

An **ORDINARY MEETING** of the Douglas Shire Council will be held on **TUESDAY 11 MARCH 2014** at **10.00a.m.** at the Council Chambers, 64-66 Front Street, Mossman, and the attendance of each Councillor is requested.

AGENDA

‘ACKNOWLEDGEMENT OF COUNTRY’

‘I would like to acknowledge the Kuku Yalanji people who are the Traditional Custodians of the Land. I would also like to pay respect to their Elders both past and present and extend that respect to other Indigenous Australians who are present’.

1. Attendance & Apologies.
2. Conflict of Interest/Material Personal Interest.
3. Mayoral Minutes.
4. Confirmation of Minutes of the Ordinary Council Meeting held on 18 February 2014.
5. Agenda Items as Listed.
6. General Business.

NEXT MEETING – 1 APRIL 2014



Jeff Tate

ACTING CHIEF EXECUTIVE OFFICER

DOUGLAS SHIRE COUNCIL

ORDINARY MEETING

TUESDAY 11 MARCH 2014

10.00 A.M.

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CHANGE OF MEETING DATE FOR ORDINARY COUNCIL MEETING CURRENTLY SCHEDULED FOR 22 APRIL 2014

Darryl Crees – General Manager Corporate Services #417072

RECOMMENDATION:

That Council resolve to move the Ordinary Meeting scheduled for Tuesday 22 April 2014 to Tuesday 29 April 2014.

EXECUTIVE SUMMARY:

Council previously determined by resolution the dates, time and place for its Ordinary Council meetings. Due to the impacts of public holidays restricting time frames for agenda preparation, it is considered appropriate to amend the second meeting scheduled in April 2014 by one week to 29 April 2014.

BACKGROUND:

At its meeting held on 2 January 2014, Council adopted the meeting dates for the period up to 30 June 2014. When determining the dates for Council meetings it was overlooked that the meeting scheduled for 22 April 2014 fell on the first working day after the Easter long weekend. These public holidays impact on the time constraints to produce the meeting agenda and by rescheduling to 29 April 2014 provides additional time for effective agenda preparation.

PROPOSAL:

To re-schedule the meeting for Tuesday 22 April 2014 to Tuesday 29 April 2014.

FINANCIAL/RESOURCE IMPLICATIONS:

Adopting the change of meeting date will incur some minor expenditure in advertising the change of meeting date, which will be absorbed within the budgeted advertising allocation.

RISK MANAGEMENT IMPLICATIONS:

Council will still remain legislative compliant regarding local government meetings with this change of meeting date.

ORDINARY COUNCIL MEETING	2
11 MARCH 2014	

NOMINATION FOR THE CASUAL VACANCY – LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND EXECUTIVE REPRESENTATIVE DISTRICT NO 10 (FAR NORTH)

Darryl Crees – General Manager Corporate Services #417110...

RECOMMENDATION:

That Council decide whether to nominate an elected member for election to the casual vacancy of the Local Government Association of Queensland Executive Representative for District No 10 (Far North).

EXECUTIVE SUMMARY:

A vacancy now exists in the Local Government Association of Queensland (LGAQ) Policy Executive and should Council decide to, it may nominate an eligible candidate for election to this role.

BACKGROUND:

With the resignation of Cr Bob Manning, Cairns Regional Council, from the LGAQ Policy Executive, the Association is calling for nominations from Councils situated in District No 10 (Far North) for election to this vacancy. The attachment to this report provides additional information.

Nominations close at 5pm on Friday 14 March 2014 and original documentation must be received by the LGAQ Chief Executive Officer by that time. Ballot papers (if necessary) will be sent immediately upon the close of nominations.

PROPOSAL:

Council is entitled to nominate a candidate for election from amongst elected members of the councils within their District. This report provides Council with the opportunity to nominate an eligible candidate should it decide to do so.

FINANCIAL/RESOURCE IMPLICATIONS:

Election of a Councillor to the LGAQ Policy Executive should be cost neutral to the relevant council as the Association covers all meeting fees, reimbursements and appropriate insurance.

ATTACHMENTS:

Correspondence received from LGAQ

ATTACHMENT 1:

17 February 2014

DISTRICT NO.10

THE CHIEF EXECUTIVE OFFICER
DISTRICT 10 (FAR NORTH)

**CASUAL VACANCY - ELECTION OF ASSOCIATION'S POLICY EXECUTIVE REPRESENTATIVE
 FOR DISTRICT NO.10 (FAR NORTH)**

In accordance with Rule 5.4 (1)(h) of the Association's Constitution and Rules, nominations are hereby called for the Casual Vacancy – Election of Association's Executive Representative for District No. 10 (Aboriginal and Island Councils) for the balance of period 20th 4-2016.

The Far North councils which are current financial members of the Association are entitled to nominate candidates for election from amongst elected members of the councils within their District.

- Attachment 1: The council's within District 10 (Far North).
 The votes exercised by each council.
- Attachment 2: Policy Executive Members Information Schedule.
 - Meeting obligations
 - Fees, reimbursements and insurance.
- Attachment 3: Nomination Form for your District.

PLEASE NOTE:

- Nominations close at 5pm on Friday 14 March 2014, and must be actually received by the Chief Executive Officer by that time.
- A Ballot Paper (if necessary) will be sent to you immediately upon the close of nominations.

If you have any queries, please do not hesitate to call me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg Hallam', is written over a circular stamp.

Greg Hallam PSM
 CHIEF EXECUTIVE OFFICER

gh:bb

encl.

DOUGLAS SHIRE COUNCIL	
Received	
File Name: LGAQ	
Document No.	
21 FEB 2014	
Attention:	Executive
Information:	

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Local Government Association Of Queensland Ltd.
 ABN 11 010 360 282 ACN 112 783 917

ORDINARY COUNCIL MEETING	3
11 MARCH 2014	

PROPOSED AMENDMENT TO MOSSMAN GORGE ROAD USE AGREEMENT

Graham Busby: Property Officer; #416921

Darryl Crees: General Manager Corporate Services

RECOMMENDATION:

That Council:

- 1. gives approval to the Indigenous Land Corporation ("ILC") to amend the Mossman Gorge Road Use Agreement to:**

- **increase the fee for the shuttle service from \$6.00 per adult and \$3.00 per child, to \$8.50 and \$4.25 respectively;**
- **remove the requirement for the ILC to seek endorsement from Council, when determining future increases in fees for the shuttle service;**

subject to such amendments being made at no cost to Council, including the reimbursement of any legal fees Council may incur.

- 2. delegates authority to the Chief Executive Officer in accordance with Section 257 of the *Local Government Act 2009* to determine and finalise any and all matters associated with the subject Road Use Agreement.**

EXECUTIVE SUMMARY:

In order to enable the Indigenous Land Corporation ("ILC") to determine current and future increases in fees for the shuttle service ("bus") at the Mossman Gorge, without having to first gain endorsement from Council, it is proposed to give approval to ILC to amend the relevant Road Use Agreement accordingly.

BACKGROUND:

At the Ordinary Council meeting on 22 April 2009, Cairns Regional Council adopted the following resolution:

- 19. PROPOSED ROAD CLOSURE, PART OF MOSSMAN GORGE ROAD,
MOSSMAN – DIV 10.....220
L Kirchner:9/3/3-79: #1983369**

LEU / LESINA

That Council advise the Indigenous Land Corporation (ILC) that it in principle supports the temporary closure, commencing at the boundary of the National Park (L20NPW695) back to the current Gorge car park , subject but not limited to the following:

- 1. Public consultation*

- *That ILC provide Council with a fully costed business plan (including implementation timeframes) to inform the public consultation process*
 - *Council undertake a detailed public consultation and that the cost that Council incurs in undertaking the public consultation be met by ILC.*
 - *The outcomes of the consultation shall be subject to further consideration by Council and may require Council to alter its position or impose other conditions.*
2. *Dependant on one above, Council will pursuant to the Local Government Act, then give consideration to, on behalf of ILC, undertaking the road closure, provided that:*
- (a) A legal agreement being entered into between Council and ILC which will require amongst other things:*
- *ILC obtaining any and all necessary permits / approvals prior to road closure works commencing.*
 - *Council and ILC negotiating responsibility for the ongoing capital, operational and maintenance costs associated with the closed road, such as changes to road signs, installation of gates or bollards and the like, as well as any other physical changes identified by Council as being necessary.*
 - *Council shall require that access for emergency services and Council vehicles will be maintained*
 - *Arrangements shall be established to allow for continued access to the gorge for people with an authorised disability parking permit*

Furthermore, the Mayor and Chief Executive Officer being granted delegated authority pursuant to section 472 of the Local Government Act 1993, to negotiate any and all matters associated with this proposal.

carried

With regard to item 1 of the resolution, consultation regarding the restricted access was undertaken and the results of this process were provided to Cairns Regional Council at its Ordinary meeting on 25 November 2009. The outcomes of the consultation were taken into consideration when determining a Road Use Agreement for this area, through which a shuttle bus was introduced to carry visitors along the temporary closed section of road connecting the Mossman Gorge Carpark and the Mossman Gorge Visitor Centre.

PROPOSAL:

Contained within the terms of this Road Use Agreement, there is a clause which allows for an annual increase in the shuttle bus fee by CPI or 4%, whichever is the greater. Any increase above this amount requires ILC to seek endorsement from Council, with such endorsement not being unreasonably withheld. Since this Agreement commenced in 2012, ILC have raised this fee once already by an amount which required them to seek Council endorsement and they are now seeking a further increase which would again require Council endorsement.

Currently the shuttle bus fee is \$6.00 per adult and \$3.00 per child. ILC, in conjunction with the Mossman Gorge Centre (trading name of the tourism assets of ILC and a 100% owned subsidiary) have now sought to increase these fees to \$8.50 and \$4.25 respectively and have also requested Council to amend the Road Use Agreement to enable them to make future increases without Council approval. Residents of the local Douglas Shire Council will continue to have free access through the Centre, which means any increase in the shuttle bus fee will only apply to visitors from outside of Council's jurisdiction.

In order to reduce the administrative burden which is placed upon ILC having to seek Council endorsement for any increase which is greater than CPI or 4%, it is recommended that Council agree to amend the Mossman Gorge Road Use Agreement, in order to remove this current requirement.

Allowing ILC to determine future shuttle bus fees without the need for Council approval, would allow market forces to dictate what visitors to the Mossman Gorge are charged for this service.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE:

Council's resolution of the 22 April 2009 established an in principle policy position to support the ongoing temporary closure of the section of Gorge Road between the Mossman Gorge carpark and the Mossman Gorge Visitor Centre, subject to the relevant Road Use Agreement.

FINANCIAL/RESOURCE IMPLICATIONS:

Council does not receive any income from ILC, in respect to the monies collected from shuttle bus fees.

ATTACHMENTS:

Letter from Mossman Gorge Centre dated 3/2/2014



3rd February 2014

Jeff Tate
Acting CEO
Douglas Shire Council

via email – enquiries@douglas.qld.gov.au

cc Julia Leu - julia.leu@douglas.qld.gov.au

Shuttle Pass Entry Fees

Commercial in Confidence

Dear Jeff Tate

The Mossman Gorge Centre operates under a Road Closure Permit that was issued by the Cairns Regional Council. With the recent de-amalgamation we are informed this agreement now sits with the newly formed Douglas Shire Council. As a part of the Council Road Closure agreement the Mossman Gorge Centre is due to raise the shuttle pass entry into Mossman Gorge from the 1st March 2014. The Agreement allows for an annual increase of 4% or CPI whichever is greater. An increase beyond this amount requires the endorsement of Council.

The Centre opened to the public on the 20th June 2012 and has since operated for 19 months. During this time the visitor numbers for the Centre has fallen well short of initial projections which have resulted in a significant shortfall of revenue. In order for the business to achieve sustainability and deliver on the employment outcomes it's necessary for us to review the shuttle bus price for 2014 beyond the standard 4% increase.

Since opening the Mossman Gorge Centre has delivered on the employment target of 60 Indigenous representing 90% of our employees. This has numerous flow on benefits to the local economy with just under \$3 million of salaries & wages going into local hands per annum. Additionally the Centre is supporting local artists and other suppliers by purchasing products for sale in the retail outlet and art gallery at the Centre. Total annual operating expenditure of the centre exceeds \$4 million which is contributing significantly to the local economy.

The Centre continues to provide a sustainable solution to the entry to the Mossman Gorge. We have controlled over 450,000 visitors to the Gorge since opening and resolved the congestion issues within the Gorge. We have achieved this with outstanding guest feedback with over 95% of guest rating their experience as either high or outstanding. The business has been warmly received by the public since opening.

We ask that the clause pertaining to annual increases be removed from the road closure agreement allowing the Centre to price itself according to market forces and operating expenses. Residents of the local Douglas Shire Council will remain having free access through the Centre which means any increases in shuttle bus fees will be for visitors outside of the Council's jurisdiction. This is an important step to assist putting the Centre on a sustainable financial footing and avoiding job losses which would otherwise be necessary.

We are cognisant the approval process for this change may extend beyond the 1st March where our next increase is due. In the meantime we would like the Council's support in moving our fee from the current \$6.00 per adult to \$8.50 per adult. This will see children move to \$4.25.

Voyages Indigenous Tourism Australia, with the support of its parent company the Indigenous Land Corporation, is willing to take a long term view of the viability of the business and continue to invest in the Centre. We are however unable to sustain the current level of operating losses and would advocate the ability to price itself according to operating expenses is a fundamental mechanism for any business to succeed.

We would appreciate your prompt consideration so that we can communicate effectively to our partners the proposed price increases for 2014 and beyond.

Kind regards

(not signed due to electronic transmission)

Greg Erwin
General Manager

ORDINARY COUNCIL MEETING	4
11 MARCH 2014	

PROPOSED TRUSTEE LEASE TO PORT DOUGLAS OUTRIGGER CANOE CLUB OVER PART OF LOT 110 ON SR606, SOLANDER AVENUE, PORT DOUGLAS FOR THE PURPOSE OF SPORT AND RECREATION

Graham Busby: Property Officer; #416557

Darryl Crees: General Manager Corporate Services

RECOMMENDATION:

That Council:

1. gives in principle approval for the issue of a trustee lease to Port Douglas Outrigger Canoe Club Incorporated (Lessee) over an area of about 1600 m² of lot 110 on SR606, Solander Avenue, Port Douglas, for the purpose of boat storage, a clubhouse and related community use, subject but not limited to the following terms and conditions:
 - “in-principle” approval being obtained from the Minister of Natural Resources and Mines;
 - for a term of ten (10) years to commence on a date yet to be agreed;
 - rent for the first year of the term to be \$139.96 (including GST) and subject to annual review in accordance with the Brisbane All Groups Consumer Price Index (CPI);
 - lessee to be responsible for all reasonable costs associated with the preparation, execution and registration of the lease;
 - the terms and conditions in Council’s Standard Terms Document for Trustee Leases registered under dealing number 713488911;
 - in accordance with Council’s general policy ‘Managing Tenure over Council Owned or Controlled Property’;
2. delegates authority to the Chief Executive Officer in accordance with Section 257 of the *Local Government Act 2009* to determine and finalise any and all matters associated with the lease, including the provision of an interim Trustee Permit to the Lessee.

EXECUTIVE SUMMARY:

In order to provide a safer boat launch site, it is proposed to give in principle approval to issue a trustee lease to Port Douglas Outrigger Canoe Club Incorporated, subject but not limited to Council's Standard Terms and Conditions for Trustee Leases.

BACKGROUND:

The Port Douglas Outrigger Canoe Club currently holds a lease over Reserve land, which is situated adjacent to the Yacht Club off Wharf Street at Port Douglas. This lease is for a term of twenty (20) years and is due to expire on 30 May 2022.

Due to the safety concerns of its club members, brought about by the increasingly large number of crocodiles now situated in Dickson Inlet and with the volume of traffic coming in and out of the Yacht Club while trying to move their boats to the nearby launch ramp, the Club is now seeking an alternative site to lease. Once a site can be secured, the Club intends to surrender its current lease and move existing infrastructure from the old site to the new site.

PROPOSAL:

Council Officers have considered several locations in the Four Mile Beach region, for the permanent relocation of the club.

Of the areas considered, ideally the most viable option would be to relocate the club onto a part of the same Reserve land which currently accommodates the Port Douglas Sailing Club site at Solander Avenue, Port Douglas. It is confirmed that the Sailing Club is agreeable for the Outrigger Canoe Club to gain access across their leased area, in order to utilise the public beach access when launching their boats. Placement of the Port Douglas Outrigger Canoe Club adjacent to the Port Douglas Sailing Club, would result in the establishment of a central hub for similar type recreational activities, while at the same time ensure that those issues previously identified with boat launch safety have now been adequately addressed.

While the new lease is under consideration by the Department of Natural Resources and Mines (DNRM), it is proposed to offer security of tenure to the Port Douglas Outrigger Canoe Club by way of a twelve (12) month Trustee Permit. Depending upon how long it takes to receive Ministerial approval for this new lease, further Trustee Permits may need to be issued by Council.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE:

This report complies with Council's general policy 'Managing Tenure over Council Owned and Controlled Property.

FINANCIAL/RESOURCE IMPLICATIONS:

Loss of lease rental income (\$139.96) to Council from the surrendered lease would be compensated by way of a similar amount of rent for the proposed new site.

RISK MANAGEMENT IMPLICATIONS:

The proposed lease aims to assist the Port Douglas Outrigger Canoe Club to secure a safer site to launch its boats.

INTERNAL/EXTERNAL CONSULTATION:

In order to progress the proposed new Trustee Lease with DNRM, Council Officers will need to prepare a Land Management Plan for the use of this Reserve land. This Land Management Plan will be advertised for public consultation.

ATTACHMENTS:

Attachment 1 – Letter from Port Douglas Outrigger Canoe Club dated 19/2/2014 - #417001

Attachment 2 – Aerial photograph of proposed lease area - #416996

Attachment 1



Port Douglas Outrigger Canoe Club Inc.

P.O. Box 42, Port Douglas, Qld, 4877

ABN: 779 721 31640

ATTEN: Darryl Crees
General Manager of Corporate Services
DOUGLAS SHIRE COUNCIL
FRONT STREET
MOSSMAN QLD 4873

darryl.crees@douglas.qld.gov.au

19th Feb 2014

RE: PROPOSAL TO MOVE OUR CLUB TO COUNCIL FORESHORE LAND WITH BEACH ACCESS

Dear Darryl,

My name is Danielle Bellerio and I am the Secretary for the Port Douglas Outrigger Canoe Club.

I have spoken informally to Councilor Abigail Noli a few weeks ago regarding this proposal. She then spoke informally to the Mayor and the other Councilors at a Council session - all were very responsive to our proposal and are happy for us to proceed.

