

1. PRESENT

Cr Julia Leu, Cr Abigail Noli, Cr David Carey (via teleconference), Cr Bruce Clarke, Cr Terry Melchert, Linda Cardew (Chief Executive Officer), Paul Hoye (General Manager Operations), Rebecca Assman (Manager Governance), Donna Graham (Manager Development and Environment), John Rehn (Manager Finance and IT), Wouter van der Merwe (Manager Water and Wastewater), Neil Beck (Planning Officer), Scott Hahne (NDRRA Project Engineer), Robert Donovan (Property Officer), Greg McLean (Communications/Events Officer), Nicole Barton (Mayor and Councillor Support) and Nevinia Davenport (Executive Assistant).

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.

SUSPENSION OF STANDING ORDERS

The Mayor suspended the Standing Orders to move the following Mayoral Minute:

3. MAYORAL MINUTE

Moved Cr Leu

“That Council resolve to allow Cr Carey to attend the Council Meeting today via teleconference.”

Carried unanimously.

RESUMPTION OF STANDING ORDERS

APOLOGIES

Nil.

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Nil.

3. MAYORAL MINUTE

Moved Cr Leu

“That Council acknowledge the actions of the Mayor in seeking deputations at the North Queensland Economic Summit 2015.”

Carried unanimously.

4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

ORDINARY MEETING HELD ON 24 NOVEMBER 2015

Moved Cr Noli

Seconded Cr Clarke

ORDINARY MEETING HELD ON 13 OCTOBER 2015

Moved Cr Noli

Seconded Cr Clarke

“That the Minutes of the Ordinary Meeting held on Tuesday, 13 October 2015, be confirmed.”

Carried unanimously.

SPECIAL MEETING HELD ON 27 OCTOBER 2015

Moved Cr Noli

Seconded Cr Clarke

“That the Minutes of the Special Meeting held on Tuesday, 27 October 2015, be confirmed.”

For:- Cr Leu, Cr Noli, Cr Clarke and Cr Carey

Against:- Cr Melchert

Carried.

5. AGENDA ITEMS

**5.1. PRELODGE MENT ENQUIRY RESPONSE FOR PROPOSED MATERIAL
CHANGE OF USE (IMPACT) CARAVAN PARK - L45 CAPTAIN COOK
HIGHWAY, PORT DOUGLAS**

Neil Beck, Planning Officer

Moved Cr Noli

Seconded Cr Clarke

- “1. That Council provides its in principle support for a caravan park catering for the selfdrive tourist market, over land described as Lot 45 on SR835, located at L45 Captain Cook Highway, Port Douglas. The application must address, amongst other requirements, the following:*
- a. A detailed survey of the property identifying the site’s contours and natural features.*
 - b. A detailed description of the proposed use supported by an appropriately scaled site plan detailing all buildings, designated caravan sites, road layout, communal buildings, recreational areas and the like.*
 - c. Floor plans and elevations of habitable buildings nominating finished floor levels supported by an engineering assessment (i.e. detailing flooding considerations).*
 - d. Local drainage investigations to determine the Average Recurrence Interval (ARI) for a 1 in 100 year flood event having regard to the external contributing catchment and storm tide inundation. The drainage investigation must also illustrate how stormwater will be managed throughout the site for lower order*

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rainfall events and identifying the lawful point of stormwater discharge / outlet conditions.

- e. Report prepared by a suitably qualified professional examining methods of waste water treatment taking into account the potential to connect to the reticulated network as an alternative to on-site effluent disposal.*
 - f. Access to the Captain Cook Highway to be determined following liaison with the Department of Transport and Main Roads.*
 - g. An investigation into the extent of all services required for the proposed use (water, telecommunications, power).*
 - h. Details of proposed landscaping treatment, taking into account the appearance of the caravan park, particularly when viewed from the Captain Cook Highway.*
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 use. The determination of any future application is a matter for Council following detailed assessment of the application, including consideration of any properly made submissions in relation to the application."*

Carried unanimously.

