

**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 14 APRIL 2015, COMMENCING AT 10.00 AM**

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**PRESENT**

Cr Julia Leu, Cr Abigail Noli, Cr David Carey, Cr Bruce Clarke, Cr Terry Melchert, Linda Cardew (Chief Executive Officer), Darryl Crees (General Manager Corporate Services), Michael Kriedemann (A/General Manager Operations), Donna Graham (Manager Development & Environment), Rebecca Assman (Manager Governance), Wouter van der Merwe (Manager Water & Wastewater), Jenny Elphinstone (Senior Planning Officer) Greg McLean (Communication/Events Officer), Nevinia Davenport (Executive Assistant) and Nicole Barton (Mayor & Councillor Support Officer).

**ACKNOWLEDGEMENT OF COUNTRY**

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

**APOLOGIES**

There were no apologies.

**CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST**

Nil.

**MAYORAL MINUTE**

**Moved** Cr Leu

*"That Council resolves to donate \$5,000 to the Mossman Branch of the Red Cross for the Cyclone Pam (Vanuatu) 2015 Appeal."*

**Carried** unanimously.

**SUSPENSION OF STANDING ORDERS**

Standing Orders were suspended to present the donation to Red Cross members in attendance.

**RESUMPTION OF STANDING ORDERS**

Standing Orders were resumed.

**CONFIRMATION OF MINUTES OF COUNCIL MEETING**

**ORDINARY MEETING HELD ON TUESDAY 24 MARCH 2015**

**Moved** Cr Carey

**Seconded** Cr Clarke

*"That the Minutes of the Ordinary Meeting held on Tuesday, 24 March 2015, confirmed."*

**Carried** unanimously.

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**5. AGENDA ITEMS**

**5.1 RECONFIGURING A LOT (CODE ASSESSMENT) (1 LOT INTO 17 LOTS)  
– 2L OASIS DRIVE, WONGA BEACH**

Jenny Elphinstone: ROL 591/2014: 436363

Moved Cr Noil

Seconded Cr Carey

- A. That Council approves the development application for Reconfiguring a Lot (1 Lot into 17 Lots) over land described as Lot 2 on SP259953, located at 2L Oasis Drive, 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>Proposal Plan</i>	<i>Flanagan Consulting Group, Sketch 3969-SK03 dated 3 December 2014 and to be amended by the conditions of the approval.</i>	<i>To be determined.</i>
<i>Water Reticulation Plan</i>	<i>Flanagan Consulting Group, Sketch 3969-SK04, as submitted to Council on 10 December 2014 and to be amended by the conditions of the approval.</i>	<i>To be determined.</i>
<i>Stormwater Drainage Plan</i>	<i>Flanagan Consulting Group, Sketch 3969-SK05 as submitted to Council on 10 December 2014 and to be amended by the conditions of the approval.</i>	<i>To be determined.</i>
<i>Drainage Details / Earthworks Plan</i>	<i>Flanagan Consulting Group, Sketch 3969-SK06 as submitted to Council on 10 December 2014 and to be amended by the conditions of the approval.</i>	<i>To be determined.</i>
<i>Marlin Drive Turnaround</i>	<i>Flanagan Consulting Group, Sketch 3969-SK07 as submitted to Council on 10 December 2014 and to be amended by the conditions of the approval.</i>	<i>To be determined.</i>

**ASSESSMENT MANAGER CONDITIONS**

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
  - a. The specifications, facts and circumstances as set out in the application submitted to Council; and

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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.*