Therefore, on behalf of the Port Douglas Outrigger Canoe Club, we would like to formally put in a proposal to forgo our current lease we have with the Council at the entrance to the Yacht Club (we have 10 years left on a 20 year lease) and ask for at least a 10 - 20 year lease on free Council land with beachfront access.

The main reason for our club wanting to relocate is for our Safety!!
Currently we have to launch all our craft at the Yacht Club ramp where we have the constant battle of launching in croc infested waters. They are becoming more and more frequent up and down the inlet where we launch. At present we have to currently paddle 1 km up the inlet to get to the mouth of the inlet to where we start paddling in the open water.

We also have safety issues when we push our canoes to/from our clubhouse to the ramp. There are a lot of cars coming in and out of the yacht Club all the time and as our canoes are 15 meters long, they cause a hazard to vehicle traffic, especially on our Wednesday club nights as it is the Yacht Club's sailing night so very busy!!

Our other main concern is for our club's growth as in the past years, we have had quite a few locals who come up to us and tell us that they would love to join our club but they will not do so because of where we launch our canoes - they will not go near the inlet because of the crocs! This has been a very frustrating problem indeed for our sport's growth in our Shire.

Ideally, we would like to move to the left of the existing Sailing Club at Solander Boulevard.

The second choice would be the Council land at Four Mile (where the old Four Mile Caravan Park used to be.

Our third choice would be next to the Surf Club.

If any of these options are not available, we would be happy with anything the Council proposes to us as long as we can get beach access!

At present on our current premises, we have been allowed to erect a storeroom, toilet and shower room, as well as a concrete slab approx 15m x 15m which sits under a shade sail to house our canoes.

What we would like to do if we are granted a new lease would be:

1. Lay a slab down approx 10 x 10m.
2. Move our shade sail and storage shed to our new site .
3. Get permission to erect a fence around the area so all our equipment can be locked inside for security reasons.
4. As there are already council toilets at all three locations, we would not need to build a separate toilet at our clubhouse.

We are not after any funding from the Council, just the land as our club will raise the money for the new slab and fence etc...

Thank you in advance for allowing us to put forward our proposal.

Regards
Danielle Bellerio
Secretary

Port

Douglas

Outrigger

Canoe

Club

Attachment 2



ORDINARY COUNCIL MEETING	5
11 MARCH 2014	

DOUGLAS SHIRE COUNCIL – COMMUNITY ENGAGEMENT POLICY

Brendan Leishman, Community and Economic Development Officer: (416917)
 Kerrie Hawkes, Executive Officer/ /Strategy and Policy Co-ordinator:

RECOMMENDATION:

That Council:

1. adopt the Community Engagement Framework;
2. adopt the Our approach to Community Engagement document;
3. adopt the Community Engagement guide and tools;
4. adopt the Community Engagement General Policy; and
5. and delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any minor amendments in relation to the Community Engagement Policy and associated community engagement documents.

EXECUTIVE SUMMARY:

The *Local Government Act 2009* introduced measures for councils undertaking and reporting on community engagement activities in local government. The Act requires local governments to uphold the principles of 'democratic representation, social inclusion and meaningful community engagement'.

The IAP2 is the Standard set by the International Association for Public Participation which is proposed to be used by Council to help implement the policy and guiding framework.

BACKGROUND:

Community engagement for all Councils is a cornerstone of good governance. It is critical to effective planning and the delivery of infrastructure and services that meet the communities' needs and expectations.

There is also an increasing public expectation that all levels of government are transparent and accountable in the way they do business. Citizens are seeking more direct ways to get involved in public life and decision making, particularly concerning issues that will have an impact on their lives.

Community engagement is regarded by the *Organisation for Economic Cooperation and Development (OECD)* as any combination of interaction between government and its citizens, ranging from 'informing', 'consultation' to 'active participation'.

The *International Association for Public Participation* (IAP2) takes the *OECD* model further into the realms of community 'empowerment' where final decision-making is placed in the hands of the public and government will implement those decisions.

Although the *IAP2 Spectrum for Public Participation* is proposed for Council's community engagement framework, within the context of Local Government the highest level of 'Empower' rarely will be achievable or appropriate. Elected representatives, the Mayor and Councillors for the community, take the responsibility for making the final decisions on Council projects or issues based on the active participation and meaningful input from the general public.

PROPOSAL:

The attached draft Community Engagement framework, principles, guidelines and tools underpin and provide a comprehensive implementation strategy for a Community Engagement policy. The framework and supporting documentation has been developed to reflect the high level of importance Douglas Shire Council places on engaging with the community.

This policy and framework will underscore Council's philosophy, methods and actions which it will take to achieve the outcomes of high level community engagement; the ongoing policy, framework and methodologies will be entrenched into the corporate fabric of Council.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE:

Local Government Act 2009
Local Government Regulation 2012
Corporate Plan/ Strategic Direction

FINANCIAL/RESOURCE IMPLICATIONS:

The development and adoption of this policy and framework does not incur any financial risk.

Any significant future projects and initiatives deemed to be of a high impact and of major interest to Douglas residents and communities may require allocated personnel, consultants and budgetary resources to implement an appropriate and comprehensive Community Engagement Plan.

Ongoing and future engagement activities through coordinated media, newsletters and online services are currently/ or will be budgeted as part of Council general operations.

RISK MANAGEMENT IMPLICATIONS:

There is risk in not having a systematic, principled and strategic approach to community engagement which is based on best practice models. The failure to not have a clearly articulated approach could be perceived by the communities of the Douglas area, and Council employees generally that there is a lack of integrity, commitment and transparency to communication and consultation processes by Council.

SUSTAINABILITY IMPLICATIONS:

Local Government community engagement is fundamental to economic, environmental and social sustainability. Whatever an issue or project may be, if it is assessed to impact Douglas residents then engagement activities will be required. Informed communities have a greater understanding of the issues; communities who actively participate in consultative processes feel heard and because of their involvement in informing the decision making process contributes to making the outcomes more sustainable.

True sustainability encourages the responsible use of resources. This involves not only making sure that the business community are prospering, but that their and Council's operations do not create environmental concerns that could cause harm to the balance of the local environment; and cause alarm of the local communities. Council by being mindful of the impact of its operations on local communities and businesses will use community engagement as a strategy to complement different levels of sustainability.

INTERNAL/EXTERNAL CONSULTATION:

- Organisation for Economic Cooperation and Development (OECD)
- International Association for Public Participation (IAP2)
- Australian Government Information Management Office
- Local Government Association of Queensland
- Management Team – Douglas Shire Council
- Councillors Workshop – 26 February 2014

ATTACHMENTS:

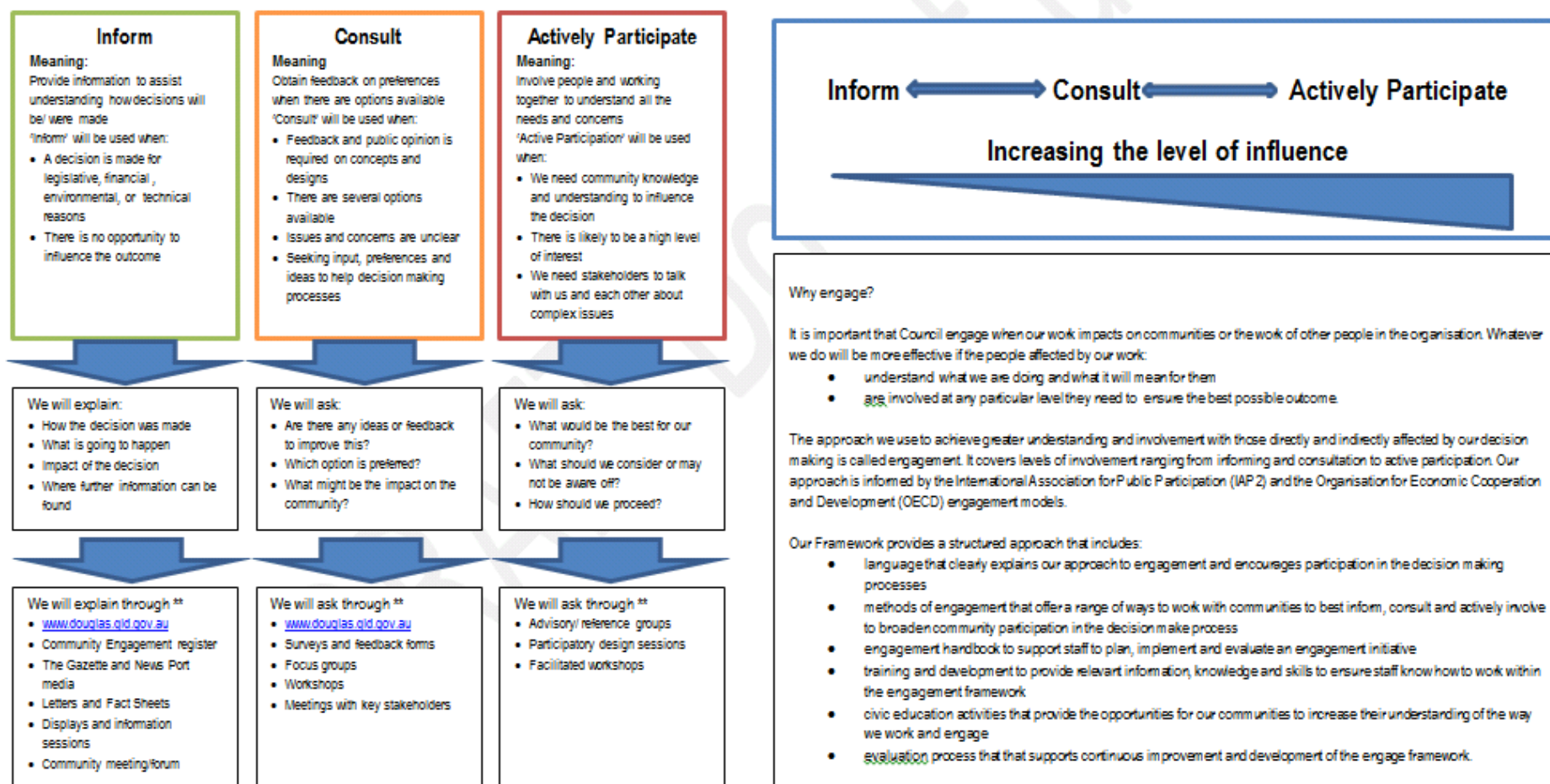
Attachment 1: Community Engagement Framework
 Attachment 2: Our approach to Community Engagement
 Attachment 3: Community Engagement Guide and Tools
 Attachment 4: General Policy – Community Engagement

ATTACHMENT 1



Community Engagement Framework

We are committed to ensuring that our communities are provided with objective, clear and concise information; and are provided with opportunities and supportive environments to be involved in decision making processes that affect them.



***The techniques listed are examples only and do not represent a comprehensive list of methods to be used in all Council engagement activities.*

ATTACHMENT 2



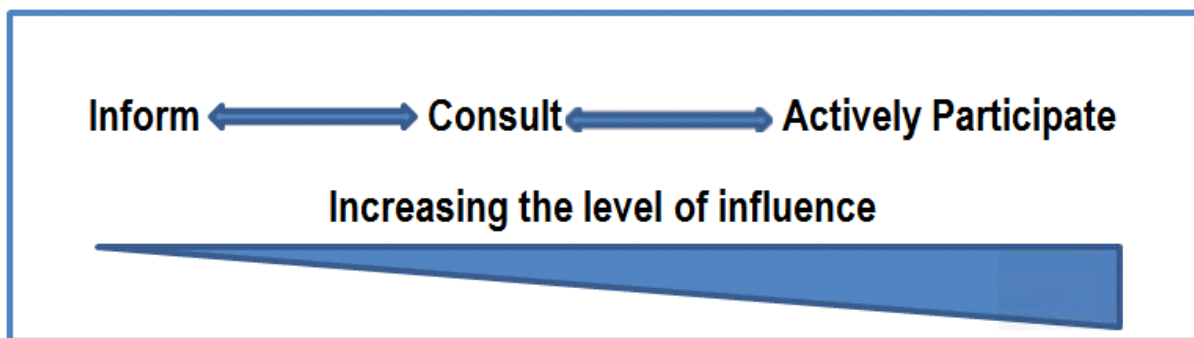
**Our approach to
Community Engagement.**

Our approach.....

The new Douglas Shire Council has a goal to develop and implement policies and processes that are progressive, strategic, best practice and meet the needs of all stakeholders, especially for the communities of our region.

Our engagement framework provides us with a consistent approach when Council is making decisions. It assists us when deciding how to engage people from our communities, other external stakeholders and within our own organisation. We can best consider the complexity of the issue, the potential impact on our communities and stakeholders and have a greater understanding of their respective opinions, preferences and expectations.

Our approach to community engagement can be described as a selection of activities ranging in categories from 'informing' to 'consulting' to having communities 'actively participate' in initiatives which contribute to decision making processes. The people of the Douglas Shire who live, work, play, use services and do business within the region have expertise and local knowledge that should be utilised to inform and influence Council decisions that impact their communities.



As we work together to build strong, vibrant and inclusive communities we are guided by the principles of the International Association for Public Participation (IAP2) and the Organisation for Economic Cooperation and Development (OECD). An integral part of governance in Queensland local government relates to meaningful community engagement. Council is required by *The Local Government Act 2009* to perform in accordance with the local government principles that include:

- transparent and effective processes, and decision-making in the public interest; and
- sustainable development and management of assets and infrastructure, and delivery of effective services; and
- democratic representation, social inclusion and meaningful community engagement; and
- good governance of, and by, local government; and
- ethical and legal behaviour of councillors and local government employees.

WHAT IS COMMUNITY ENGAGEMENT?

Activities can range from information sharing/ notification, informal discussions, interaction with internal and external stakeholders, general discussions, public forums or meetings and formal consultation processes. Including, Council working with and supporting community members to be proactive in taking action on issues. Communities are unique and diverse, with issues and priorities that may differ considerably, changes and evolve over time; and may have numerous and opposing opinions. Community engagement activities need to accommodate and consider the diversity and dynamics of the communities of our region and assist different target groups to understand, engage and consider issues constructively; and manage conflicting interests.

WHY IS COMMUNITY ENGAGEMENT IMPORTANT?

Benefits for communities

- Hearing other opinions
- Helping Council understand complex issues
- Learning from each other and working together
- Strengthening community networks
- Building information and skills
- Value ideas/opinions
- Achieving sustainable outcomes

Benefits for Council

- Understanding of community needs and aspirations
- Increasing awareness/understanding of issues
- Identifying challenges/opportunities/solutions not previously considered
- Seeking public feedback for options
- Developing consensus/trust
- Gaining a better understanding of local knowledge/opinion of what will/won't work

PRINCIPLES OF COMMUNITY ENGAGEMENT

Council's process of community engagement is underpinned by the following principles:

Purpose

A clear purpose and reason why the engagement is occurring.

Timeliness

A clear period of time an engagement process is expected to last and when feedback will be provided.

Commitment

Establish and maintain credibility and accountability by demonstrating dedication to the community engagement process.

Inclusive

Undertake a range of opportunities and techniques to encourage participation and increase awareness and understanding of all people who may be affected by or interested in the outcome.

Accessibility

Ensure all members of the community are able to access and participate in the community engagement process. Present information 'online' and in appropriate formats that can be understood by all sectors of the community.

Integrity

Be transparent, accountable and not tokenistic.

Respect

Maintain and encourage mutual respect for the needs, aspirations and opinions of all within the communities of our region.

Respect for Country

Council has a commitment to acknowledge the unique position of Aboriginal and Torres Strait Islander peoples as the 'First Peoples' of Australia. As part of good community engagement planning and design Council will recognise the Traditional Custodians/ Owners of the land and waters in which the community engagement activity is being held.

Welcoming

Provide safe environments and venues conducive to friendly, constructive and productive interactions.

Communication

Establish and maintain a two way process of providing accurate and timely information to the communities of our region.

Evidence

Utilise engagement practices based on best practice, sound research and quality information.

Flexible & Responsive

Be adaptable and flexible to meet the purpose of the engagement, and requirements of the community based on feedback, environmental, social/economic conditions and reasons.

Collaboration

Work in partnerships with relevant community groups, State and Federal government, local government partners, other stakeholders, and/or internally within Council.

Ethics

Consultative/ advisory groups, along with Councillors and staff adhere to relevant Codes of Conduct including requirements to address pecuniary and conflict of interests; and allow the views of all members to be heard.

Respecting Personal Information

Personal information collected from any community engagement activity will be respected as private and will not be shared or used for any other purpose, unless required or authorised by law.

Don't over consult

Respect the community by avoiding over consultation on a range of issues, by a range of people, in a range of ways.

Record & Evaluation

Ensure Council learns from community engagement activities and is able to monitor and evaluate success to enable improvements.

ATTACHMENT 3



Community Engagement Guide & Tools

Douglas Shire Council

Community Engagement Guide & Tools

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Step 1: Setting engagement objectives and scope

Any project that requires community engagement must have clearly defined objectives. Keep objectives SMART

- **S**pecific and able to describe an action;
- **M**easurable
- **A**chievable and accessible
- **R**ealistic, recorded and referred to during the process; and
- **T**ime bound

Review any existing information on the project; this may include any previous engagement activities. This information should be taken into account before finalising the objectives. It is important for the Project Manager/ Council Officer responsible to consider:

- Who will be making the final decision e.g. Councillors, CEO?
- What are the different questions for which you require specific answers or directions?
- What is the purpose of the engagement; what do you want the engagement to achieve?
- Consider what level of engagement is appropriate.

What are the boundaries or scope of the community engagement? It may include elements internal and external of Council. In these early stages identify what aspects or goals of the project are negotiable and non-negotiable. Understanding and clearly identifying what is negotiable will allow the Project Manager/ Council Officer to:

- Clearly communicate and share information about what decisions have already been made.
- Communicate and highlight what is outside of Council's area of responsibilities and ability to influence.
- Clarify and articulate the issues and areas that Council will be seeking community participation.

Clearly defined non-negotiable goals should always be communicated to the public up front, this will avoid confusion, unrealistic expectation and best manage the risk of conflict and disillusionment towards Council. It is important to note that the more non-negotiable goals a project may have, the less likely the community will want to engage in the process.

Appendix 1 – Community Engagement Plan Template is a tool which may assist in the development and presentation of a detailed engagement plan for significant project. Alternatively as parts of the template may be change or deleted to best meet your needs.