5.2 REQUEST FOR PERMISSIBLE CHANGE (AMEND CONDITIONS OF APPROVAL) – COMBINED APPLICATION FOR A MATERIAL CHANGE OF USE (CODE) FOR PUBLIC UTILITIES & FACILITIES (WATER RESERVOIR & ASSOCIATED INFRASTRUCTURE) & RECONFIGURING A LOT (1 INTO 2)

Donna Graham, Manager Development and Environment

Moved Cr Leu

Seconded Cr Clarke

"That Council resolves to approve the request for a Permissible Change to the Combined Approval for a Material Change of Use for Public Utilities & Facilities (Water Reservoir & Associated Infrastructure) and Reconfiguring a Lot (1 Lot into 2 lots) over land described as Lot 8 on RP893100, located at Lot 8 Ferrero Road, Craiglie, whereby:

Condition A.2 is amended as follows:

Timing of Effect

- A.2. *The conditions of the Development Permit for the Reconfiguration of a lot component must be effected prior to the issue of a Compliance Certificate for the Plan of Survey, except where specified otherwise in these conditions of approval.*

The conditions of the Development Permit for the Reconfiguration of a lot component must be completed within 12 months of the Decision Date."

Carried unanimously.

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5.3 RECONFIGURATION OF A LOT – 1 INTO 72 LOTS (PLUS PARK), VIXIES ROAD, WONGA BEACH
Neil Beck, Planning Officer

Moved Cr Leu

Seconded Cr Clarke

“That Council approves the development application for Reconfiguring of a Lot (1 Lot into 72 Lots) over land described as Lot 32 on SP126925 located at Vixies Road Wonga Beach, 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>Contour & Drainage Plan – Sheet 1 of 3</i>	<i>Q144007-001-C01 Rev 03</i>	<i>25 March 2015</i>
<i>Contour & Drainage Plan – Sheet 2 of 3</i>	<i>Q144007-001-C02 Rev 03</i>	<i>25 March 2015</i>
<i>Contour & Drainage Plan – Sheet 3 of 3</i>	<i>Q144007-001-C03 Rev 04</i>	<i>6 May 2015</i>
<i>Layout Plan – Sheet 1 of 3</i>	<i>Q144007-001-L01 Rev 02</i>	<i>24 September 2015</i>
<i>Layout Plan – Sheet 2 of 3</i>	<i>Q144007-001-L02 Rev 02</i>	<i>24 September 2015</i>
<i>Layout Plan – Sheet 3 of 3</i>	<i>Q144007-001-L02 Rev 03</i>	<i>24 September 2015</i>
<i>Supporting Technical Documents</i>		
<i>Wonga Beach Flood Study</i>	<i>Q144007</i>	<i>20 November 2014</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;*
 - 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 issue of a Compliance Certificate for the Plan of Survey, except where specified otherwise in these conditions of approval.*

Street Layout and Design

3. *The street layout and design is to be generally in accordance with Cardno Drawings Q144007-001-C01 to C03 subject to any amendments to comply with conditions, Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:*

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- a. *Design and construct the internal road servicing lots 6 to 72 in accordance with the FNQROC Development Manual and generally in accordance with the Cross Section as detailed on Drawing No. Q144007-001-C01 subject to the construction of a 7 metre sealed pavement with 1 metre gravel shoulders.*
- b. *Design and construct the road connection to South Arm Drive. Lots 27 and 28 are to be amended to ensure the road reserve width is consistent for the entire length of the road. Noting the vegetation constraints in the drainage reserve, the road connection within the drainage corridor is to meet the following performance criteria:*
 1. *the road connection is to be a two lane road;*
 2. *pedestrian access is to be provided on at least one side;*
 3. *suitable barriers are to be provided as required;*
 - (iv) *plans are to demonstrate clearance to and location of significant vegetation;*
 - (v) *drainage calculations are to show the crossing achieves flood immunity for the ARI 10 year rainfall event and are to show compliance with the Queensland Urban Drainage Manual for events flows up to and including the 100 year ARI rainfall event (1%AEP).*

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.

