be delivered by fixed wireless NBN installations to Douglas communities, in particular the major centres of Mossman and Port Douglas. Further that they be requested to confirm that download speeds of 50 mbps (or close thereto) will be achieved".

Carried unanimously.

6.09. NOTICE OF MOTION - MOWBRAY RIVER ACCESS

Moved Cr Noli

Seconded Cr Clarke

"Council maintains open access for public use the road on the southern side of the Mowbray River that leads to the Mowbray River old Bridge until at least such time that Council can undertake a thorough community consultation process to determine options for the replacement of the jetty as soon as all necessary technical information is available. Further, that the current barrier be moved to the vicinity of the river bank."

Carried unanimously.

**6.10. NOTICE OF MOTION - REVIEW OF CONDITION OF "OLD" MOWBRAY
RIVER BRIDGE**

Notice of Motion withdrawn by Cr Melchert.

**6.11. NOTICE OF MOTION - ABORIGINAL HOUSING - DOUGLAS SHIRE -
CLOSING THE GAP PROGRAM**

Moved Cr Melchert

Seconded Cr Clarke

"That Council in consultation with relevant community groups prepare a submission to the Prime Minister, the Federal Minister for Indigenous Affairs, the Hon Senator Nigel Scullion, the Member for Leichardt The Hon Warren Entsch MP and the State Member for Cook the Hon Billy Gordon MLA requesting them to do all in their power to facilitate the immediate provision of increased funding provided to Indigenous Housing programs in the Douglas Shire under the "Closing the Gap program" for:-

- 1. the maintenance of existing indigenous housing stock,*
- 2. the provision of new housing stock, and*
- 3. the provision of emergency "respite" housing for victims of Domestic Violence."*

For:- Cr Melchert

Against:- Crs Leu, Noli, Carey and Clarke.

Lost.

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7. URGENT BUSINESS

Nil

8. PETITIONS

Nil.

9. CLOSED SESSION

Nil.

CLOSURE OF MEETING

The meeting closed at 12.09 pm.

CONFIRMED THIS 15th DAY OF MARCH 2016


.....
MAYOR/CHAIR