Step 2: Identify the stakeholders – Stakeholder Analysis

Who do you need to engage? Clearly identify the different community groups, organisations and individuals that will be affected or may have a specific interest in the decision to be made. Not all stakeholders will need to be engaged at the same level. Highlight the differences and needs of each stakeholder group to be engaged and determine what engagement activities might be required and at which stage of the project.

It is important to consider the public's perception and general opinion on the issue or topic. This will help you identify those individuals or sectors of our communities who need to be specifically encouraged to be involved in the process. Learn from previous experiences; consider what may have been done previously on similar issues, what former feedback and research may have revealed or been undertaken.

When developing a comprehensive list of Stakeholders - **Appendix 2 - Stakeholder List Template** the following ideas may assist:

- Brainstorm with a cross section of Council Staff – including those not involved in the project.
- Ask key members of the different communities and other identified stakeholders who they think should be involved.
- Call for expressions of interest or advertising in local papers, community newsletters, email networks and other media.
- Identify those hard to reach groups who may be impacted by outcomes – special consideration should be given on how to engage with these sections of our communities.

It is important to remember that 'one size does not fit all' when it comes to considering the stakeholders and the type of community engagement that will be undertaken. Avoid grouping people especially of different cultural and linguistic diverse (CaLD) backgrounds. Consideration will need to be given to each cultural group on the best ways to engage.

Engagement techniques and cultural protocols or other barriers must be considered when developing the engagement plan as it may prevent effective meaningful participation. For example, engagement strategies for Aboriginal and Torres Strait Islander peoples will differ to that of peoples from perhaps Bhutanese or various African cultural backgrounds.

When developing your stakeholder analysis it is important to include:

- Who are the key stakeholders (internal & external)?
- What are the key messages, issues or areas of interest for each particular stakeholder?
- What level of interest will each stakeholder have?
- Who are the key contacts for each group?

Once the stakeholder analysis is complete, review the project objectives, including the negotiable and non-negotiable goals.

Step 3: Identify the level of impact

Douglas Shire Council's commitment and approach to community engagement has been developed using the *IAP2 Spectrum for Public Participation*. The impact of a project or a decision relates directly to the level of engagement. There are five categories of community engagement, beginning with the lowest level of engagement being 'Inform' with 'Empower' as the most important level of community participation in the decision making processes.

LOW ----- MEDIUM ----- HIGH	Inform	
	Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.
	Our commitment	We will keep our communities informed.
	Public participation tools examples	Fact sheets, websites, information sessions.
	Consult	
	Public participation goal	To obtain public feedback on analysis, alternatives and or decisions.
	Our commitment	We will keep our communities informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.
	Public participation tools examples	Written submissions focus groups, surveys, and public meetings.
	Involve	
	Public participation goal	To work directly with the public throughout the process to ensure that the public concerns and aspirations are consistently understood and considered.
	Our commitment	We will work with our communities to ensure that concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.
	Public participation tools examples	Workshops, deliberative polling, expert panels.
	Collaborate	
	Public participation goal	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
	Our commitment	We will look for advice and innovation in formulating solutions and incorporate our communities' advice and recommendations into the decisions to the maximum extent possible.
	Public participation tools examples	Advisory Committees, expert working group
	Empower	
	Public participation goal	To place the final decision-making in the hands of the public.
	Our commitment	We will implement what our communities decide
	Public participation tools examples	Citizen Juries, ballots, delegation decision
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Although the *IAP2 Spectrum for Public Participation* has been adopted for Council's community engagement framework, within the context of Local Government the highest level of 'Empower' rarely will be achievable or appropriate. Elected representatives, the Mayor and Councillors for the community take the responsibility for making the final decisions on Council projects or issues.

Depending if the level of impact is 'low, medium or high' carefully consider to how the project or issue will generally and/ or specifically impact the communities of our region. There may be particular stakeholders who may be more impacted or have a greater interest in the decisions surrounding the project than other sectors of our communities.

The following assessment table is only a guide and may assist in determining a project's level of impact. The higher the level of impact usually corresponds to a greater level of community engagement.

Levels of Impact		
High - Level 3	Criteria	Examples
<p>There is high level of impact of risk (perceived or real) on the Douglas region; or sections of the communities.</p> <p>There is potential for decisions to create controversy and/or have varying levels of acceptance within the community</p>	<ul style="list-style-type: none"> • Significant impact on attributes considered to be of high value to the community (e.g. lifestyle or physical environment) • Likely to have a high level of interest from across the Douglas region or local area/s • Potential for a high level of controversy or conflict across the Douglas region or local area/s • High levels of complexity in the issue being considered • Likely to impact on vulnerable sections of the community • Loss or significant change to any service or facility provided by Council 	<ul style="list-style-type: none"> • Port Douglas Master Plan • Daintree Gateway Project • Closure of a Council service or facility
Medium - Level 2	Criteria	Examples
<p>There is a medium level of impact or risk (perceived or real) on the Douglas region; or sections of the communities.</p> <p>It is likely that the decision will be accepted by the majority of the community impacted; however the decision may be an inconvenience for some sections of the community.</p>	<ul style="list-style-type: none"> • There may be some impact on attributes that are considered to be of high value to the community or a section of the community (e.g. lifestyle or physical environment) • Some sections of the community concerned are likely to have a high level of interest • Potential for some controversy or conflict across the Douglas region or local area/s • There is a medium to low level of complexity in the issue being considered • There is some loss or change to any Council service or facility provided by Council 	<ul style="list-style-type: none"> • Redevelopment of a park/ playground – temporary closure • Minor changes to eligibility criteria to access a Council service
Low - Level 1	Criteria	Examples
<p>There is a low level of impact or risk (perceived or real) on the Douglas region; or sections of the communities.</p> <p>It is likely that the decision will be widely accepted by the community and seen as having positive outcomes or being required.</p>	<ul style="list-style-type: none"> • No negative impact on attributes that are of high value to the community (e.g. lifestyle or physical environment) • Low level of interest across the Douglas region or local area/s • Low to no risk of controversy or conflict across the Douglas region or local area/s • Only a small change, or enhancement to any service or facility provided by Council 	<ul style="list-style-type: none"> • Upgrade of a local playground or park • Extension of operating hours for a Service • Local street or street scaping upgrades • Change of times to a local activity program – 'Active games in the Park' or Introduction to Computers for Seniors information session

To determine the level of impact, firstly consider the key stakeholders who may be interested in or impacted by the decision. When determining the level of impact for each stakeholder group, it may be appropriate to consult with other Staff across Council to inform your analysis. Note, that even at a 'high' level of impact possibly not all stakeholders will require the same level of engagement; some may only require to be *Informed, Consulted or Involved*.

During different stages of the project, it may be necessary to review the level of impact due to changes in the situation or increasing understanding of the implications of the outcomes.

To assist in planning for community engagement activities **Appendix 3 – Assessing the Level of Engagement Score Sheet** is a tool to assist in assessing the level of engagement based on the degree of impact of the project.

Step 4: Select the appropriate methods for engagement

Considering each stakeholder group carefully will assist in determining what level of participation you should utilise for your project. Not all stakeholders will require the same level of engagement and the methods used to engage with them should be selected carefully based on the needs and demographics of each group.

There are different reasons why people choose not to be involved with Council engagement activities. Ensure that all stakeholders have the ability to access and participate in the engagement activities and confirm that these methods are inclusive and maximise the potential for participation.

Some of the main reasons people do not participate include:

- Lack of interest in the issues.
- Lack of information and understanding of the issues.
- Perception that their input is not valued or will not make a difference.
- Lack of follow up or feedback previously provided for other or same issues.
- Not having an understanding of how their contribution may have been used in the past on other or same issues.
- Engagement methods that is intimidating or inappropriate.
- Language or cultural barriers.
- Accessibility – online access, inappropriate venue, time, holidays, disability access etc.

Once a level of impact and engagement has been assessed in accordance with the different stakeholders you will need to ensure you select the most appropriate methods and tools to engage the community.

Although not fully comprehensive the following matrix will assist in identifying what tools or methods could be best used in our region for community engagement; as well, referencing the *IPA2 Public Participation Spectrum*® can provide further assistance and guidance in this important step:

Level of Engagement & Method/ Tool	Level of Impact		
	Level 3 (high)	Level 2 (medium)	Level 1 (low)
INFORM			
Personal telephone contact	**	**	*
In person meeting	*	*	*
Mail out – letters to home & business	***	**	*
News Paper Advert or Notice	***	**	
Fact Sheets/ Information brochure/Flyer	*	*	*
Email Community Contacts	**	**	*
Radio Interviews/ Adverts/ Community Announcements	**	*	*
Council Website – Information and Notices	***	***	***
Media Releases	***	*	*
Public Displays – Shopping Centres/ Community Halls	**	**	*
Presentations at community meetings	**	**	*
Specific Information Sessions	***	**	*
Posters/ Signage/ Banners	**	**	*

Level of Engagement & Method/ Tool	Level of Impact		
	Level 3 (high)	Level 2 (medium)	Level 1 (low)
CONSULT			
Written Community Survey (including random surveying)/ Questionnaire	**	**	*
Invite written submissions	**	**	*
Host one/ a series of 'focus group' sessions	**	**	*
Anonymous suggestion/ feedback box		*	*
Telephone survey	**	**	*
Hotline/ Phone-in to Council	*	*	*
Intercept interview – asking people in public places	**	**	
Social media	**	**	*
Public meetings	*	*	
Online discussion forum/ random surveys	**	**	
World Café – facilitated group discussions/feedback to larger group	**	**	
INVOLVE			
Meetings with key stakeholders	***	***	*
Meetings with other target groups e.g. youth, parents, Aboriginal and Torres Strait Islander peoples, people living with disabilities, aged, CaLD groups	**	**	*
Site Tour/ Meeting with stakeholders	**	**	
Workshop sessions	**	**	
Community forum/ debate	*	*	
A community reference group	*	*	
COLLABORATE			
Community Summit	*		
Expert reference groups/ committees	**		
Community Advisory Committee	**	*	
EMPOWER			
Public Ballot/ Referendum	*		
Citizen Jury	*		

*** Strongly Desirable

** Desirable

* May be appropriate

Step 5: Timelines and Budget

Usually, the higher the level of impact the more stakeholders need to be considered and involved and more time and resources will be required to adequately meet the needs of community engagement. **Appendix 5 – Task Breakdown Template** is a tool designed to assist in managing engagement tasks and time.

Timelines and budget for community engagement will vary between projects and will depend on factors such as, the level of impact, the level of engagement required, and the types of methods and techniques selected for each stage of engagement with the different stakeholder groups.

Any projects that have a 'high' level of impact it is recommended to begin the engagement process early, especially if the project is dealing with issues that requires the need to educate the communities or build their capacity to better understand the complexity of the issues. Projects at this level will usually require a period of informing the community about the issues, before consulting, involving and possibly collaborating.

It is best to avoid community engagement activities that coincide with key community events, public and school holidays, religious festival and other major events.

Budgeting considerations may be required for any project that is controversial or has the potential to impact broad sections of our communities and may require specialised skills to necessitate the appropriate community participation. An independent facilitator or consultant may need to be engaged to ensure there is a (perceived or real) balanced and unbiased approach which provides a greater level of credibility and confidence with our communities.

Step 6: Reporting and Feedback

It is essential to provide our communities with feedback and reports on community engagement activities and any associated outcomes based on their participation. This is to ensure the communities' ongoing interest, trust and involvement with the projects or any future engagement activities.

Community Engagement Plans should identify points or milestones throughout the project where feedback or reporting will be provided to the community or particular stakeholder groups.

An important strategy to create confidence and trust in the community participation process is to provide minutes/ notes or a summary of the community engagement session to the participants within 10 – 20 business days.

It is imperative to maintain privacy and confidentiality in any reporting and feedback. The names of individuals or other identifying information must be removed, unless you have written consent of each participant to publish or release their personal opinions or other information.

The following points will assist in providing feedback and reporting:

- Capture the contact details of all participants involved in the engagement activity.
- Ensure the contact details of ongoing participants are up to date throughout the project.
- Detail in the Community Engagement Plan how feedback will be provided to each stakeholder group during and after the completion of the project.
- Ensure that feedback is accessible to all participants/ stakeholders.
- Keep participants informed of key milestones and stages of the project; and send any details of upcoming engagement activities or associated information.
- Maintain the privacy and confidentiality of individuals at all times, including after the project has been completed. Collected data will be stored and treated in accordance with the Information Privacy Act 2009.

Appendix 7 – Community Engagement Feedback Report template is a tool designed to help collate feedback, information and evaluation outcomes once an engagement activity has been conducted. When reporting on the final outcomes of the project:

- Identify the methods that the final outcomes will be documented and circulated.
- Provide feedback to participants on how their information was considered in the development of the final outcomes.
- Where appropriate, ensure the project outcomes are reported on the Council website and through other mediums.

Step 7: Evaluation & Monitoring

Evaluation and monitoring does not only happen at the end of a project, it is an integral part of the entire community engagement process. Evaluation throughout the project will help Council improve and modify its approach to community engagement activities, celebrate success and learn from past experiences.

Projects and initiatives that have a 'high' to 'medium' level of impact will usually require a summary evaluation. The summary will include information about the project, the community engagement processes/ activities and the key outcomes/feedback. The summary should be made available on the Council website and other appropriate mediums for the general public, and particularly those who participated in the community engagement activities to access.

Community Engagement Plans when being developed must identify the methods or tools that will measure the effectiveness and satisfaction of participants with the community engagement process. **Appendix 6 – Community Evaluation Template** and **Appendix 8 – Community Engagement Final Evaluation Report** are tools to help collate feedback, monitor, evaluate and report on engagement activities.

When developing an evaluation the following participant's questions may assist:

- How would you rate the quality of the project information you received?
- How would you rate the facilitation of the information session?
- Were participants provided with adequate information and resources to participate in a meaningful way?
- The session was conducted in an open and transparent manner.
- A variety of views, opinions and needs were heard and discussed.
- The decision making process for this project has been fair and appropriate.
- There is a high level of trust between the community and Council on the project

Council will monitor and measure the effectiveness of community engagement. This will be achieved with the implementation of the following strategies:

- Develop an internal Community Engagement Register of upcoming events.
- Assess the training and development needs required to strengthen Council's organisational capacity to undertake community engagement.
- Investigate and implement appropriate strategies that provide online opportunities for communities to participate and receive feedback of past and present engagement activities.

To monitor and evaluate Council's community engagement framework Council will have performance indicators that reflect community satisfaction.

- Satisfaction with Council generally keeping communities informed and engaged with general Council business and other community information.
- Satisfaction with the level of consultation with communities on local issues.
- Satisfaction with Council keeping communities informed of key or significant issues.
- Satisfaction with Council encouraging and creating supportive environments for community to ask questions and have discussion on key issues.

Council's Community Engagement Framework and Planning Guide will be reviewed twelve months from adoption by Council. The review will determine the success of implementation and provide opportunity for further refinement if require

Key protocols when conducting community engagement

It is important to follow Council policies and protocols when conducting community engagement activities.

Community Engagement Plans

- Community Engagement Plans will be developed for all Council projects, activities and issues that require the communities' participation.
- Community Engagement Plans need to be approved by the relevant Manager; and in some instances by the Management Team and Council.

Media Releases

- Media Releases need to be approved and distributed by the Communications and Events Officer, Executive Officer and CEO.

Brochures, fact sheets and leaflets

- All information for distribution must be submitted to the Communications and Events Officer, Executive Officer and CEO for approval against branding and content prior to distribution.
- Final copies of any information for distribution must be recorded on the Council's Data Management System.

Community Surveys

- Community surveys require the approval of the relevant Manager/ Management Team.
- Surveys that are of a sensitive nature or relate to a high impact issue may require approval by Council.
- Customer Service should be briefed about the survey and advised how to respond to any enquires.
- Councillors will be provided with a copy of the survey prior to it being distributed

Community Meetings (public meetings, information sessions, workshops etc)

- Community meetings must be approved by the relevant Manager and in some instances by the Management Team and Council.
- The Community Engagement Register should be checked when arranging meetings to avoid clashes with other events.
- Customer Service should be briefed about the engagement activity and advised how to respond to any enquires.
- Councillors will be made aware of the engagement activity.
- A summary of meeting notes will be made available to participants within 10 working days of attending the event.

Written Correspondence

- All correspondence received in relation to a community engagement activity will be acknowledged as being received by Council to the sender within one (1) working day; (should) a response will be required within ten (10) working days as required by Council's policy and procedures.
- Correspondence that makes a decision or financial commitment on behalf of Council must be endorsed and signed by the appropriate delegated Officer.

Online

Council Website

- A Community Engagement Register will be publically available on the Council website listing past and current community engagement activities. Details of these engagement activities will include and indicate: **'Name/ Title'** of engagement activity; if the activity is **'Open'** [*meaning – commenced*]; **'Under Review'** [*meaning - has closed and the engagement feedback/information is currently being compiled into a report*]; and **'Outcome'** [*meaning - findings from the consultation is completed and available for downloading*].
- The Community Engagement Policy, framework, principles, guide and tools will be available for public viewing and download via the Council website.

Forums

- Online discussion forums will be approved by the relevant Manager and in some instances by the Management Team and Council.
- Online discussion forums must involve the Communications and Events Officer in the administration and moderation of the site.

Social Media

- Use of social media (Facebook, Twitter, YouTube etc) must be approved by the relevant Manager and in some instances by the Management Team and Council.
- The moderation and posting of comments representing Council must be in accordance with Council's Employee's Code of Conduct and other relevant policies and procedures.