Earthworks and Drainage Plan

4. *Provide revised earthworks and drainage plans to address the following requirements:*
 - a. *Provide a plan identifying a building pad of minimum 1000m² located at least 300mm above the identified Q100 ARI flood interval level for each lot on site. The minimum freeboard is to be confirmed based on the freeboard requirements in QUDM but shall be a minimum of 300mm; and*
 - b. *Where cutting and filling is proposed to achieve the building pad footprint, confirm extents of cut and fill and demonstrate the proposed work does not have a worsening impact on the drainage and flooding. In particular that the areas of the site being cut down do not become impacted by flooding as a result of the earthworks.*

The amended Plan must be submitted to Council, to the satisfaction of the Chief Executive Officer, prior to submitting a Development Application for Operational Works. All filling is to be completed in accordance with the approved plans during the Operational Works stage.

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Building Envelope Plan

5. *Provide a Plan nominating building envelopes for all habitable buildings on each lot. These envelopes are to correspond with the 1000m² building pads required by conditions of this Development Permit.*

The Building Envelope Plan must be submitted to Council, to the satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

The applicant / owner must also ensure that the endorsed building envelope plans are made known to all prospective purchasers of the lots.

Updated Flood Study Plan

6. *The Wonga Beach Flood Study prepared by Cardno and dated 20 November 2014, must be updated based on detailed survey of the site and drainage lines adjacent to the site. Subject to the findings of the updated flood modelling the development footprint and layout must be confirmed and any changes identified.*

The updated study based on detailed survey is to verify the findings of the November 2014 assessment that relied on LIDAR data. In particular the flood modelling must consider the following elements:

- a. *The in-stream barriers where existing crossings occur including on existing Lot 31 to the north of the development;*
- b. *The impact of the proposed crossings for the accesses to Lots 70 to 72;*
- c. *The impact of the proposed crossing linking the development to South Arm Drive between Lots 27 and 28;*
- d. *The detailed survey of the site and subsequent flood modelling must also verify that the existing site levels on the northern lots are consistent with the LIDAR data and therefore the extent of inundation of these lots is not greater than currently indicated in the November 2014 assessment.*

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

External Works

7. *Undertake the following external works:-*
- a. *Construct the intersection for the proposed new road with Vixies Road in accordance with the FNQROC Development Manual requirements, including line marking, street lighting, drainage, pavement design and carriageway widening if required to facilitate the intersection operation.*

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 issue of a Compliance Certificate for the Plan of Survey.

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Plan of Drainage Works

8. *The subject land must be drained to the satisfaction of the Chief Executive Officer. This includes provision of the following:*
- a. *Drainage infrastructure generally in accordance with the concepts shown on Cardno drawings Q144007-001-C01 to C03 Revision 3 & 4 subject to amendments required to comply with the FNQROC Development Manual. Calculations of the sub-catchment discharge and the flow width and depth in roadside drains and easements must be provided prior to the issue of a Development Permit for Operational Works. The calculations must demonstrate that the flows are fully contained in the drainage paths and do not enter private property except where easements exist;*
 - b. *The drainage lines along the side boundaries are to be included in easements with sufficient width for vehicular access for maintenance;*
 - c. *The cross drainage culverts for the accesses to Lots 70 to 72 are to be designed to provide immunity for the ARI 10 year event unless otherwise approved by Council. Any alternative crossing arrangement must demonstrate that acceptable immunity is provided for minor rainfall events with access maintained for the 100 year ARI event (1%AEP event). In particular trafficability and flow depth are to be demonstrated for the accesses for various rainfall events.*
 - d. *The building pads and on-site sewage disposal areas on all new allotments shall have immunity from flooding associated with an ARI 100 year rainfall event;*
 - e. *The drainage swale at the rear of Lots 1 – 5 inclusive can be re-profiled to formalise the drainage line through this area. The rear boundaries of Lots 1-5 must be amended to reflect the re-profiling works undertaken. The re-profiling works must also be reflected in the updated flood study required by conditions of the Development Permit.*

The nature and extent of drainage easements will be determined at the time of seeking a Development Permit for Operational Works.

All drainage works must be completed to the satisfaction of the Chief Executive Officer, prior to the issue of a Compliance Certificate for the Plan of Survey.

Existing Creek and Drainage Systems

9. *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 Natural Resources & Mines for carrying out works in a watercourse.