*Access*

3. *No lot is to be accessed from the Esplanade.*

*Street Layout and Design*

4. *The street layout and design is to be generally in accordance with Flanagan Consulting Group (FCG) Proposal Plan, Sketch 3969-SK03 subject to:*
- a. *Deletion of the catch drain and easement at the eastern boundary of Lots 1-6 and Lots 15-17 inclusive;*
  - b. *Setback of fill areas a minimum of 6m from the property boundary from all roads and Esplanade.*
  - c. *Setback of fill areas a minimum of 3.0 metres from the southern boundary of proposed Lot 17.*
  - d. *The fill pad for proposed Lot 7 is to be extended to the northern boundary and retained;*
  - e. *The fill pad for Lots 1 to 6 inclusive must be a continual plane with the pads draining to the new road to the west.*
  - f. *The fill pad for Lots 7 to 14 inclusive must be a continual plane with the pads draining to the new road to the east. The rear of these lots is to be graded to the west to negate ponding of water between the fill pad and the existing road reserve;*
  - g. *The fill pad for Lots 15 to 17 inclusive to be a continual plane with the pads draining to the new drainage reserve*
  - h. *On-street car parking spaces in the vicinity of lots 15 to 17 are to be provided as shown on FCG Sketches 3969-SK03 to 06 and the maintenance access to the new drainage reserve are to be designed with minimal increase of stormwater drainage to Marlin Drive.*
  - i. *Appropriate protection is to be provided to prevent non authorised vehicles from entering the drain including at a minimum, Barrier Kerbing. The applicant is to assess the need for additional barriers and or landscaping in these areas;*

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- j. The access to the drainage channel is to be designed to facilitate normal maintenance machinery and is to be fitted with suitable gates;*
- k. Provision of estuarine crocodile warning signs to new road and public pedestrian pathways;*
- l. A 6m setback area from the eastern boundary (to the Esplanade) is to be included in a conservation covenant area and is to be vegetated in accordance with condition 25;*
- m. Provision of suitable vehicle access for Council from the pedestrian pathway to the Esplanade and foreshore for maintenance purposes. These purposes include the ability to access to maintain the open channel drainage flow path;*
- n. Provide a suitable lining and finish to the 20m wide drainage easement area to provide a stabilised channel that is able to be traversed by Council's maintenance equipment; and*
- o. Any amendments required to comply with the conditions and the requirements of Queensland Streets and the FNQROC Development Manual;*

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

*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.*

#### *Water Supply*

- 5. Undertake water supply works internal to the subject land in accordance with the FNQROC development manual within the internal road system such that each lot can be connected to Council's water supply network at the lot frontage. A plan of the water supply reticulation network is to be generally in accordance with FCG Sketch 3969-SK04 and must be supported by appropriate calculations including hydraulic network analysis demonstrating compliance with FNQROC. In particular, the plan must include:*
  - a. A minimum 100mm main on one side and a 50mm (63mm OD) main on the opposite side to provide a looped service;*
  - b. A minimum 100mm connection from the southern end of the cul-de-sac to the northern end of Marlin Drive;*
  - c. Provide the conduit for water supply for the full length of the access leg for proposed Lots 15 and 16. The conduit does not need to be connected to Council's water supply. The conduit must be capped and staked at the road frontage of the lots and at the end of the access leg for easy identification when a future house is constructed on this lot;*

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*The plan must also identify any infrastructure external to the subdivision that may require upgrading to accommodate the development and achieve the minimum pressures for maximum hour and firefighting scenarios.*

*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.*

*On-Site Effluent Disposal*

6. *The method of on-site effluent disposal must be in accordance with the recommendations contained in the On-Site Sewage Disposal Assessment Report prepared by Gilbert and Sutherland or as otherwise approved by the Chief Executive Officer.*

*General External Works*

7. *Undertake the following external works:-*
  - a. *Provide a new pedestrian and cycle connection across the realigned drain to reinstate the pathway connection from the northern end of Marlin Drive to the pathway running to the west from the development site.*
  - b. *The detail design in a. above must include hydraulic assessment of the afflux through the culvert and must maximise the water way area to achieve minimum afflux through the culvert;*
  - c. *The northern end of Marlin Drive currently has a levee/berm to prevent the stormwater flows within the drain entering Marlin Drive and creating flooding and trafficability issues. The construction of the Marlin Drive extension and turnaround is to be graded and designed to achieve a similar barrier to protect Marlin Drive from external flows entering the street. Council will be guided by advice from the designer on the appropriate configuration for stormwater infrastructure and overland flow path from Marlin Drive.*