Appendices & Tools

List of Appendices/Tools:

Appendix 1: Community Engagement Plan Template

Appendix 2: Stakeholder list

Appendix 3: Assessing the level of engagement – Score Sheet

Appendix 4: Community Engagement Action Plan/ Checklist

Appendix 5: Task Breakdown template

Appendix 6: Community Engagement Evaluation template

Appendix 7: Community Engagement Feedback Report

Appendix 8: Community Engagement Final Evaluation

Appendix 1: Community Engagement Plan Template

(Example Only: adjust template to suit your needs)



Community Engagement Plan

Community Engagement Title:		Port Douglas Master Plan: Redevelopment of Rex Smeal Park Playground		Project Manager:	Megan Hawke Manager – Infrastructure
Manager Approval:		CEO – Douglas Shire Council			
Start Date:	Monday 3 February 2014	Finish Date:	Friday 23 May 2014	Records Ref:	#4321

Background Information:

- The Port Douglas Master Plan (PDMP) was adopted by Cairns Regional Council in November 2009. The plan was developed involving high levels of community engagement. The Master Plan provides strategic direction for the gradual transformation of the Port Douglas waterfront by integrating its existing features with a range of new initiatives, cementing the western shoreline of the peninsula as one of the world's greatest waterfronts. Included in the Plan's guiding principles is the requirement for the outcomes to reflect the tropical, relaxed, unhurried character that is Port Douglas.
- One of the first PDMP projects delivered in 2011 was the Four Mile Beach Esplanade Upgrade which involved a high level of community input into the design.
- In October 2010, having defined the major PDMP projects for implementation over the next 10 years, Council (in consultation with the PDMP Advisory Committee) commenced progression of project feasibility studies (Lagoon, Boat Ramp relocation) and development of concept designs (Lagoon, Waterfront Park, Road Network upgrades, Car Parking, Boat Ramp).
- Between March 2011 and June 2011, Council conducted a comprehensive community engagement process on the project feasibility studies and concept designs. Specific stakeholders, various Government agencies and the general community provided their feedback. A review was also undertaken of feedback provided on local social media outlets. The results and outcomes of this community engagement process clearly defined that there is majority support within the Port Douglas community and stakeholders for the PDMP projects.
- An aspect of the PDMP is the proposed upgrade of the current playground equipment and area in Rex Smeal Park, Port Douglas.
- In 2012 community engagement relating to the playground was conducted with Kuku Yalanji Elders to have their culture inform the design themes and opportunities for the playground.
- Funding will be allocated in the proposed 2014/15 Council budget to replace the current equipment.
- In keeping with the high level of community participation and input into the development of the PDMP, Council is committed to ensuring the continuation of community participation in the further development, feasibility and implementation of PDMP projects.

Brief Description of Project:

- Inform the communities of the Douglas region of Council's continuing commitment to the PDMP.
- Inform the communities of the Douglas region about the proposed redevelopment of the playground in Rex Smeal Park, Port Douglas
- To engage and consult with the communities of the Douglas region and other stakeholders on the redevelopment of the playground.
- Obtain ideas, feedback and suggestions from the communities of the Douglas region and other stakeholders on design options/ location for the playground in keeping with the overall PDMP design/ themes.
- Provide Council with a clear concept to help inform the final design of the play ground

Governance – Project Team:

Name	Position/ Unit	Contact	Reason
Megan Hawke	Manager - Infrastructure	Megan.hawke@douglas.qld.gov.au Ph: 4099 9416	Project Manager
Michael Matthews	Engineer - Infrastructure	michael.mathews@douglas.qld.gov.au Ph: 4099 9475	Project Support Officer
Brendan Leishman	Community & Economic Development Officer	brendan.leishman@douglas.qld.gov.au Ph: 4099 9419	Project Support Officer
Kerrie Hawkes	Executive Officer	kerrie.hawkes@douglas.qld.gov.au Ph: 4099 9411	Quality Control – community engagement
To Be Confirmed	Communications & Marketing Officer	TBC	Media Communications

Define the Community Engagement Objectives (SMART):

- Specific and able to describe an action;
- Measurable
- Achievable and accessible
- Realistic, recorded and referred to during the process; and
- Time bound

- All communities of the Douglas region by the 18 April 2014 will be confident that the new Douglas Shire Council has reaffirmed its ongoing commitment to the PDMP.
- All communities of the Douglas region by 18 April 2014 will be informed and have an understanding of the stages of future progress to the PDMP.
- All communities of the Douglas region by 18 April 2014 will be informed and aware about Council upgrading the playground in Rex Smeal Park as part of the PDMP in the 2014/15 financial year.
- 80% of stakeholders consulted by 30 April 2014 will indicate they are 'satisfied' or 'very satisfied' with their opportunities to provide feedback, ideas and suggestions on the design concepts for the new playground.
- By the 13 May 2014 Council will have a clear understanding of all stakeholders' preferences and feedback on what elements will be considered in the final design of the playground.

Define the Community Engagement Scope:
In-scope elements Internal Communication Plan

- Engage key internal stakeholders responsible for the provision of the new playground facilities in the process of determining the most appropriate location, design and standard of delivery for facilities across the region
- Provide opportunities for all internal stakeholders to exchange ideas, discuss priorities, and work together across Council to deliver the best possible product to the community

In-scope elements External Community Engagement Plan

- Inform members of Douglas communities about Council's commitment to continue with the implementation of the PDMP.
- Inform members of Douglas communities of the future stages/timelines to the PDMP.
- Inform members of Douglas communities about the proposed upgrade of the playground at Rex Smeal Park.
- Inform members of Douglas communities about the opportunities for them to have a say in relation to the new playground facilities.
- Provide environments and opportunities for members of Douglas communities and other stakeholders to provide ideas, feedback and suggestions on design options/ locations for the playground in keeping with the overall PDMP design/ themes.
- Provide timely feedback to all participants in relation to their feedback and contributions will help in the final decision making process.

Out-of-scope elements

- This Community Engagement Plan will not detail specific dates relating to the delivery of any facilities. The delivery of any new facilities will be dealt with via a separate plan once funding has been confirmed for the project in the 2014/15 Council budget.
- This Community Engagement Plan will not specifically seek ideas, feedback and suggestions on other stages to the PDMP; however any such information which is provided will be retained for reference to any future engagement activities

Key Project Messages:

- Douglas Shire Council is committed to the future implementation of the PDMP.
- Our region deserves quality recreation facilities, especially in Rex Smeal Park that adequately service the needs of all members of our communities and visitors now and into the future.
- In order to provide environmentally sustainable recreational facilities which are appropriate for the needs of our communities, Council needs to plan with information that will contribute to the most suitable design and composition of the playground facilities to better meet the ongoing needs of the Douglas communities.
- Douglas Shire Council is committed to an extensive community and stakeholder consultation process, in line with its Community Engagement Framework, and the public are encouraged to participate.

Budget:

Expense Description	Budget Amount
Printing – Port Douglas Master Plan Fact Sheet	430.00
Advertising	750.00
Stakeholder meeting expenses	200.00
2 x Staff TOIL (5hrs) – Port Douglas Market Stall (6 April 2014)	400.00
2 x Staff TOIL (5hrs) – Port Douglas Market Stall (13 April 2014)	400.00
2 x Staff TOIL (5hrs) – Port Douglas Market Stall (20 April 2014)	400.00
Port Douglas Market Stall expenses x 3 market days	100.00
TOTAL	\$2 250.00

Stakeholder Analysis:					
Internal Stakeholders					
Unit/ Work Area	Name/ Position	Reason (why a stakeholder)	Level of engagement	Methods to engage	Methods for feedback
Councillors	All Councillors	Final decision maker	Inform, Consult, Involve, Collaborate, Empower	Email/ hardcopy – Information/ Fact Sheet Councillor Workshops Council Report – submit Community Engagement Plan Council Report – Final Decision Port Douglas Market Days	Councillor Workshop Community Engagement Report Council Report Verbal feedback from Port Douglas Market Days
Project Team – Rex Smeal Park Playground	Megan Hawke Michael Matthews Brendan Leishman Kerrie Hawkes Marketing & Comms Officer (TBC)	Project Management Team	Inform, Consult, Involve, Collaborate	Email updates Weekly Project Team meetings.	Weekly Updates - Project Team Meetings – Minutes Email
Management Team	All Senior Management	Maintain general understanding about project. Seek feedback.	Informed, Engaged, Involve, Collaborate	Email/ hardcopy – Information/ Fact Sheet Weekly Management Team Meetings	Weekly Updates - Management Team Meetings – Minutes Community Engagement Report Council Report

Frontline Service	All Customer Service Officers	Customer Enquiries	Inform	Email/ hardcopy – Information/ Fact Sheet General email updates on public engagement activities	Email/ Verbal Feedback Frontline Services Team Meetings
External Stakeholders:					
Name / Groups	Reason (why a stakeholder)		Levels of engagement	Methods to engage	Methods for feedback
Kuku Yalanji Elders – Traditional Owner	<p>The Kuku Yalanji Elders were original consulted about the playground in 2012. They provided a range of themes and opportunities relating to the indigenous cultural heritage of their homelands. This information was to provide artists and landscape designers with ideas and inspiration to develop a unique playground experience for both children and adults.</p> <p>To re-establish contact and confirm their information is still relevant and valued by the Council and will be incorporated into the redevelopment of the playground.</p>		Inform, Consult	<p>Face to face – Host an informal update and consultation meeting under the fig trees in Rex Smeal Park</p> <p>Information Fact Sheet</p>	Face to face – follow-up meeting
Chamber of Commerce	<p>To keep the business community informed and updated on the progress of the PDMP</p> <p>Members of the Chamber of Commerce who use Rex Smeal Park as part of their business enterprises</p>		Inform, Consult	<p>Council Website</p> <p>Email/ hardcopy – Information/ Fact Sheet</p> <p>Face to face – Attend Chamber of Commerce meetings</p>	Written feedback summary report provided to the Chamber of Commerce based on information provided by their membership.

			Face to face – with businesses that may be impacted by the redevelopment of the playground	
General Public/ Residents/ Users of Rex Smeal Park/ Tourists	Regular users of the local communities of the Douglas area; and tourists	Inform / Consult	<p>Council Website</p> <p>Media Release</p> <p>The Gazette – ‘Community Matters’</p> <p>Radio – Interview with Mayor/Councillor</p> <p>Email/ hardcopy – Information/ Fact Sheet</p> <p>Display at Port Douglas and Mossman Shopping Centres</p> <p>Intercept Interviews at Port Douglas and Mossman Shopping Centres</p> <p>Community information sessions – Port Douglas and Mossman</p>	<p>Newspaper media release</p> <p>The Gazette – ‘Community Matters’</p> <p>Email – Summary of feedback from Community Information Sessions</p>

Phases to Engagement	
STAGES	Description Comments
Stage 1	<ul style="list-style-type: none"> • Prepare Draft Community Engagement Plan and Council Report • Set meeting dates for Project Team – Map out timeline for community engagement activities • Seek input and feedback from Management Team on the Community Engagement Plan • Book Councillors Workshops • Prepare Fact Sheet Information for printing • Prepare media releases to inform the general public about Council's commitment to the PDMP and proposed redevelopment of playground • Print and laminate PDMP concept design posters • Book venues & arrange meeting dates for community engagement activities – shopping centres, Port Douglas Market Stall, Port Douglas Neighbourhood Centre & Douglas Shire Community Services Community Centre – Community information sessions • Set-up community engagement kit with stock and stationary • Book Council equipment for Market Stalls and other community engagement activities
Stage 2	<ul style="list-style-type: none"> • Conduct Councillors Workshop informing and seeking from them their input on the community engagement plan • Seek the Councillors involvement and participation in the Port Douglas Market Stall, Shopping Centres and other activities • Report to Council seeking endorsement of Community <ul style="list-style-type: none"> • Incorporate any changes from the Councillor Workshop into the community engagement plan and associated documents

	<p>Engagement Plan</p> <ul style="list-style-type: none"> • Print Fact Sheet • Regular Project Team meeting • Regular updates and feedback from Management Team meetings 	<ul style="list-style-type: none"> • Print Fact Sheet once endorsed by Council
Stage 3	<ul style="list-style-type: none"> • Update and maintain Community Engagement Register – Council Website • Begin broadcasting of media releases • Radio – Interview with Mayor/Councillor • Regular Project Team meeting • Regular updates and feedback from Management Team meetings • Meet with the Douglas Chamber of Commerce • Meet with Kuku Yalanji Elders • Facilitate engagement activities at Port Douglas Markets, shopping centres, community information sessions • Prepare Community Engagement Report • Prepare Council Report • Conduct Councillors Workshop informing the outcomes and preferences of all stakeholders who participated in the Community Engagement activities. 	<ul style="list-style-type: none"> • Provide feedback summary to the Douglas Chamber of Commerce • Monitor and evaluate the effectiveness of each engagement activity; document and make any necessary changes to improve the engagement processes • Compile feedback for each engagement activity • Include the monitoring and evaluation of the entire engagement process
Stage 4	<ul style="list-style-type: none"> • Council endorse and support the recommendations from the Community Engagement Report 	<ul style="list-style-type: none"> • Decision is made to proceed with the development of a detailed design of the playground

Internal Engagement – Action Plan						
Project Phase	Stakeholder	Level of engagement	Method to engage	Key messages	Responsibility	Timing (by)
STAGE 1						
Stage 1	Project Team	Inform, Consult, Involve, Collaborate	Regular Project Team meetings	Seeking approval on Draft Community Engagement plan and Council Report	Project Manager/ Project Support Officer	Week ending 7 Feb 2014
Stage 1	Management Team	Inform, Consult, Involve Collaborate	Regular Management Team meeting	Input, feedback, guidance to engagement. Seeking approval on Draft Community Engagement plan and Council Report	Project Manager Executive Officer	Week ending 7 Feb 2014
STAGE 2						
Stage 2	Councillors	Inform, Consult, Involve, Collaborate	Councillor Workshop	Background of the project; gain an understanding of key project messages and objectives; seek input and involvement; seek Councillor involvement in proposed engagement activities.	Project Manager/ Project Support Officer	Week ending 14 Feb 2014
Stage 2	Councillors	Empower	Council Report – to endorse the Community Engagement Plan	How Council will undertake community engagement in relation to the redevelopment of the playground at Rex Smeal Park	Project Manager Project Support Officer	18 Feb 2014 Council Meeting
Stage 2	Project Team	Inform, Consult, Involve, Collaborate	Regular Project Team meetings	Update/ progress on implementation of Community Engagement plan. Monitor and evaluate.	Project Manager/ Project Support Officer	Week ending 21 Feb 2014

Stage 2	Management Team	Inform, Consult, Involve Collaborate	Regular Management Team meeting	Input, feedback, guidance to engagement. Keep informed and updated on progress	Project Manager	Week ending 21 Feb 2014
STAGE 3						
Stage 3	Project Team	Inform, Consult, Involve, collaborate	Regular Project Team meetings Community Engagement Register – Council Website Draft Community Engagement Report and Evaluation	Update/ progress on implementation of Community Engagement plan. Monitor and evaluate. Agree on Draft Community Engagement Report and Evaluation	Project Manager/ Project Support Officer	Fortnightly meetings and at other key decision making points Week ending 9 May 2014
Stage 3	Management Team	Inform, Consult, Involve Collaborate	Community Engagement Register – Council Website Regular Management Team meeting Draft Community Engagement Report and Evaluation	Input, feedback, guidance to engagement. Keep informed and updated on progress	Project Manager	Week ending 9 May 2014
Stage 3	Customer Service	Inform	Community Engagement	Key information about the project and	Project Manager/	As required when

			Register – Council Website General Emails Fact Sheets	upcoming engagement activities.	Project Support Officer	engagement activities are planned and as key milestones are achieved
Stage 3	Councillors	Inform, Consult, Involve Collaborate, Empower	Councillor Workshop Community Engagement Register – Council Website Draft Community Engagement Report and Evaluation	Feedback and update on progress of project, Key decisions	Project Manager	Week ending 9 May 2014
STAGE 4						
Stage 4	Project Team	Inform, Consult, Involve Collaborate	Regular Project Team meeting Community Engagement Register – Council Website	Close off Community Engagement project	Project Manager/ Project Support Officer	23 May 2014
Stage 4	Councillors	Empower	Council Report – Final Community Engagement Report and Evaluation	Council endorse the final recommendations for the project	Project Manager/ Project Support Officer	13 May 2014 Council Meeting

External Engagement – Action Plan						
Project Phase	Stakeholders	Level of engagement	Method to engage	Key messages	Responsibility	Timing (by)
STAGE 1						
<p align="center">No External Engagement in Stage 1. Tentative meeting bookings will be confirmed with:</p> <ul style="list-style-type: none"> • KuKu Yalanji Elders • Douglas Chamber of Commerce 						
STAGE 2						
<p align="center">No direct engagement with external Stakeholders in Stage 2. Meeting bookings will be confirmed with:</p> <ul style="list-style-type: none"> • KuKu Yalanji Elders • Douglas Chamber of Commerce 						
STAGE 3						
Project Phase	Stakeholders	Level of engagement	Method to engage	Key messages	Responsibility	Timing (by)
Stage 3	KuKu Yalanji Elders	Inform, Consult	Face to Face meeting Concept Design Posters Information/fact sheets	Provide information and answer any questions about what has happened since they were consulted in 2012 Council values their input and ideas Consult and seek feedback on project	Project Manager/ Project Support Officer	25 Feb 2014
Stage 3	Douglas Chamber of	Inform, Consult	Face to Face meeting			Week ending 14 March

	Commerce		Information/fact sheet Feedback Summary of consultation			2014
Stage 3	General Public	Inform, Consult	News Release in Gazette and News Port Newspaper Advert – ‘Community Matters’ Radio Interview with Mayor/ Councillor Community Engagement Register – Council Website Information Stalls Port Douglas Markets/Intercept Interviews Information Stalls at Mossman Woolworths Port Douglas Coles/ Intercept Interviews	Council has an ongoing Commitment to the PDMP The PDMP will be delivered in stages – The playground is one aspect of the PDMP Douglas Shire Council is committed to an extensive community and stakeholder consultation process, in line with its Community Engagement Framework, and the public are encouraged to participate in consultations to inform the design concept of the playground.		Week ending 25 April 2014

Monitoring & Evaluation			
Stakeholders	Engagement Activity	Measures	Indicators
Councillors	Councillor Workshops Council Report/ Community Engagement Report	<ul style="list-style-type: none"> Active participation and involvement in the finalisation of the Community Engagement Plan Involvement in engagement activities Supportive and actively interested in the Draft Community Engagement Report and Evaluation 	<ul style="list-style-type: none"> Endorsement of Council reports Endorsement of Community Engagement Plan Endorsement Community Engagement Report and Evaluation
Project Team	Project Team Meetings	<ul style="list-style-type: none"> Meeting review and evaluation 	<ul style="list-style-type: none"> Members respond positively to the meeting evaluation
Management Team	Management Team meetings	<ul style="list-style-type: none"> Active participation and involvement in the finalisation of the Community Engagement Plan Supportive and actively interested in the Draft Community Engagement Report and Evaluation 	<ul style="list-style-type: none"> Support of Council reports Support of Community Engagement Plan Support Community Engagement Report and Evaluation
Front Line Services	Briefing emails and Information Sheets	<ul style="list-style-type: none"> No further enquiries or questions seeking clarification about the community engagement activities and the PDMP 	<ul style="list-style-type: none"> Very little or no enquiries or questions
Kuku Yalanji Elders		<ul style="list-style-type: none"> Verbal feedback - Satisfaction with the feedback and acknowledgement 	<ul style="list-style-type: none"> Expressed satisfaction with the feedback and consultation process
Douglas Chamber of Commerce		<ul style="list-style-type: none"> Engagement evaluation form Verbal feedback 	<ul style="list-style-type: none"> 100% completed feedback/ evaluation forms Medium – high Satisfaction rating for the engagement process.
General Public/ Residents/ Users of Rex Smeal Park	Community information session	<ul style="list-style-type: none"> Numbers of RSVP's & attendance Participation and feedback during information session Feedback/ evaluation form about information session 	<ul style="list-style-type: none"> >20 people RSVP/ attending information session List of ideas and suggestions from participants Willingness of 50% of