Lawful Point of Discharge

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

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Open Space

11. *The area identified as Park on Drawing No. Q144007-001-C02 / 03 is not suitable to be dedicated as Park due to the characteristics and location of the land. The land could form one additional residential lot within the development.*

Water Supply Master Plan

12. *A Water Supply Master Plan accompanied by supporting calculations must be provided which demonstrates how the development can be connected to Council's water supply network at the nearest point of connection.*

The calculations must include modelling of the internal reticulation and the external connection mains and must include provision for fire fighting flows in accordance with FNQROC.

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 Compliance Certificate for the Plan of Survey for Stages 2 – 6 inclusive.

Water Supply Works Internal

13. *Undertake the following water supply works internal to the subject land for Stages 2 – 6 inclusive:*
 - a. *Provide ability for water connection to each lot in accordance with the FNQROC Development Manual;*
 - b. *Provide the conduit for water supply for the full length of the access leg for proposed Lots 70 to 72 & Lot 39. The conduit does not need to be connected to Council's water supply. The conduit must be capped and staked at the road frontage and at the nominated building pad for easy identification when a future house is constructed on these lots.*

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 a Compliance Certificate for the Plan of Survey.

Infrastructure Credits for Augmentation of Water Main

14. *Where water supply infrastructure has the potential to service external development areas, some of this work may be subject to infrastructure credits. The value will need to be assessed in consultation with Council Officers for the costs over and above that which the developer would need to provide to service the proposed development subject of this Development Permit.*

Subject to detailed design for water supply and where it is agreed that a credit is applicable, the cost of constructing water supply infrastructure must be agreed to by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works to construct the infrastructure.

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Damage to Infrastructure

15. *In the event that any part of Council's existing infrastructure is damaged as a result of construction activities occurring on the site, Council must be notified of the affected infrastructure and have it repaired or replaced at no cost to Council.*

Electricity Supply

16. *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

17. *Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to the issue of a Compliance Certificate for the Plan of Survey for Stages 2 – 6 inclusive. Stage 1 may be serviced by existing over head power.*

Stockpiling and Transportation of Fill Material

18. *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.*
19. *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

20. *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

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

Access to Hatchet or Battleaxe Lots

22. *Construct an imperviously sealed driveway to battleaxe Lots 70, 71, 72 & 39 extending the full length of the access leg from adjacent edge of carriageway with an approximate crossover of the road side table drain in accordance with FNQROC Development Manual Standard Drawings. The access legs must have a minimum width of 6 metres.*

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Construction of the concrete driveways must be generally in accordance with FNQROC Development Manual Standard Drawing except that the minimum width of the sealed pavement must be 3m for Lot 70 with a passing bay on the western side of the drainage swale and 4.5m for the shared access for Lots 71 & 72. The width and alignment of the cross drainage culverts for Lots 71 & 72 will be determined at the time of seeking Operational Works approval and must seek to retain the significant vegetation at this location. Council will accept a bitumen sealed driveway if requested.

The size of the drainage crossing is to be confirmed in accordance with the drainage conditions of this Development Permit.

All works must be carried out 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

23. *Provide service conduits to lots 70, 71, 72 and 39 adjacent to the driveway together with associated access pits if necessary, to extend from the front boundary to the end of the access driveway.*

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

Temporary Vehicle Turnaround

24. *A temporary vehicle turnaround at end of all partially constructed roads where the length of road exceeds sixty (60) metres (ie maximum acceptable reversing distance for garbage truck) must be provided. The turning facility must be of sufficient size to turn around a garbage truck, either in a continuous forward movement or by a three-point turn.*

Access & Service Easement/s

25. *Create Access and Service Easements to allow vehicle access and on-site manoeuvring for lots 71 and 72 & lots 39 & 40 to the requirements and satisfaction of the Chief Executive Officer.*

Create an Access Easement over Lot 72 in favour of Lot 59 on SP204110 to the requirements and satisfaction of the Chief Executive Officer.

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 at the same time as seeking approval and dating of the Plan of Survey and must be lodged and registered with the Department of Natural Resources and Mines in conjunction with the Plan of Survey.