*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.*

*Acid Sulfate Soil Investigation*

8. *Undertake an Acid Sulfate Soil investigation in the area to be affected by this development. Soil sampling and analysis must be undertaken in accordance with procedures specified in 'Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland' (1998) or updated version of document produced by Department of Natural Resources and Mines (Previously DNRW – QASSIT), and State Planning Policy 2/02 – 'Planning and Managing Development involving Acid Sulfate Soils'.*

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*The results of this investigation must be submitted to Council for approval prior to any earthworks or clearing being commenced on the site.*

*Identification of soils with a pyrite content in excess of the action levels nominated in the latest version of 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 (updated Feb 2003), which must be prepared to the satisfaction of the Chief Executive Officer.*

#### *Drainage Study of Site*

9. *The design of the drainage infrastructure is to be generally in accordance with the drainage study for the site by DHI International. The applicant must certify that there are no adverse drainage impacts on upstream and downstream properties and/or identify the mitigation measures required to minimise such impacts.*

*The study must be endorsed as remaining current for this development or must be updated and approved by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.*

#### *Extent of Earthworks*

10. *The concept for excavation and earthworks as detailed on FCG Sketch 3969-SK05 and SK06 is generally approved subject to compliance with the on-site disposal and drainage conditions and subject to the following amendments:*
  - a. *The earthworks fill zones are to be continuous across the boundaries of lots to avoid localised low points between properties;*
  - b. *The rear of allotments are to be graded evenly in accordance with the concepts shown on FCG Sketch 3969-SK05 to ensure that they remain free draining throughout the property and through to the drainage reserve or Esplanade area.*
  - c. *The nominated fill level of 2.9m is to be increased to 4.04m AHD level unless otherwise approved by Council. Any reduction below 4.04m AHD must be supported by a further study, to the satisfaction of Council, to a lower level than 4.04 but no lower than 3.54m AHD. Any reduction below 4.04m AHD must utilise at least a 0.3 Sea Level Rise (SLR) and increase in intensity of cyclone action.*

*The final earthworks design is to be lodged with the application for a Development Permit for Operational Works. Such earthworks must be completed in accordance with the approved plans prior to the issue of a Compliance Certificate for the Plan of Survey.*

#### *Access to Hatchet or Battleaxe Lots*

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11. *Construct a concrete driveway or other approved surface to battleaxe Lots 15 and 16 extending the full length of the access leg from adjacent kerb and channel with a standard crossover in accordance with FNQROC Development Manual Standard Drawing. Construction of the concrete driveway must be in accordance with FNQROC Development Manual Standard Drawing.*

*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*

12. *Provide service conduits to Lots 15 and 16 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.*

*Building Envelope Plan*

13. *A building envelope plan for each of the lots must be lodged with Council prior to the issue of a Compliance Certificate for the Plan of Survey. The building envelope plan must comply with the following requirements:*

- a. *The building envelope must be pegged on site to the requirements and satisfaction of the Chief Executive Officer; and*
- b. *No building, structure, infrastructure or fill shall be sited or vehicle /pedestrian access provided through to the Esplanade within the conservation covenant area for lots 1 to 6 and 15 to 17 inclusive.*

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

*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.*

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*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.*

*Drainage Construction*

17. *The applicant / owner must undertake the development of the land in accordance with the findings of the Drainage Study dated 28 November 2013 prepared by DHI Water and Environment Pty Ltd as detailed by FCG Sketch 3969-SK05 and SK06 with a robust channel base lining to facilitate trafficability and maintenance to the satisfaction of the Chief Executive Officer.*

*Associated earthworks and landscaping must be completed in accordance with the approved plans prior to the issue of a Compliance Certificate for the Plan of Survey.*

*Lawful Point of Discharge*

18. *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 to the requirements and satisfaction of the Chief Executive Officer.*