			<p>participants to receive regular Council updates and information relating to this project and other Council business.</p> <ul style="list-style-type: none"> • 100% completed feedback/ evaluation forms
General Public/ Residents/ Users of Rex Smeal Park	Port Douglas Market Stall/ Intercept Interview	<ul style="list-style-type: none"> • General participation and feedback during intercept interview • List of multi-choice questions 	<ul style="list-style-type: none"> • >150 people engaged in intercept interviews • List of ideas and suggestions from participants • Willingness of 50% of participants to receive regular Council updates and information relating to this project and other Council business.
General Public/ Residents/ Users of Rex Smeal Park	Shopping Centre Info Stall/ Intercept Interview Media: Newspaper advert and editorial Radio interview	<ul style="list-style-type: none"> • General participation and feedback during intercept interview • List of multi-choice questions • Individuals had seen information in the local newspaper/online/ Council website • Individuals had heard information on the local radio station 	<ul style="list-style-type: none"> • >150 people engaged in intercept interviews • List of ideas and suggestions from participants • Willingness of 50% of participants to receive regular Council updates and information relating to this project and other Council business.
Tourists	Port Douglas Market Stall/ Intercept Interview	<ul style="list-style-type: none"> • Expectation of facilities at Rex Smeal Park • List of multi-choice questions 	<ul style="list-style-type: none"> • >150 people engaged in intercept interviews • List of ideas and suggestions from participants

Appendix 2: Stakeholder list

Stakeholder List: (adjust this template to suit your needs)				
Organisation/Association	Name	Phone Contact	Contact Information	Comments
Council	e.g. Cr Bill Blogs	XXXX	Bill.Blogs@douglas.qld.gov.au	
Staff				
Community Groups				
Specific Interest Groups				
General Community				
Business Community / Tourism Industry				
Developers/ Consultants				
Government Departments				
Non-Govt Organisations				

Appendix 3: Assessing the level of engagement – Score Sheet

Assessing the level of engagement – Score Sheet			
Engagement Level:	Low	Medium	High
Level of Complexity: e.g. <ul style="list-style-type: none"> • There is one clear issue and/or problem that needs to be addressed • There are more than a couple of issues and/or problems that can be resolved • There are multiple issues and/or problems and it is unclear how to resolve them 	X	X	X
Level of potential community impact/ outrage: e.g. <ul style="list-style-type: none"> • The project will have little effect on communities and will hardly notice any changes • The project will fix a problem that will benefit communities and the change will cause minor inconvenience • The project will create a change that will have an impact on communities and the living environment, and the degree of impact/outrage will vary 	X	X	X
Level of political sensitivity: e.g. <ul style="list-style-type: none"> • The project has acceptance throughout communities • There are groups in communities who may see the potential in raising the profile of a project to gain attention for their cause or may have opposing views • Community expectations about the project are different to those of the decision makers and there is high potential for individuals and groups to use uncertainty to gain attention 	X	X	X
Total number (marked)			

Appendix 4: Community Engagement Action Plan/ Checklist

Community Engagement Title:	
Project Manager:	
Start Date	Finish Date
Records Reference:	
Brief Description:	
Start up	Check
Define the objectives and scope of the community engagement	
Compile all background and previous engagement information/ report	
Assess the level of engagement / impact	
Compile a detailed list of all internal and external stakeholders	
Create a detailed list of what level of engagement will be conducted with each stakeholder; and how (the methods) they will be engaged	
Develop a detailed Community Engagement Plan	
Develop a list of tasks (who, what, when & status)	
(remove, change or add more as required)	
Communications	
Draft all communication documents (media releases, fact sheets, etc)	
Review all communication documents with manager/ project management team	
Proofread all documents before approval/ signing off	
Coordinate the print and upload documents to council website	
Organise the distribution of documents information	
Review and update contact information of stakeholders	
Meet with Customer Service & Records staff to inform and provide copies of documents	
Evaluate the Communications tasks and make improvements as required	
(remove, change or add more as required)	
Community Engagement	
Organise community interactions depending on techniques chosen	
Set-up internal communication channels to maintain flow of information	
Coordinate documents, activities for community engagement with timeframes	
Book meeting venues, equipment, catering etc...	
Contact key stakeholders begin and maintain dialogue	
Workshop selected engagement techniques if required	
Prepare for collation of feedback from communities	
Evaluate the engagement tasks and make any necessary improvements	
(remove, change or add more as required)	
Recording	
Collate and analyse feedback	
Respond to enquiries from stakeholders and record any new information	
Evaluate the recording tasks and make any necessary improvements	
(remove, change or add more as required)	

Community Feedback and Council Report	
Draft Feedback Report for review and response from the project team	
Draft Council Report for review as per Council protocol	
Gain sign off on final reports	
Submit Council Report for resolution	
Develop an implementation Plan for the Council Resolution	
Distribute feedback report to all interest parties and stakeholders	
Make the feedback report available to the general public	
Evaluate the feedback and reporting tasks and make any necessary improvements	
(remove, change or add more as required)	
Final Evaluation	
Effectiveness of the community engagement process assessed	
Document key areas of improvement for each set of tasks and feedback any recommendation for improvement of future engagements	
(remove, change or add more as required)	

Appendix 5: Task Breakdown template

Task	Action/ Responsibilities/ Resources	Deadline	Comments/Status	Completed
Example only: Book meeting room for general public information sessions and arrange catering	Bill Bloggs – Administration officer Book Port Douglas Community Hall for: 1 May 2011 14 June 2011 Book Catering from: Food Express Catering For approx. 25pax – Sandwiches (include vegetarian) & fruit platter only Prepare: Napkins, disposable plates and cups for hot and cold drinks; water & juice, table cloths Confirm numbers for catering 2 weeks before each event	5 April 2011	14 June 2011 event cancelled due to lack of numbers	1 June 2011

Appendix 6: Community Engagement Evaluation template

Community Engagement Title: *Project XYZ*

Engagement Activity: *Community meeting*

Stakeholder	Measures	Indicators	Performance	Outcome	Recommendations
e.g. General Public	Number of people attending information session	>20 people attending	- 38 people RSVP - 43 people attended and registered on the day	Good interest and discussion	More time was needed to answer all questions Larger facility to accommodate everyone
e.g. General Public	Questionnaire/ survey	100% respond	- 15 people completed the questionnaire/ survey	Low response to completing the questionnaire/ survey	More tables to make it easier for people to complete Use a system to collect group feedback throughout the meeting e.g. show of hands, voting with tokens during tea break Incentives for those who complete the questionnaire/ survey

Appendix 7: Community Engagement Feedback Report

Community Engagement Feedback Report

[Insert title and date]

Introduction:

Describe Community Engagement Activities:

Outcomes of Community Engagement:

Responses to questions:

Examples only:

Question 1- The artist impression reflects what I would like the Daintree Gateway to look like?				
Strongly Agree	Agree	Not Sure	Disagree	Strongly Disagree
2	5	8	1	1

Comments:

Questions and Responses:

Q. How might this service be improved to meet your needs?	Answers/comments: • •
Q. When do you think.....?	• •
Q. What are your opinions about....?	• •

Evaluation:

Provide feedback from community engagement participants:

e.g.

- *How would you rate the quality of the project information you received?*
- *How would you rate the facilitation of the information session?*
- *Were participants provided with adequate information and resources to participate in a meaningful way?*
- *The session was conducted in an open and transparent manner.*
- *A variety of views, opinions and needs were heard and discussed.*
- *The decision making process for this project has been fair and appropriate.*
- *There is a high level of trust between the community and Council on the project*

Summary:

Appendix 8: Community Engagement Final Evaluation

Community Engagement Final Evaluation

[Insert title and date]

Background Information

Evaluation summary of each phase

- *What were the challenges?*
- *How were the challenges overcome?*

Key Achievements

- What were the key outcomes of each engagement activity?

Key improvements

- *What adjustments/ changes were made?*
- *What Council processes were changed or improved*
- *What will be done differently in the future*

ATTACHMENT 4

DOUGLAS SHIRE COUNCIL

General Policy

COMMUNITY ENGAGEMENT POLICY

Intent To provide Council with direction in relation to planning, implementing and evaluating community engagement activities. It forms part of a comprehensive framework that will assist Council and communities to connect and engage in relation to assisting decision making processes.

Scope This Policy applies to elected members of Council, all employees and any consultants engaged by Council.

REFERENCE

Legislation:

Local Government Act 2009
Local Government Regulation 2012
Sustainable Planning Act 2009 (Qld)

Other:

Australian Government Information Management Office
International Association for Public Participation (IAP2)
Organisation for Economic Cooperation and Development (OECD)

PROVISIONS

1. When will Council engage the community?

Community engagement must be undertaken when:

- 1.1 It is a requirement under legislation. There are a number of legislative requirements and standards that apply to Local Government and its decision making.
- 1.2 It is a requirement under a funding agreement. Engagement may be an obligation attached to the receipt of Government funding;
- 1.3 Council resolves to recommend the need for community engagement.
- 1.4 A council operated community service, facility, community focused policy or event is to be introduced, changed or discontinued, which may impact on the community.

2. What approach does Council have towards community engagement?

- 2.1 Council's approach to community engagement regardless of whether it is focused internally or externally is informed by principles and guidelines of the:
 - Australian Government Information Management Office;
 - International Association for Public Participation (IAP2); and
 - Organisation for Economic Cooperation and Development (OECD) engagement models.

- 2.2 A strategic and best practice approach which is supported by an organisational community engagement framework, principles, guidelines and tools.
- *Appendix 1: Community Engagement Framework*
 - *Appendix 2: 'Our approach to Community Engagement'*
 - *Appendix 3: Community Engagement Guide and Tools*
- 2.3 Specific types of engagement activities will vary and be dependent on the potential level of impact, subject matter, those involved, potential legislative requirements and budget considerations. In some instances informing exercises will only be required, where in other circumstances integrated engagement activities will be required for those engagements that have a higher level of impact. The Community Engagement procedure directs the operational requirements for the creation of a Community Engagement Plan.
- 2.4 The CEO Unit provides advice for developing and delivering professional Community Engagement Plans.

3. Advisory Panels/ Committees and Taskforces

Council projects and initiatives that have a higher level of impact from time to time may require higher levels of engagement such as the establishment of advisory panels/ committees or taskforces. Engagement methods such as these will:

- 3.1 be established by a Council resolution;
- 3.2 have a specific terms of reference;
- 3.3 have a defined timeframe;
- 3.4 report at least once every 6 months to Council;
- 3.5 be chaired by a suitably qualified external person or Councillor;
- 3.6 identify Council staff resources to act as a project officer and secretary to the committee or taskforce;
- 3.7 record minutes and membership of these panels/ committees and taskforces and have the minutes available on the Council website.

4. Councillor involvement

- 4.1 Council will take a flexible and appropriate approach on how it engages with the community on local or business issues. Councillor involvement may involve providing important information relating to the engagement and also a request to participate in appropriate engagement activities with Council staff. These may include task forces, forums, face to face interviews or community meetings for example.
- 4.2 It is important that any community engagement considers Council's requirements for objective information relating to a decision that may need to be made.

◆◆◆◆◆

This policy is to remain in force until otherwise determined by Council.

Manager Responsible for Review:

Executive Officer, CEO Unit

ADOPTED: [Click here to enter a date.](#)

DUE FOR REVISION: [Click here to enter a date.](#)

REVOKED/SUPERSEDED:

ORDINARY COUNCIL MEETING	6
11 MARCH 2014	

REGIONAL ARTS DEVELOPMENT FUND (RADF) PARTICIPATION

Helen Coulthard: Community & Economic Development Officer

Kerrie Hawkes: Executive Office/Policy & Strategy Coordinator #416420

RECOMMENDATION:

That Council:

- 1 endorse participation in the Regional Arts Development Fund Program**
- 2 endorse the recruitment of five community members to form the Douglas RADF Committee**
- 3 nominate up to 2 Councillors to be part of the RADF Committee**
- 4 endorse a funding Round for distribution by the end of the 2013/14 financial year; and**
- 5 delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any minor amendments in relation to the Douglas RADF Program in conjunction with the abovementioned Advisory Committee**

EXECUTIVE SUMMARY:

The Regional Arts Development Fund (RADF) is a partnership between the State Government, through Arts Queensland (AQ), and local governments. The program, established in 1991, supports the professional development of artists and arts practitioners in regional Queensland. All local councils, except Brisbane City Council, are eligible to participate.

Each participating local council establishes a RADF committee which generally oversees the RADF program in accordance with RADF Guidelines. The committee promotes the program within its community, invites and evaluates applications from artists and arts practitioners and may assist in preparing Council's annual bid. Once endorsed by Council, the bid is submitted to Arts Queensland and assessed by an independent panel.

Douglas residents have had opportunities to participate in the RADF program in the past by being part of RADF committees, or RADF applicants. The former Douglas Shire Council partnered with the State to run a local RADF program and upon amalgamation with Cairns City Council, Council contributed funds with the State to run Cairns Regional Council's RADF Program. As part of the de amalgamation process, nearly \$5000 was transferred from Cairns to Douglas for the RADF budget.

BACKGROUND:

Following recent council de-amalgamations, Director of Partnerships, Arts Queensland sent a letter of agreement for consideration and signature in order to formalise Council's participation in the program.

The term of the agreement is from 1 January to 30 June 2014. Key obligations of Council under the partnership were outlined:

- RADF Liaison Officer – Council is required to nominate a staff member as the key contact officer for all matters relating to RADF
- RADF Committee – a volunteer committee should be established reflecting the diverse culture and geography of the council area
- Council and AQ will treat all information in accordance with the *Information Privacy Act 2009* and the provisions of the *Right to Information Act 2009* which apply to documents in the possession of Council and AQ
- State Government contribution to RADF must be acknowledged in any promotional details
- All statements to the media about successful funding are to be on the media release template provided by AQ and must be approved by AQ prior to distribution
- Annual Report 2013-14 – Council must submit an annual report for the period of funding by 30 September 2014

The following points were verbally advised by an AQ Partnerships Officer:

- funds need to be expended by the end of this financial year and must be used for arts grants and not administrative purposes
- suggested funding a number of small projects up to \$1000 each (which would need to be advertised in the funding round promotional material) in view of the budget for the remainder of the 2013/14 year
- In view of short time frame, committee members may be “head hunted” rather than publicly advertised, with the Committee ratified at a future Council meeting.
- The initial Committee's term may be for two years, instead of the standard four years
- The normal “rest” period has been waived for de amalgamated Councils. Normally once a committee member has served a continuous four year term, they are required to “rest” for a period of 12 months before being eligible for re-election
- Suggestion that formal RADF Committee training be deferred until after Arts Queensland RADF guidelines, currently under review, are finalised and confirmed

Current RADF guidelines outlining the requirements and responsibilities involved in RADF delivery, the categories for distribution of funding and other information were provided to assist in the successful delivery of RADF.

The former Douglas Shire Council RADF Committee generally comprised five (5) community members and two (2) councillors. Cairns Regional Council's most recent RADF Committee comprises five (5) community members.

In view of the tight timeframes the RADF process is set out in the flowchart in Attachment 1

PROPOSAL:

The proposal is for Council to:

- endorse participation in the RADF Program;
- endorse the recruitment of five (5) community members to form the RADF Committee for an initial term of two years;
- nominate up to two (2) Councillors to be part of the Committee;
- endorse a funding Round for distribution by the end of the 2013/14 financial year; and
- delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any minor amendments in relation to the Douglas RADF Program in conjunction with the abovementioned Advisory Committee.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE:

Douglas Shire Council Operational Plan January 2014 - June 2014

- Develop and implement a community grants and resources program and policy

FINANCIAL/RESOURCE IMPLICATIONS:

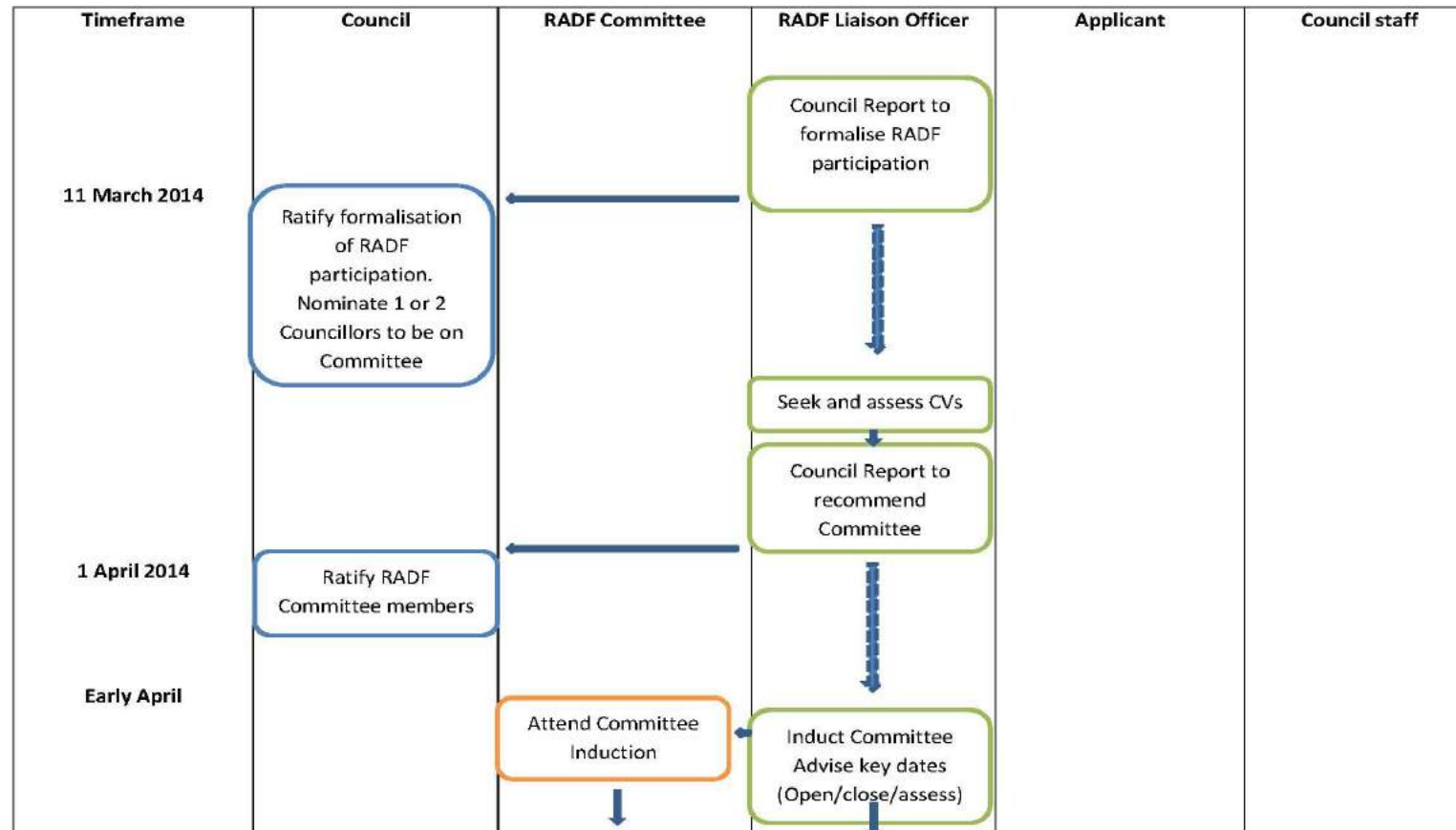
The costs associated with running the RADF Program are provided for in the budget for the six months to 30 June 2014.