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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 the document produced by Department of Natural Resources and Mines – QASSIT Guidelines. The results of this investigation must be submitted to Council for approval prior to any earthworks being commenced on the site.

Identification of soils with a pyrite content in excess of the action levels nominated in the latest version of DNRM – 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 DNRM: 'Queensland Acid Sulfate Soil Technical Manual' (2002), including Soil Management Guidelines 2014, which must be prepared to the satisfaction of the Chief Executive Officer.

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS:

Concurrency Agency	Concurrency Reference	Agency	Date	Council Reference	Electronic
Department of Environment & Heritage Protection	DEHP - IC0909CNS0006		15 February 2012	#309310	
Department of Main Roads	214/655/102 (1489.06)		15 September 2009	#160587	

- Refer to Attachment: Concurrence 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 sections 339 and 341 of the Sustainable Planning Act 2009.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
4. If the works identified in Condition 14 generate a credit, Council and the applicant/owner shall enter into an Infrastructure Agreement. The Agreement shall document, to the satisfaction of both parties, the terms and conditions under which the applicant is to be reimbursed.
5. For information relating to the Sustainable Planning Act 2009 log on to www.dilgp.qld.gov.au . To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au.

Carried unanimously.

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5.4 NDRRA PROGRESS REPORT #9 - SEPTEMBER 2015

Scott Hahne, NDRRA Project Engineer

Moved Cr Noli

Seconded Cr Clarke

“That Council notes the results achieved to date and the future projections contained in the 2014 NDRRA PCG Monthly Report 9 – September 2015.”

Carried unanimously.

**5.5 WATER AND WASTEWATER QUARTERLY REPORT FOR PERIOD
ENDING SEPTEMBER 2015**

Wouter van der Merwe, Manager Water and Wastewater

Moved Cr Noli

Seconded Cr Clarke

“That the Quarterly Report of the Water and Wastewater Branch for the period ending 30 September 2015 be received

Carried unanimously.

**5.6 ENDORSEMENT OF DRINKING WATER QUALITY MANAGEMENT PLAN
(DWQMP)**

Wouter van der Merwe, Manager Water and Wastewater

Moved Cr Carey

Seconded Cr Melchert

“That the item be deferred to the Ordinary Meeting of 24 November 2015 to enable sufficient time for further consideration of the Drinking Water Quality Management Plan..”

Carried unanimously.

5.7 CAPITAL WORKS PROGRESS REPORT 1ST QUARTER 2015/16

Paul Hoye, General Manager Operations

Moved Cr Noli

Seconded Cr Leu

“That Council receives and notes the progress of the Capital Works Program for the 2015 - 2016 financial year.”

Carried unanimously.

5.8 FINAL AUDIT REPORT FROM QUEENSLAND AUDIT OFFICE

John Rehn, Manager Finance & IT

Moved Cr Leu

Seconded Cr Noli

“That Council notes the observations contained within the Final Audit Report (Observation Report) from the Queensland Audit Office for the 2014/15 financial year.”

Carried unanimously.

5.9 DAINTREE FORUM #2

Nevinia Davenport, Executive Assistant
Linda Cardew, Chief Executive Officer

Moved Cr Clarke

Seconded Cr Leu

"That Council receive and note the report."

Carried unanimously.

6. NOTICES OF MOTION

6.1 INSTALLATION OF "NO CAMPING" SIGNS TOWNSHIP OF WANGETTI

Moved Cr Melchert

Seconded Cr Clarke

"That Council confirm the action taken to proceed to install "No Camping" signs at the entrances to the Township of Wangetti in line with the signs installed at other beachside townships.

For:- Cr Melchert, Cr Clarke and Cr Carey

Against:- Cr Leu and Cr Noli

Carried.

6.2 MEETING WITH QUEENSLAND TREASURY CORPORATION AND QUEENSLAND AUDIT OFFICE

Moved Cr Melchert

Seconded Cr Clarke

"That Council arrange, as soon as practicable, a meeting with officers of the Queensland Treasury Corporation to allow all Councillors and relevant staff to receive advice from this organisation on their views on Council's financial position based on the first full year financial statements and the budget forward estimates."