*Plan of Drainage Works*

19. *The subject land must be drained to the satisfaction of the Chief Executive Officer generally in accordance with FCG sketch 3969-SK05 . In particular:*
- a. *Drainage infrastructure in accordance with the FNQROC Development Manual;*
  - b. *The drainage system from the development must incorporate a gross pollutant trap(s) or equivalent measure(s), meeting the following Council specifications for stormwater quality improvement devices (SQID), namely:*
    - i. *End-of-line stormwater quality improvement devices (SQID) shall be of a proprietary design and construction and shall carry manufacturer's performance guarantees as to removal of foreign matter from stormwater and structural adequacy of the unit.*
    - ii. *SQIDs shall remove at least ninety-five per cent of all foreign matter with a minimum dimension of three (3) mm and shall be configured to prevent re-injection of captured contaminants. The SQID treat all first flush runoff, which shall be defined as that volume of water equivalent to the runoff from the three (3) month ARI storm event. The location of SQIDs within the drainage system shall be planned to ensure that the first flush waters from all parts of the (developed) catchment are treated.*
    - iii. *The design of the SQID shall not compromise the hydraulic performance of the overall drainage system.*
    - iv. *SQIDs shall be positioned so as to provide appropriate access for maintenance equipment.*



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- c. *All new allotments shall have immunity from flooding associated with an ARI 100 year rainfall event; and*
- d. *Where practical, all new allotments must be drained to the road frontages, drainage easements or drainage reserves and discharged to the existing drainage system via storm water quality device(s). Note the drainage easement shown on FCG Sketch 3969-SK05 in the eastern side of Lots 2 to 6, 15 and 16 is not required.*

*Sediment and Erosion Control*

- 20. *A sediment and erosion control plan must be submitted prior the issue of a Development Permit for Operational Works. Such plans must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).*

*Existing Services*

- 21. *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*

- 22. *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*

- 23. *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.*

*Street Lighting*

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

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

*The design must provide the applicable illumination level specified in the Road Lighting Standard AS/NZS 1158 at the following road elements:*

- *Intersections*
- *Pedestrian Refuges*
- *Cul-de-sacs (Including the new turnaround at the northern end of Marlin Drive)*
- *LATM Devices (Including Roundabouts)*

*LATM Devices are to be shown on the civil layout design, the electrical services and street lighting design must be submitted in accordance with Ergon Energy's latest Distribution Design Drafting Standard.*

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

*Landscape Plan*

25. *Undertake landscaping of the conservation covenant areas for Lots 1 to 6 and 15 to 17 inclusive in accordance with FNQROC Development Manual and in accordance with a landscape plan. The landscape plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Work. In particular, the plan must show:*
- a. *The revegetation of the conservation covenant area including ground, lower, middle and upper storey canopy vegetation using species in accordance with the Planning Scheme Landscaping Policy;*
  - b. *The revegetation of cut and fill batters;*
  - c. *provision of suitable street trees; and*

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- d. *Inclusion of all requirements as detailed in other relevant conditions included in this Approval, with a copy of this Development Approval to be given to the applicant's Landscape Architect / Designer.*

*Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. Areas to be landscaped must be established prior to approval and dating of the Plan of Survey and must be maintained for the duration of the on-maintenance period to the satisfaction of the Chief Executive Officer.*

*Damage to Council Infrastructure*

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

*ADVICE*

1. *This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse two (2) 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. *In respect to Condition 17 Council's current preference is for the base and the toe of the batter to a flow depth of 200mm to be concrete to enable trafficability and maintenance.*
3. *All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.*
4. *This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.*

*Infrastructure Charges Notice*

5. *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 appeal in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.*

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*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.*

6. *For information relating to the Sustainable Planning Act 2009 log on to [www.dsdlp.qld.gov.au](http://www.dsdlp.qld.gov.au). To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).*

*Advice Statement for Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*

*You are advised that the EPBC Act applies to action that has, will have, or is likely to have, a significant impact on matters of national environmental significance.*

*Further information on the EPBC Act can be obtained from the Department of Sustainability, Environment, Water, Population and Communities' website [www.environment.gov.au/epbc](http://www.environment.gov.au/epbc) EPBC Act Policy Statement 1.1 Significant Impact Guidelines Matters of National Environmental Significance (Oct 2009).*