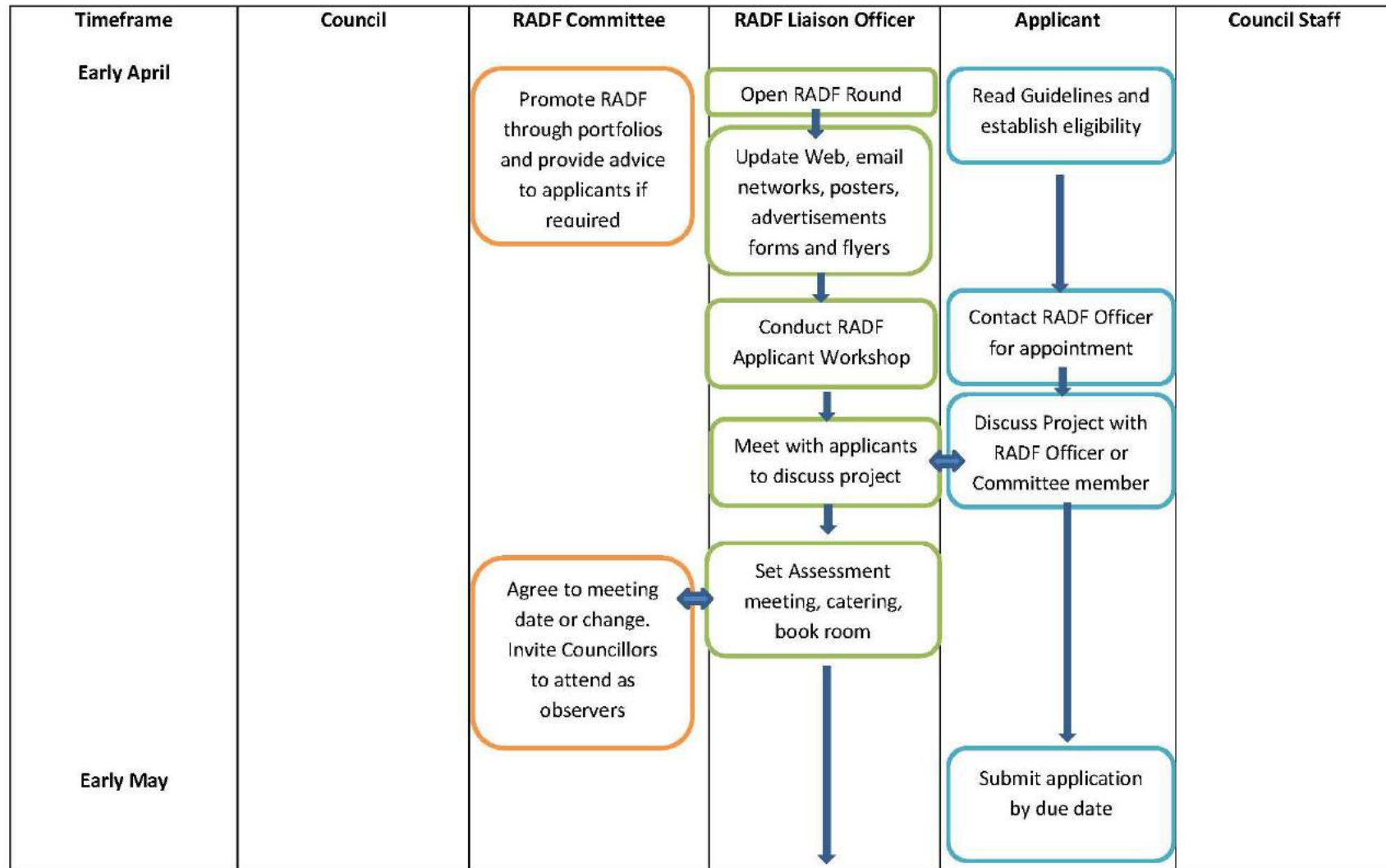
INTERNAL/EXTERNAL CONSULTATION:

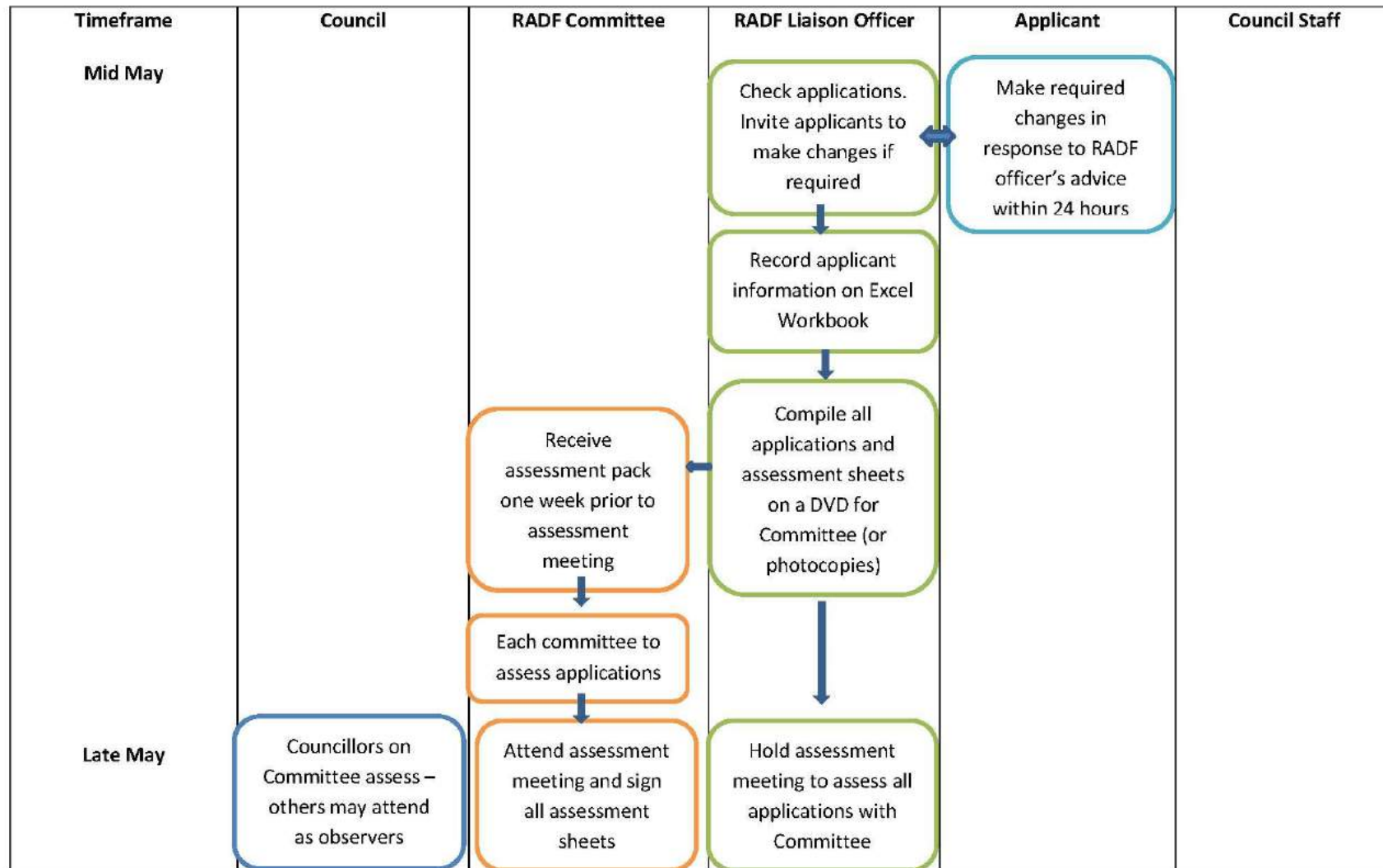
- RADF Liaison Officer – Cairns Regional Council
- Partnerships Officer – Arts Queensland
- Relevant Douglas Shire Council staff

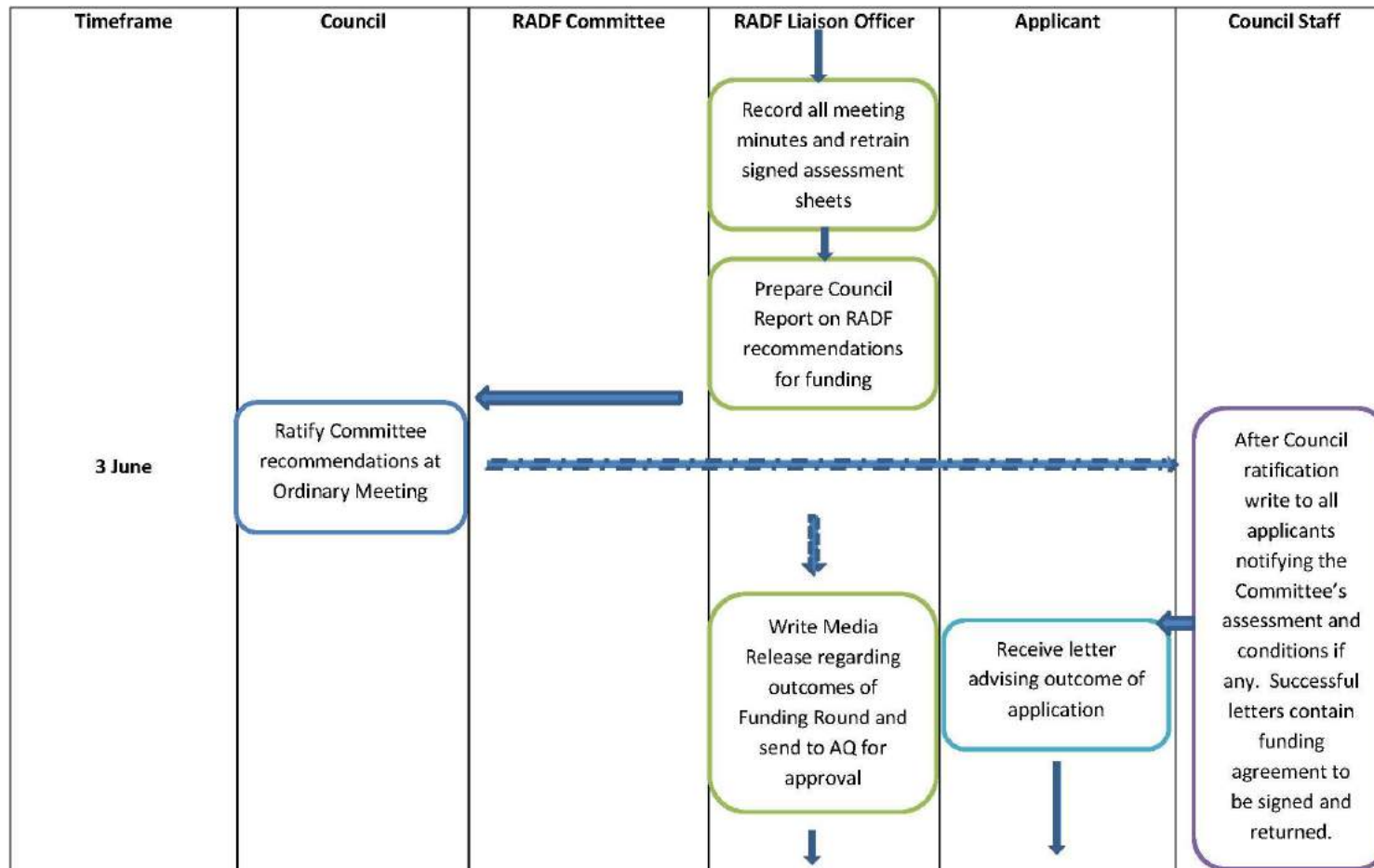
ATTACHMENTS:

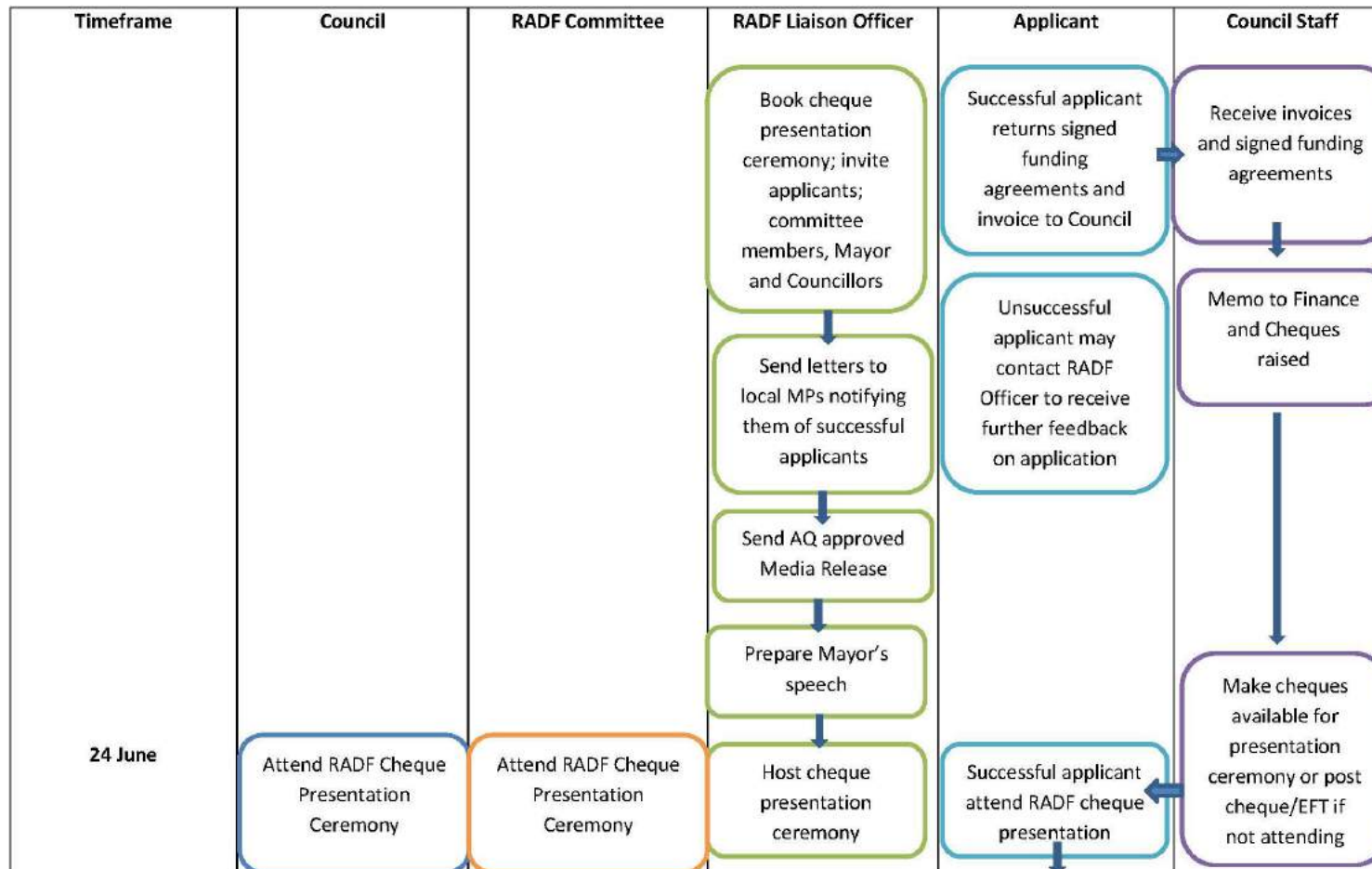
Attachment 1 – RADF Process Timeline

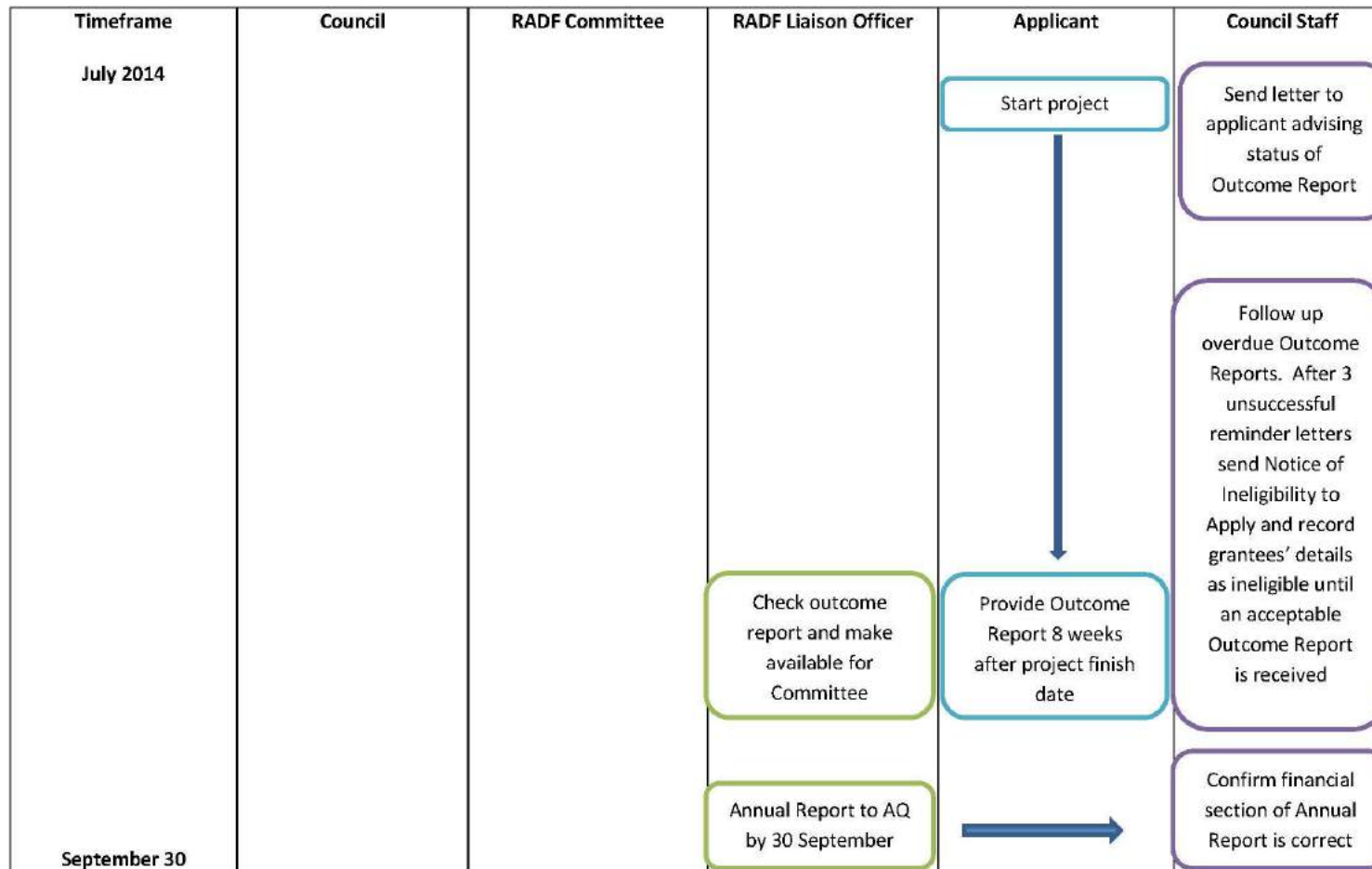
ATTACHMENT 1 - RADF Timeline











Timeframe	Council	RADF Committee	RADF Liaison Officer	Applicant	Council Staff
February 2015	Ratify Annual Bid Ordinary Meeting	Assist preparing Annual Bid	Hold Community Consultations as part of Bidding		
			Council Report for Annual Bid		
			Annual Bid to AQ by 30 March		
30 March 2015					