For:- Cr Leu, Cr Melchert, Cr Noli and Cr Clarke

Against:- Cr Carey

Carried.

6.3. UPGRADE/REPAIR OF BOAT RAMP FACILITIES AT ROCKY POINT AND NEWELL BEACH

Moved Cr Melchert

Seconded Cr Clarke

"That Council make a request to the State Government under the recently announced \$30 million boost to the Marine Infrastructure Fund for funding to be allocated to the repair/redesign of the Rocky point boat ramp and channel dredging at the Newell Beach Boat Ramp. The works to include full community consultation and :-

(i) consideration of widening the concrete surface of the Rocky Point Ramp to cover the exposed rocks.

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(ii) consideration of the installation of a “post and rail” wave deflection device at the end of the existing groyne so that greater weather protection is provided for boat launching, without affecting natural sand drift.

(iii) the dredging of a channel from the “toe” of the Newell Boat Ramp out into the main river channel and the redefinition and marking of the river mouth entrance channel.”

An amendment to the motion was moved:

Moved Cr Carey

Seconded Cr Leu

“That the Council make vigorous representations to DTMR to prioritise and commit funds under existing funding programs, in consultation with the Douglas boating community, to:

1. Carry out immediate further works at the Rocky Point boat ramp to improve its safety and practicality for use.
2. Improve access to the water way at the Newell boat ramp which improves the functionality of the ramp taking into account the impacts of tidal movements”
3. Construct a boat ramp at Cooper Creek.”

Carried unanimously.

The amended motion became the substantive motion.

The motion was put to the vote.

Carried unanimously.

7. URGENT BUSINESS

Nil

8. PETITIONS

8.1. PETITION FOR SKATEBOARD RAMP TO BE CONSTRUCTED AT THE COOYA BEACH ROAD, LOU PRINCE PARK AREA

Rebecca Assman, Manager Governance

Moved Cr Leu

Seconded Cr Noli

“That Council resolves that the petition be received and referred to the Chief Executive Officer for consideration and a report to Council.”

Carried unanimously.

8.2 PETITION – DREDGING WORK AT NEWELL BEACH

Moved Cr Leu

Seconded Cr Melchert

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That council receive the petition Cr Melchert presented to the Mayor regarding minor dredging work at the Newell Beach boat ramp to the Minister for Main Roads, Honourable Mark Bailey.

Carried unanimously.

9. CLOSED SESSION

MEETING WITHDRAWAL

Cr Carey withdrew from the meeting at 10.25am.

Moved Cr Noli

Seconded Cr Clarke

“That Council resolves to move into Closed Session to discuss the following matters:

- 9.1 *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 - Audit Committee Meeting 23 September 2015*
- 9.2 *Contractual Matter S275 (1) (E) Local Government Regulation - Surrender of Lease Part of Lease Lot 175 SP 241139 - Cafe On Sea Thornton Beach*
- 9.3 *Contractual Matter S275 (1) (E) Local Government Regulation - Application to Purchase Part of Park Reserve - Lot 119 on SP192596, Milman Drive Craiglie*
- 9.4 *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 – Mossman Meteors Swimming Club – Access to Water Space”*

Carried unanimously.

MEETING RE-ATTENDANCE

Cr Carey re-attended the meeting at 10.26am.

OUT OF CLOSED SESSION

Moved Cr Noli

Seconded Cr Clarke

“That Council resolves to move out of Closed Session.”

Carried unanimously.

**9.1 PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT
REGULATION 2012 - AUDIT COMMITTEE MEETING 23 SEPTEMBER
2015**

Rebecca Assman, Manager Governance

Moved Cr Leu

Seconded Cr Noli

“That Council accepts the minutes from the Audit Committee Meeting held on 23 September 2015.”

Carried unanimously.