- B. *The following notation will be placed on Council's future rates record in respect of the new lots:*
1. *For each of the proposed Lots 1-6 and 15-17 inclusive:*
    - a. *There is a conservation covenant registered over part of the land, being a 6m setback from the eastern property boundary to the Esplanade. No building, structure or infrastructure may be developed in this covenanted area.*
    - b. *Access to the Esplanade from this lot is prohibited.*
  2. *For all lots:*
    - a. *The area of fill on the proposed lots must be setback 6m from all roads and Esplanade.*

**Carried** unanimously.

**5.2 OPERATIONS DEPARTMENT CAPITAL WORKS PROGRESS REPORT  
FOR PERIOD JANUARY – MARCH 2015**

Paul Hoyer: General Manager Operations

**Moved** Cr Melchert

**Seconded** Cr Carey

*"That Council receive and note the progress of the Capital Works Program for the 3rd Quarter of the 2014/2015 financial year."*

**Carried** unanimously.

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**5.3 QUARTERLY WATER AND WASTEWATER REPORT**

Wouter van der Merwe: Manager Water and Wastewater  
Paul Hoye: General Manager Operations

**Moved** Cr Melchert

**Seconded** Cr Carey

*"That Council receive and note the Quarterly Report of the Water and Wastewater branch for the period ending 31 March, 2015."*

**Carried** unanimously.

**5.4 OPERATIONAL PLAN 2014-2015 FOR THE PERIOD JANUARY TO MARCH 2015**

Rebecca Assman: Manager Governance #451704  
Darryl Crees: General Manager Corporate Services

**Moved** Cr Carey

**Seconded** Cr Noli

*"That Council notes the progress of the implementation of the Operational Plan 2014-2015."*

**ATTENDANCE – EXECUTIVE OFFICER**

The Executive Officer attended the meeting at 10.26 am.

**Carried** unanimously.

**5.5 WORKPLACE HEALTH AND SAFETY POLICY**

Rebecca Assman: Manager Governance #451741  
Darryl Crees: General Manager Corporate Services

**Moved** Cr Carey

**Seconded** Cr Clarke

*"That Council adopt the amended Workplace Health and Safety Policy."*

**Carried** unanimously.

**5.6 DATE, TIME AND PLACE OF COUNCIL MEETINGS FOR 2015/16 FINANCIAL YEAR**

Rebecca Assman; Manager Governance #448652  
Darryl Crees: General Manager Corporate Services

**Moved** Cr Noli

**Seconded** Cr Carey

*"That the Ordinary Meetings of Council be held commencing 10:00am at Council's Administration Office 64-66 Front Street Mossman on the following dates for the 2015/16 financial year leading up to the next Quadrennial Local Government elections:*

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<u>Day</u>	<u>Date</u>
Tuesday	7 July 2015
Tuesday	28 July 2015
Tuesday	18 August 2015
Tuesday	8 September 2015
Tuesday	29 September 2015
Tuesday	13 October 2015
Tuesday	3 November 2015
Tuesday	24 November 2015
Tuesday	15 December 2015
Tuesday	19 January 2016
Tuesday	2 February 2016
Tuesday	23 February 2016
Tuesday	15 March 2016."

**Carried** unanimously.

**5.7 FINANCIAL REPORT FOR PERIOD ENDING 31 MARCH 2015**

Darryl Crees – General Manager Corporate Services

**Moved** Cr Carey

**Seconded** Cr Clarke

*"That Council notes the Financial Report for the period ending 31 March 2015."*

**Carried** unanimously.

**5.8 DAINTREE TOILET FACILITIES**

Linda Cardew: Chief Executive Officer

**Moved** Cr Carey

**Seconded** Cr Noli

*"That Council resolves to advocate on behalf of the community for adequate and well-maintained public toilets in the National Park north of the River."*

**Moved** Cr Melchert

**Seconded** Cr Clarke

*"The motion be amended to include that Council urgently facilitate discussions with the relevant Minister and the Regional Director of the National Park & Wildlife Service to maintain public toilets and infrastructure in the National Park north of the River."*

**For:-** Crs Melchert, Clarke

**Against:-** Crs Leu, Noli, Carey.

**Lost.**

The original motion was put to the vote:-

**Moved** Cr Carey

**Seconded** Cr Noli

*"That Council resolves to advocate on behalf of the community for adequate and well-maintained public toilets in the National Park north of the River."*

**Carried** unanimously.

**6. NOTICES OF MOTION**

Nil.