ORDINARY COUNCIL MEETING	7
11 MARCH 2014	

REQUEST TO EXTEND RELEVANT PERIOD – SUPERSEDED SCHEME APPROVAL - MATERIAL CHANGE OF USE FOR FOUR (4) MULTIPLE DWELLINGS (TOURIST) – 27 MURPHY STREET, PORT DOUGLAS

Jenny Elphinstone: 43.2008.2770 : 412993

<u>PROPOSAL:</u>	REQUEST TO EXTEND RELEVANT PERIOD – SUPERSEDED SCHEME APPROVAL - MATERIAL CHANGE OF USE FOR FOUR (4) MULTIPLE DWELLINGS (TOURIST)
<u>APPLICANT:</u>	FRED & LOLA LANGTON C/- RPS AUSTRALIA EAST PTY LTD PO BOX 1949 CAIRNS QLD 4870
<u>LOCATION:</u>	27 MURPHY STREET, PORT DOUGLAS
<u>PROPERTY:</u>	LOT 113 ON PTD2091
<u>PLANNING SCHEME:</u>	DOUGLAS SHIRE PLANNING SCHEME 1996
<u>STRATEGIC PLAN:</u>	URBAN AREA
<u>DCP:</u>	DCP 2 PORT DOUGLAS, MEDIUM DENSITY TOURIST ACCOMADATION AREA & SPECIAL AREA 5 OF FLAGSTAFF HILL
<u>ZONE:</u>	RESIDENTIAL B
<u>CURRENT PLANNING SCHEME:</u>	
<u>LOCALITY:</u>	PORT DOUGLAS AND ENVIRONS
<u>PLANNING AREA:</u>	RESIDENTIAL 1 (SPECIAL MANAGEMENT AREA 1 – OUTSIDE THE TOURIST CENTRE)
<u>REFERRAL AGENCIES:</u>	NONE APPLICABLE
<u>NUMBER OF SUBMITTERS:</u>	ONE TO THE ORIGINAL APPLICATION
<u>STATUTORY ASSESSMENT DEADLINE:</u>	3 APRIL 2014

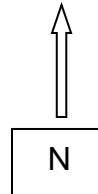
APPLICATION DATE:

3 SEPTEMBER 2008 (ORIGINAL APPLICATION)
16 JANUARY 2014 (REQUEST TO EXTEND)

APPENDIX:

1. DEVELOPMENT PERMIT
2. APPLICANT'S SUPPORTING REASONS

LOCALITY PLAN



RECOMMENDATION:

- A** That Council refuse the request to extend the period of approval to the Development Permit for Material Change of Use for Four (4) Multiple Dwellings (Tourist), over land described as Lot 113 on PTD 2091, located at 27 Murphy Street, Port Douglas, on the following grounds:
1. Since the issue of the Development Permit the 1996 Douglas Shire Planning Scheme has been superseded by new planning controls. The development approved under the Development Permit is inconsistent with the current Planning Scheme and planning controls;
 2. The delay in effecting the Reconfiguration of a Lot due to suppressed market conditions and the Applicant's economic circumstances and constraint on ability to develop and sell the Multiple Dwellings (tourist) are not planning considerations permitted to be considered for approving an extension to the period of the approval;
 3. Based on the information provided in the Applicant's request to extend the Relevant Period of the Development Permit it is not considered that the request has sufficient merit, having regard to section 388 of the *Sustainable Planning Act 2009*, to support an extension to the relevant period. Having regard to the *Sustainable Planning Act 2009* it is inappropriate for Council to extend the period of approval;

4. **There is no demonstrated planning need for the proposed use of Multiple Dwellings (tourist) on the land to enable supporting the consolidation of Port Douglas as a major tourist accommodation centre. There is other land available in the Port Douglas and environs area that enable major tourist accommodation;**
 5. **The extension to the Development Permit is contrary to the expected outcomes for the land held by the community;**
 6. **The development would, if applied for under the current Scheme, be likely to give rise to submissions against it.**
- B. In respect to the development of Holiday Accommodation on the land Council advise the Applicant that there remains opportunity to lodge an application for a Material Change of use under the current Scheme as the use is not prohibited development under the *Sustainable Planning Act 2009* and that any application would be considered on its merits.**

EXECUTIVE SUMMARY:

An application was lodged in 2008 for assessment against the superseded 1996 Douglas Shire Planning Scheme for a Material Change of Use for four Multiple Dwellings (Tourist). Cairns Regional Council (CRC) agreed to assess the application against the superseded 1996 Scheme and at the Planning and Environment Committee Meeting held on 10 February 2010 CRC supported the development subject to conditions. Subsequently a Development Permit was issued by the Queensland Government through the Douglas Iconic Places Panel.

By agreeing to assess the applications against the superseded Scheme, Cairns Regional Council negated the risk of substantial compensation potentially being payable to the land owner and provided the land owner with a window to develop as per the requirements of the 1996 Planning Scheme. The support of the superseded Planning Scheme application and issue of the Development Permit follows the “use it or lose it” principle.

The superseded scheme, under which the current Permit was assessed and approved came into effect in 1996, nearly twenty years ago. The current Scheme was adopted by the former Douglas Shire Council on 21 August 2006 and came into effect on 4 September 2006. Under the *Integrated Planning Act 1997* Applicants had two years to lodge for assessment against the superseded scheme. The Scheme was amended by the Cairns Regional Council in 2008 and remains in effect. The land is included in the Special Management Area Flagstaff Hill. Flagstaff Hill is also affected by the Cultural Heritage and Valuable Sites Code. The land currently has a low Scale Plot Ratio designation and is in the Residential 1 Planning Area.

The Development Permit has a period of approval for four years and is due to expire if the use is not commenced prior to 3 August 2014. The land owners have requested a four year extension to the approval period.

The *Sustainable Planning Act 2009* (SPA) sets out the specific, limited matters that Council must as Assessment Manager apply to determine the request. These are:

- “(a) *the consistency of the approval, including its conditions, with the current laws and policies applying to the development; and*
- (b) *the community’s current awareness of the Development Permit; and*

- (c) *whether, if the request were refused –*
 - (i) *further rights to make a submission may be available for a further development application; and*
 - (ii) *the likely extent to which those rights may be exercised; and*
- (d) *the views of any concurrence agency for the approval.” S.388 SPA*

The Applicant's individual economic circumstances or the downturn of economies are generally not matters which the Act permits Council to consider.

Under the 1996 Planning Scheme, and the interpretation of the Scheme by the *Integrated Planning Act 1997*, the use of Multiple Dwellings (tourist) was impact assessable and required a compliance assessment against the Planning Scheme provisions. Under the current Scheme the use falls in the defined use of “Holiday Accommodation” which is impact (inconsistent) development on the land.

A significant difference between the two Schemes is the previously clear support for Multiple Dwellings (tourist) to be established on the land and the current Scheme that seeks the development of a single House. The current Scheme specifically nominates a Tourist Centre for Port Douglas that excludes Murphy Street and gives a high degree of protection to Flagstaff Hill including considerations of land use, sensitive and natural environments, and impacts from activities and land use.

Section 1.7 of the current Scheme states that development must satisfy outcomes identified in the Scheme including the:

- a. Desired Environmental Outcomes;
- b. Overall Outcomes for Localities;
- c. Specific Outcomes for areas affected by an Overlay;
- d. Specific Outcomes for Planning Areas or particular development; and
- e. Performance Criteria for Specific Outcomes and Overall Outcomes.

The Applicant acknowledges that the use is stated as “inconsistent” impact assessable development in the Port Douglas and Environs Locality Assessment Table. However, despite this, the Applicant submits that the development is consistent with the Purposes of the Planning Scheme Codes and Desired Environmental Outcomes of the current Planning Scheme. In support of the Applicant's contentions the Applicant cites the circumstances of the land being in close proximity to the Tourist Centre around Macrossan Street, the limited amenity due to the land being adjacent to commercial development that fronts Macrossan Street, the location of other nearby Holiday Accommodation, and the character of the southwest side of Murphy Street. The Applicant contends that the development existing in Murphy Street reflects tourist accommodation, similar to what is proposed, and not a residential area.

Officers do not agree with the Applicant's contentions, the development is inconsistent with the current Planning Scheme in a number of respects as detailed in the Town Planning Considerations section of this report. An application of the same form against the current Scheme would require consideration against the Scheme's Desired Environmental Outcomes. Under section 329 of the SPA Council has opportunity to approve a new application where development that is in conflict with a relevant instrument where, *“there are sufficient planning grounds to justify the decision, despite the conflict.”* This decision rule is not available to Council when considering an extension to the period of approval under Section 388 SPA.

There has been no recent community engagement to varying the Scheme intent or direction of approvals for Murphy Street land under the current Planning Scheme. Should the request be refused and a new application be lodged this application would require public notification and would be likely to raise submissions. There is a community expectation that the current scheme would apply.

The test by which SPA requires Council to determine the request has not been met. Accordingly, this report recommends the request be refused. Should an appeal be lodged against the refusal then these same tests will be considered by the Planning and Environment Court.

The Act does not prohibit the Applicant lodging new applications for the development under the current Scheme.

TOWN PLANNING CONSIDERATIONS:

Background

The application was lodged for assessment against the superseded 1996 Douglas Planning Scheme. Cairns Regional Council at its Ordinary Meeting held on 25 September 2008 agreed for the assessment against the superseded scheme and acknowledged the application accordingly. By agreeing to this assessment process Council's determination of the application was limited to consideration only against the superseded 1996 Planning Scheme. Regard for considerations against the then and still current Planning scheme could not be made.

At the time the application was lodged the *Iconic Queensland Places Act 2008 (IQP)* affected the land. On referral of the application under s44 *IQP* the Douglas Iconic Places Panel advised Council that the Panel would determine the application.

Cairns Regional Council considered the application to be compliant with the relevant requirements of the Superseded 1996 Planning Scheme and at the Planning and Environment Committee Meeting held on 10 February 2010 the Council resolved to recommend the Panel approve the application subject to conditions. The Panel approved the development on 11 June 2010 and issued a Decision Notice on 18 June 2010. The Decision was issued to the submitter on 5 July 2010 who did not lodge an appeal. The Decision has a four year currency commencing on 3 August 2010. A copy of the Decision is included in Appendix 1.

Approved Development

The site has an area of 1012 m², is currently vacant and contains sloping land falling from the Murphy Street frontage down to the rear of the site adjoining the Juniper "Saltwater" commercial /residential complex. The development entails the construction of four Multiple Dwellings (Tourist) contained within two building envelopes over two storeys. A copy of the approved plan of development is included in Appendix 1.

Multiple Dwellings (Tourist) is defined under the 1996 Scheme as:

"Multiple dwelling (tourist)" - Any premises comprising two or more dwelling units, where not dwelling-houses nor dwelling house/attached flat, and any of the following:

- (a) a reception area;*
- (b) an administration office; and/or*
- (c) any signage visible from the road adjoining the subject premises indicating the presence of a reception area or administration office, whether in the subject premises or elsewhere, or in any other way indicating that the premises are available for holiday accommodation;"*

The definition of *Multiple dwelling (tourist)* allows for the normal ancillary functions associated with letting for tourist purposes. In this case there is not currently any proposed additional features such as reception area/office etc. The 1996 Scheme use of *Multiple dwelling (tourist)* equates to the use of "Holiday Accommodation" under the current Scheme.

Since the issue of the Development Permit there has been no lodgement of the amended plans required under Condition 3 “Amendment to Design” nor of the geotechnical report required under Condition 19 “Geotechnical Assessment.” Council holds no record of any Building Certifier having been appointed for any Development permit for building work and no application has been lodged for any Operational Work associated with the proposed development.

Applicant’s Request

Under SPA the approval has a four year currency period. The land owners have requested Council extend the period of approval for a further four years. The Applicant nominated reasons by which Council should support this request which are included in Appendix 2. These are summarised as follows:

1. The economic climate has not been conducive to undertaking the development;
2. The form of the development is consistent with the current Planning Scheme;
3. The development is a “good fit” for the locality; and
4. Council (Cairns Regional Council) has approved extensions to the period of approval for similar development over nearby land.

The Applicant contends the development is consistent with the existing development established on the south-western side of Murphy Street, being tourist accommodation. This existing tourist development, which backs onto the commercial spine of Macrossan Street, was either permitted under the superseded 1996 Scheme or the previous 1981 Scheme. The Applicant advises that some this tourist accommodation includes onsite management facilities and others are managed off-site. The Applicant finds the existing development lacks consistency with the current Planning Scheme provisions. The Applicant claims the current Scheme should support tourist accommodation to align new development with the existing development.

The Applicant contends that the lack of consistency of the proposed development with the current planning scheme is not considered to be a ground to justify refusal of the request to extend the approval.

The Applicant Contends that there are grounds to support the development under the current Scheme through the Outcomes of the Purposes of the Port Douglas and Environs Locality Code and the Residential 1 Planning Area Code.

The Applicant contends that:

- a. the development of tourist accommodation on the land supports the consolidation of Port Douglas as a major tourist accommodation centre;
- b. the building design and landscaping will yield a high quality tropical seaside resort design;
- c. the development of tourist accommodation on the land will compliment the intent to consolidate the area between Macrossan Street and Marina Mirage as the major tourist, retail, dining and entertainment centre of the Shire;
- d. the development is compatible with existing development along the south-western side of Murphy Street. The limited number of vacant lots on the south-western side of Murphy Street do not provide for a discreet residential environment. The land will be impacted by tourist vehicles and pedestrian traffic and would be subject to noise and amenity related impacts from the adjacent commercial strip. The approval is a better type and form of development on the land and achieves the Code’s preferred outcomes better than the development of a single House intended for permanent residential occupation; and
- e. the land has been cleared of all natural vegetation. The land is located on the foothill of Flagstaff Hill and is adjacent to other multi unit development and commercial development. The approved development will protect the sensitive environment of Flagstaff hill and will have a negligible impact on sensitive environment of Flagstaff Hill.

Having regard to the above circumstances the Applicant claims that the development of tourist accommodation on the land is a good fit for the site and location and is supported by the Outcomes of the Scheme.

The Applicant has indicated a willingness to amend the conditions of the approval should this be required by Council in order to support the extension of the period of approval.

The Applicant notes that only one submission as previously received by Council to the notified application. The submission included grounds that the development was inconsistent with the current Scheme and the Submitter did not lodge an appeal. The Applicant claims that the lodgement of a single submission reflects the community's expectancy that this type and form of development will be established on the land. Since the issue of the approval the owner has maintained a sign on the site advertising the development and that the land is for sale. This signage gives land owners in the immediate locality an awareness of the development approval. Given the previous single submission the Applicant does not consider the development if reapplied for would raise any further submissions.

Detail of the Applicant's submission is included in Appendix 2.

Planning Assessment

Officer's Comment

In deciding a request made under s.383 SPA Council as assessment manager must only have regard to the following matters in deciding a request to extend the relevant period of an approval:

- “(a) the consistency of the approval, including its conditions, with the current laws and policies applying to the development; and*
- (b) the community's current awareness of the Development Permit; and*
- (c) whether, if the request were refused –*
 - (i) further rights to make a submission may be available for a further development application; and*
 - (ii) the likely extent to which those rights may be exercised; and*
- (d) the views of any concurrence agency for the approval.” S.388 SPA*

- a) Consistency of the approval with current requirements.

An assessment against the current Douglas Shire Planning Scheme is as follows.

Douglas Shire Planning Scheme Assessment

Douglas Shire		Code Applicability	Compliance
Locality	Port Douglas and Environs Locality Code	✓	Does not comply
Planning Area	Residential 1 (Special Management Area 1)	✓	Does not comply
Defined Use	Multi-Unit Housing	✓	Does not comply
Overlay Codes	Acid Sulfate Soils Code	✗	-
	Cultural Heritage and Valuable Sites Code	✓	Has not been sufficiently demonstrated
	Natural Hazards Code	✓	Has not been sufficiently demonstrated

Douglas Shire		Code Applicability	Compliance
General Codes	Design and Siting of Advertising Devices Code	X	-
	Filling and Excavation Code	✓	Requires further demonstration
	Landscaping Code	✓	Does not comply
	Natural Areas and Scenic Amenity Code	X	-
	Reconfiguring a Lot Code	X	-
	Vehicle Parking and Access Code	✓	Does not comply
	Sustainable Development Code	✓	Has not been sufficiently demonstrated
Amendment	Vegetation Management	✓	Can comply through conditions

Compliance Issues

The use of *Holiday Accommodation* doesn't allow permanent residency and is an impact inconsistent use on the land.