**9.2 CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT
REGULATION - SURRENDER OF LEASE PART OF LEASE LOT 175 SP
241139 241339 - CAFE ON SEA THORNTON BEACH**

Robert Donovan, Property Officer

Moved Cr Clarke

Seconded Cr Leu

“Council resolves:

1. *that Council agree to surrender the lease immediately, on the condition that the Lessee:*
 - *abandons any claim to ownership of the buildings and fixtures*
 - *Council agree to seek recovery of the debt at its current level; without any further accrual of interest*
2. *that Council issue a Trustee Permit to the existing Manager of the Cafe as Caretaker for a period of up to 12 months or until the a new Lessee is appointed by Council; and that this Caretaker will continue to pay the current monthly lease payments, Council rates and maintain the buildings to the standard as required by Council; and*
3. *that Council delegate authority to the Mayor and the Chief Executive Officer in accordance with Section 257 of the Local Government Act to finalise all matters associated with the surrender of the lease, issue of the Trustee Permit to the Caretaker and preparation of new tender documents.”*

Carried unanimously.

**9.3 CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT
REGULATION - APPLICATION TO PURCHASE PART OF PARK
RESERVE - LOT 119 ON SP192596, MILMAN DRIVE CRAIGLIE**

Graham Busby, Property Officer

Moved Cr Clarke

Seconded Cr Melchert

“That Council:

- *resolve to purchase land being Lot 121 on Preliminary Plan SP276040 (which is be excised from Part of Lot 119 on SP192596), Craiglie, for the purposes of correcting an encroachment of a sewerage pump station;*
- *resolve that all costs are to be met by the developer; and*
- *delegate authority to the Mayor and Chief Executive Officer in accordance with Section 257 of the Local Government act 2009 to negotiate, determine and finalise all matters associated with the purchase of the land being Lot 121 on Preliminary Plan SP276040 (Part of Lot 119 on SP192596), Craiglie.”*

Carried unanimously.

**9.4 PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT
REGULATION 2012 – MOSSMAN METEORS SWIMMING CLUB ACCESS
TO WATER SPACE**

Robert Donovan, Property Officer

Moved Cr Noli

Seconded Cr Leu

“That Council:

1. exercise its Power under Clauses 5.2(d), 6.3 (a) i ii (b), &6.4 (a) of the Lease over Lot 6 on RP742785, to fix such terms and conditions as it in its sole discretion deems reasonable. These conditions are:

a. that Mossman Meteors Swimming Club Inc. (MMSC) be given access to the Mossman Bicentennial Swimming Pool under the following arrangements:

- Access to three outside pool lanes and the associated pool deck
- Morning sessions (5 days) 5.30am - 7.30am
- Afternoon sessions (5 days) 5.00pm -7pm
- Friday club night concluding at 8pm (once a month)
- Year round access (with the exception of public holidays)
- Coach to be provided by MMSC for their training sessions

b. that the following hours are set for the Mossman Bicentennial Swimming Pool

Summer (Oct-Apr)	Open	Close
Monday/Tuesday/Thursday	5.30am	7.00pm
Wednesday/Friday	5.30am	7.00pm
Saturday	8.00am	5.00pm
Sunday	9.00am	5.00pm
Public Holidays	Closed	Closed

- opening hours for the Winter months to be negotiated in April 2016.

c. That the following rates are adopted:

- \$3/head for MMSC members
- No Charge for non-swimmers who accompany MMSC members to training
- \$50/hour for club nights (once a month)

d. Council will not determine compensation payable by the MMSC to the Lessee for Usage Rights;

2. resolves to settle the dispute regarding coaching rights by allowing the MMSC to appoint a coach of its own choosing, and will determine compensation payable at a later date; and

3. delegate authority to the Mayor and Chief Executive Officer in accordance with Section 257 of the Local Government Act 2009 to finalise any and all matters associated with the change in the terms and conditions, and compensation payable for the loss of coaching rights to the Lessee as outlined in this recommendation.

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE
COUNCIL HELD ON TUESDAY, 3 NOVEMBER 2015, COMMENCING AT 9.00 AM

For:- Cr Leu, Cr Clarke, Cr Noli and Cr Carey
Against:- Cr Melchert

Carried.

CLOSURE OF MEETING

The meeting closed at 10.53am.

CONFIRMED THIS 24th DAY OF NOVEMBER 2015



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MAYOR/CHAIR