**7. URGENT BUSINESS**

Nil

**8. CLOSED SESSION**

Moved Cr Carey

Seconded Cr Melchert

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

- 8.1 – Contractual Matter S275(1)(E) Local Government Regulation 2012 – Invitation for Applications to Lease Shop at Mossman Shire Hall Building – Part of Lot 2 on RP706269, 2-8 Mill Street, Mossman;
- 8.2 – Contractual Matter S275(1)(E) Local Government Regulation 2012 – Contract for the Mowbray Road Causeway Upgrade;
- 8.3 – Contractual Matter S275(1)(E) Local Government Regulation 2012 – Dredging of Alluvial Material for the Daintree River Ferry Crossing."

Carried unanimously.

**OUT OF CLOSED SESSION**

Moved Cr Noli

Seconded Cr Carey

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

Carried unanimously.

**8.1 CONTRACTUAL MATTER S275(1) (E) LOCAL GOVERNMENT  
REGULATION 2012 - INVITATION FOR APPLICATIONS TO LEASE  
SHOP AT MOSSMAN SHIRE HALL BUILDING - PART OF LOT 2 ON  
RP706269, 2-8 MILL STREET MOSSMAN**

Graham Busby: Property Officer #448752  
Darryl Crees: General Manager Corporate Services

Moved Cr Noli

Seconded Cr Carey

*"That Council:*

- 1. Engage Ray White Real Estate of Port Douglas, to manage the letting and lease arrangements over the area described as part of Lot 2 on RP706269, (area shown shaded on attachment 2) being shop premises located at the corner of Mill Street and Junction Road Mossman. This approval will be conditional upon:*
  - the establishment of a commercial lease with the prospective tenant introduced by Ray White Real Estate for a term of 3 years with two three year options;*
  - tenant to pay all usual commercial outgoings including but not limited to insurance, rates, water consumption etc;*
  - monthly reporting of rental payments and associated financial transactions;*
  - confirmation that reasonable financial reference checks have been undertaken and the results of these checks advised prior to lease being executed; and*
- 2. Delegate authority to the Mayor and Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to finalise all matters associated with the lease of the above property."*

Carried unanimously.

**8.2 CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT  
REGULATION 2012 - CONTRACT FOR THE MOWBRAY ROAD  
CAUSEWAY UPGRADE**

Michael Kriedemann: Manager Infrastructure  
Paul Hoye: General Manager Operations

Moved Cr Melchert

Seconded Cr Clarke

*"That Council:*

- 1. Enter into contract DSC12-14/15 Mowbray Road Causeway Upgrade at Spring Creek with Kenmac Constructions Pty Ltd; and*
- 2. Delegates authority to the Mayor and Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with the contract."*

Carried unanimously.



**8.3 CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT  
REGULATION 2012 - DREDGING OF ALLUVIAL MATERIAL FOR THE  
DAINTREE RIVER FERRY CROSSING**

Paul Hoye: General Manager Operations

Moved Cr Carey

Seconded Cr Noli

"That Council:

1. *Approve the engagement of Sirron Enterprises (Qld) Pty Ltd as a sole supplier under Council's Preferred Supplier Arrangements to carry out removal of alluvial sand material from the Daintree Ferry Crossing channel as per section 235 (a) of the Local Government Regulation 2012 for the period from April 1, 2015 to June 30, 2016; and*
2. *Delegate authority to the Mayor and Chief Executive Officer in accordance with Section 257 of the Local Government Act 2009 to negotiate and finalise any and all matters associated with the contract."*

Carried unanimously.

**CLOSURE OF MEETING**

The meeting closed at 11.40 am.

**CONFIRMED THIS 5<sup>TH</sup> DAY OF MAY 2015**

  
.....  
MAYOR/CHAIR