The current Scheme gives clear direction for the intended future development of Flagstaff Hill, through the Locality Code, Planning Area mapping and associated Code and the Overlays for Flagstaff Hill that this be for single House development. Flagstaff Hill includes both sides of Murphy Street. The Scheme states Flagstaff Hill is a Residential 1 Planning Area with high levels of protection from intrusion of further tourist activity and consideration of the sensitive and natural environments of the Hill.

Assessment of development that is "inconsistent" impact assessable development under the SPA for the 2008 scheme is likening to considering a rezoning under the former *Local Government (Planning and Environment) Act 1990* for the 1996 Planning Scheme. Impact "inconsistent" development challenges the basis of the appropriateness of the use against the whole of the Scheme and in this instance is considered to set a precedent to change the consideration of what is the protected area of Flagstaff Hill and what is the tourist area along Macrossan Street. Approving this request to extend the Development Permit would acknowledge the development as being appropriate and consistent with the current 2008 Planning Scheme. In turn, approval of the extension also sets a precedent that the redevelopment of other land, vacant or otherwise developed, in Murphy Street should also be developed for tourist accommodation.

There has been no need identified for additional land for tourist residential accommodation. There has been no demonstration that if such need existed this would be the best location to meet that need. The land is not within the area between the major tourist, retail, dining and entertainment centre of the Shire, being between Macrossan Street and Marina Mirage. The land is not within the identified area of the Tourist Centre in the Port Douglas and Environs Locality.

The development does not protect the existing and future residential area of Murphy Street from the further intrusion by tourist accommodation and activity. The development is a further intrusion of tourist activities to the Flagstaff Hill area and further imposes in the already reduced residential amenity of this area. The development does not meet the Locality Code Purposes, "*protect existing and future residential areas from the intrusion of tourist accommodation and activity*" or the purpose to, "*protect sensitive environments and natural features which give Port Douglas its distinctive character and identity, in particular ... Flagstaff Hill.*"

The development does not protect the sensitive environment of Flagstaff Hill. The visibility of the development is not minimised in comparison to a single House. The development does not create a vegetated backdrop to the Tourist Centre.

The development does not maintain or enhance the residential character of the established residential neighbourhood of Murphy Street.

It is agreed that the residential amenity of land that abuts commercial development is lower than the residential amenity of land that is surrounded by other residential land. However the Scheme already addresses this issue by the Commercial Planning Area Code.

Landscaping Code

Insufficient landscaping is provided to suitably screen the development, in particular along the northern boundary.

Vehicle Parking and Access Code

Concern is raised with the number of parking spaces provided on site in particular due to the very limited on-street parking available in Murphy Street.

b & c) Community awareness – Further submissions

The original application was impact assessable development and a submission was received against the original application. The consideration of the submitter's grounds was limited to the assessment against the superseded Planning Scheme. This also applied to any appeal grounds.

A proportion of the community is aware that a Development Permit is in effect over the land due to the advertisement thereon.

The community is also aware of the limited period of approval and that a new Scheme now has effect over the land which is dissimilar to that under which the application was determined.

The community is not aware of the request for the extension of the period of approval other than the reporting of this matter to Council for determination.

Should the application be refused and a new application be lodged then the community will be able to lodge submissions and these submitter's would hold third party appeal rights. It is likely submissions will be lodged. Through the public notification of an application against the current Scheme submitters could lodge submissions regarding the Desired Environmental Outcomes and the intent of the Scheme as a whole for the Murphy Street and Flagstaff Hill area. This is a wider area of consideration than was available under the Superseded Scheme application and approval.

d) Concurrence agency views

There are no current Concurrence agencies.

Planning Conclusions

Council agreed with the Applicant's original request and resolved to consider the application under the Superseded Scheme offering the Applicant the ability to develop under a superseded Scheme, rather than potentially paying compensation for the loss of rights.

The consideration of an extension of time cannot impose further conditions.

Under the current Douglas Shire Planning Scheme the land lies within the Residential 1 Planning Area of the Port Douglas & Environs Locality outside the Tourist Centre. The land is included in the Special Management Area Flagstaff Hill and Flagstaff Hill is also affected by the Cultural Heritage and Valuable Sites Code. The land has a Low Scale Plot Ratio designation.

Where the superseded Scheme supported development of Holiday Accommodation the current scheme does not. The expected outcome under the current scheme would be a single House. The approved development is tabled by the current Scheme as "impact (inconsistent) development." Neither the land use or extent of development subject to the Development Permit is consistent with current planning requirements. The development is considered inconsistent with the Planning Scheme.

The notification of an application under the current Scheme is likely to give rise to further submissions. The grounds of these submissions can have regard to conflict and inconsistencies of the development with the current Planning Scheme.

By adopting the 2006 Scheme and the amendments in 2008 the community has identified the future desired outcomes for the land. There has been no demonstrated need for additional land for tourist accommodation or that this is the best location if further land was needed. Given that the current Scheme seeks significantly different outcomes to that of the 1996 Scheme it is not considered appropriate that the request be supported.

Infrastructure Charges

These remain applicable for the life of the approval. Council's Policy has not varied the amount due, except indexing, since the issue of the approval.

APPENDIX 1: DEVELOPMENT PERMIT

IDAS AMENDED DECISION NOTICE - APPROVAL

Amended Decision Notice
APPROVAL
Sustainable Planning Act 2009 S 802 and
Integrated Planning Act 1997 S 3.5.15



Queensland
Government

Our Ref: Meeting 47 Item 6.1 11 June 2010
 Council Ref: 8/35/88

Douglas Iconic Panel

RECEIVED
 21 JUN 2010

BY: J1262857-OCK

18 June 2010

FA Langton
 C/- Conics Pty Ltd
 PO Box 1949
 CAIRNS QLD 4870

RE: Application for a Development Permit for a Material Change of Use for 4 Multiple Dwellings (Tourist) under the 1996 Superseded Planning Scheme
27 Murphy Street, Port Douglas described as
Lot 113 on PTD2091

Dear Sir / Madam

I wish to advise that, on 11 June 2010, the above development application was granted preliminary approval with conditions. The conditions relevant to this preliminary approval are attached as **Attachments 1 and 2**. These conditions are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

1. Details of the approval

The following type of approval has been issued:

	Development Permit	Preliminary Approval
• Material change of use made assessable by the planning scheme	✓	

2. The relevant period for the approval

The relevant periods stated in section 3.5.21 of the *Integrated Planning Act 1997* (IPA) apply to each aspect of development in this approval, as outlined below—

- ☒ material change of use – 4 years;
- ☐ reconfiguring a lot not requiring operational works – 2 years;
- ☐ reconfiguring a lot requiring operational works – 4 years;
- ☐ any other development not listed above – 2 years.

If there is 1 or more subsequent related approvals¹ for a development approval for a material change of use or a reconfiguration, the relevant period for the approval will be taken to have started on the day the latest related approval takes effect.

3. The approved plans

The approved plans and / or documents for this development approval are listed in the following table and attached as **Attachment 3**.

Drawing or Document	Reference	Date
Site Plan	Total Project Group Plan Da01-A	August 2008
Ground Floor Plan	Total Project Group Plan Da04- Rev D	September 2009
First Floor Plan	Total Project Group Plan Da03 A	August 2008
Sections And Elevations	Total Project Group Plan Da04 Rev G	03 June 2010
Comparative Street Elevations	Total Project Group Plan DA06-Engineering Revision	03 June 2010
Perspective	Total Project Group Plan DA05-Engineering Revision	03 June 2010
Northern Boundary Plantings	Pawsey & Prowse	02/09/09
Southern Boundary Plantings	Pawsey & Prowse	02/09/09
Eastern Boundary Plantings – Murphy St	Pawsey & Prowse	02/09/09

4. Other necessary development permits

Listed below are other development permits that are necessary to allow the development to be carried out:

- Development Permit for Operational Works; and
- Development Permit for Building Works.

¹ For the meaning of 'related approval', refer to section 3.5.21(7) of IPA

5. IDAS referral agencies

The IDAS referral agencies applicable to this application are:

	For an application involving...	Name of referral agency	Status	Address
<input checked="" type="checkbox"/>	1. State Controlled Roads	Department of Transport and Main Roads	Concurrence	Department of Transport and Main Roads Cairns District PO Box 6185 CAIRNS QLD 4870

6. Submissions

There was one properly made submission about the application. In accordance with s 3.5.15(2)(j) of the IPA, the name and address of the principal submitter for each properly made submission are as follows:

Name of principal submitter	Address
I. S. W. O'Brian	C/- Thomson Adsett Bentley PO Box 83 EDGE HILL QLD 4870

7. Appeal rights -

Attached, as **Attachment 4**, is an extract from the *Iconic Queensland Places Act 2008* (IQPA) and IPA which details your appeal rights and the appeal rights of any submitters regarding this decision.

8. When the development approval takes effect -

This development approval takes effect -

- from the time the amended decision notice is given, if there is no submitter and the applicant does not appeal the decision to the court

OR

- if there is a submitter and the applicant does not appeal the decision, the earlier date of either:
 - when the submitter's appeal period ends; or
 - the day the last submitter gives the assessment manager written notice that the submitter will not be appealing the decision.

OR

- subject to the decision of the court, when the appeal is finally decided, if an appeal is made to the court.

This approval will lapse if—

- for a material change of use, the first change of use under the approval does not start within the relevant period stated in section 2 of this amended decision notice;
- for a reconfiguration, a plan for the reconfiguration is not given to the local government within the relevant period stated in section 2 of this amend decision notice;
- for a development approval other than a material change of use or reconfiguration, the development does not substantially start within the relevant period stated in section 2 of this amended decision notice.

Note that in the case of a development approval for a material change of use or for reconfiguring a lot, if there is 1 or more subsequent related approvals the relevant period for the material change of use or reconfiguration will restart from the date of the related approval taking effect. Please refer to section 3.5.21 of IPA for further information.

If you wish to discuss this matter further, please contact the undersigned on 4039 8841.

Yours sincerely,



Ben Thrower
Project Manager
Douglas Iconic Panel

cc: *Cairns Regional Council, Referral agency/s and Submitter/s (to be posted to the submitter in accordance with statutory requirements under IPA)*

Mrs Lyn Russell
Chief Executive Officer
Cairns Regional Council
PO Box 359
CAIRNS QLD 4870

Mr Simon Clarke
Assessment Manager
Cairns Regional Council
PO Box 359
CAIRNS QLD 4870

Mr Malcolm Hardy
Department of Transport and Main Roads
Cairns District
PO Box 6185
CAIRNS QLD 4870

S. W. O'Brien
C/- Thomson Adsett Bentley
PO Box 83
EDGE HILL QLD 4870

Attachment 1
Assessment Manager Conditions of Approval

1. The applicant/owner must at all times during development of the subject land carry out the development and construction of any building thereon and conduct the approved use(s) generally in accordance with:
 - a. The plans, specifications, facts and circumstances as set out in the application submitted to Council;
 - b. To ensure that the development complies in all respects with the following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual; and

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.

Amendment to Design

3. The proposed development must be amended to accommodate the following changes:
 - a. The applicant is to show full compliance with AS2890.1 for access and parking following construction of the full on street works required by the conditions below. In particular the applicant must show how a B99 vehicle can enter and exit all of the proposed garages and visitor spaces including a full analysis of the driveway vertical and horizontal geometry and vehicle swept paths.

Details of the above amendments must be endorsed by Cairns Regional Council's Chief Executive Officer prior to issue of a Development Permit for Building Work.

Water Supply Contributions

4. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of water supply infrastructure.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are \$8,992.00 (1.00 EDC).

Payment is required prior issue of a Development Permit for Building Work.

Wastewater Contributions

5. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of sewerage infrastructure.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are \$6,552.03 (1.80EDC).

Payment is required prior issue of a Development Permit for Building Work.

Water Supply and Sewerage Works Internal

6. Undertake the following water supply and sewerage works internal to the subject land:

- a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures;
- b. Water supply sub-metering must be designed and installed in accordance with *The Plumbing and Drainage Act 2002* and the *Water Supply (Safety and Reliability) Act 2008*.

All 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 Cairns Regional Council's Chief Executive Officer prior to Commencement of Use or issue of a Compliance Certificate, whichever occurs first.

Three (3) copies of a plan of the works must be endorsed by Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Damage to Infrastructure

- 7. 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, including but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify Cairns Regional Council Water and Waste immediately of the affected infrastructure and have it repaired or replaced by Cairns Regional Council Water and Waste, at the developers cost, prior to the Commencement of Use.

Water Saving

- 8. All toilet devices in the development must be fitted with dual flush cisterns and showers and hand basins in the development must be fitted with flow control valves or similar water control devices to generally restrict flow to nine (9) litres of water per minute.

Vehicle Parking

- 9. The amount of vehicle parking must be as specified in the 1996 Douglas Shire Planning Scheme which is a minimum of five (5) 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.

Car Parking Layout

- 10. The parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities - off street car parking and the 1996 Douglas Shire Planning Scheme, in particular:
 - a. Parking spaces adjacent to columns and walls must have a minimum unobstructed clear width as determined by AS2890.1;
 - b. Manoeuvring space must be provided to enable all vehicles to enter and exit the site in forward gear (including refuse and service/delivery vehicles).

Amended plans (also as required by Condition 3) must be endorsed by Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Protection of Landscaped Areas from Parking

11. Landscaped areas adjoining the parking area must be protected by a 150mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

Parking Signage

12. Erect signs advising of the location of the off-street visitor parking area and access thereto. The signs must be erected prior to Commencement of Use. One sign must be located on the Murphy Street frontage.

Lighting

13. 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.

External Works

14. Undertake the following works external to the land at no cost to Council:
 - a. Re-profile the verge to match the profile at 29 Murphy Street and construct a 1.5m metre wide concrete footpath to the Murphy Street frontage as an extension to the footpath fronting 29 Murphy Street in accordance with FNQROC Development Manual Standard Drawing 1035;
 - b. Construct full width bitumen widening and kerb and channelling to the Murphy Street frontage (K & C to be on a 4.5m alignment);
 - c. Provision of a concrete crossover and apron in accordance with FNQROC Development Manual Standard Drawing 1015;
 - d. Upgrade the street lighting to comply with requirements of the FNQROC Development Manual;
 - e. Secondary drainage is to be fully contained in the road profile and is to be designed in accordance with QDUM;
 - f. Raise the existing stormwater inlet pit in the existing verge area of 27 Murphy Street to form a manhole with an approved lid at the finished verge profile;
 - g. Provide (if not provide through other nearby developments) a new inlet pit over the existing stormwater line in the western side of Murphy Street just north of the new crossover required for the subject development;
 - h. Make provision for separate pedestrian access to the site (if required);
 - i. Repair any damage to existing kerb and channel, footway or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development.

All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded. Particular attention must be given to providing safe passage for people with disabilities i.e. the provision of temporary kerb ramps if pedestrian diversions are necessary.

The external works outlined above constitute Operational Works. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by Cairns Regional Council's Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of Cairns Regional Council's Chief Executive Officer prior to Commencement of Use or issue of a Compliance Certificate, whichever occurs first.

Plan of Drainage Works

15. The subject land must be drained to the satisfaction of Cairns Regional Council's Chief Executive Officer. In particular:
 - a. Drainage design and infrastructure is to be in accordance with;
 - i. FNQROC Development Manual;
 - ii. Drainage Plans produced by CMG Consulting Engineers numbered 25854 C-1 AMDT B , 25854 C-2 AMDT A, 25854 C-3 AMDT A.

The drainage works outlined above constitute Operational Works. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by Cairns Regional Council's Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of Cairns Regional Council's Chief Executive Officer prior to Commencement of Use or issue of a Compliance Certificate, whichever occurs first.

Lawful Point of Discharge

16. All stormwater from the property must be directed to a lawful point of discharge (nominally the drainage easement in south-east corner of site – Easement A SP166318)) such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of Cairns Regional Council's Chief Executive Officer.

Sediment and Erosion Control

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

Drainage Easement

18. Create a Drainage Easement having a minimum width of 3 metres along and parallel to the entire length of the rear boundary of Lot 113 PLN 2091 to be granted in favour of Council. Easement and associated works to be consistent with the drainage layout shown on Drainage Plans produced by CMG Consulting Engineers numbered 25854 C-1 AMDT B , 25854 C-2 AMDT A, 25854 C-3 AMDT A. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council.
 - a. The approved easement documents must be submitted at the same time as seeking a Compliance Certificate for the Plan of Survey and must be lodged and registered with the Department of Environment and Resource Management in conjunction with the Plan of Survey.

(NB: This condition may have been satisfied prior to the issue of the Development Approval for the subject development).

Geotechnical Assessment

19. A geotechnical assessment of the site and adjoining street must be carried out by a qualified and experienced geotechnical engineer. The geotechnical report and details of any amendments to design must be provided to the satisfaction of Cairns Regional Council's Chief Executive Officer prior to issue of the both the Development Permit for Building Works and the Development Permit for Operational Works.

Geotechnical Assessment (Batters)

20. All earthwork batters steeper than 1 in 2 and/or higher than 1.8 metres must be certified by a qualified Geotechnical Engineer prior to the Commencement of Use.

Structural Certification (Retaining Walls)

21. All retaining walls or structures higher than 1.0 metre must be structurally certified prior to the issue of a Development Permit for Building Work.

Where the profile or height of the wall is redesigned during structural certification, amended plans must be endorsed by Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Stockpiling and Transportation of Fill Material

21. 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 7am or after 6pm Monday to Friday; or
 - c. before 7am or after 1pm Saturdays; or
 - d. on Sundays or Public Holidays.
23. Dust emissions or other air pollutants, including odours, do not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

Storage of Machinery & Plant

24. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of Cairns Regional Council's Chief Executive Officer.

Demolish Structures

25. All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to Commencement of Use.

Landscaping Plan

26. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show, but not be limited to:
- a. The location and species of all existing trees, with an indication as to whether each tree is to be retained or removed, and natural and finished ground levels if filling is to occur in the vicinity of any tree.
 - b. A planting design which is in accordance with the FNQROC Development Manual;
 - c. Provide deep landscaping to southern side set back areas;
 - d. The mixture of species planted on site must include a minimum of 60% native species.
 - e. Details of any perimeter, private yard or street fencing;
 - f. Protection of landscaped areas adjoining parking areas from vehicular encroachment by a 150mm high vertical concrete kerb or similar obstruction;

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by Cairns Regional Council's 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 issue of a Compliance Certificate whichever occurs first. Landscaped areas must be maintained at all times to the satisfaction of Cairns Regional Council's Chief Executive Officer.

Vegetation Clearing

27. Existing vegetation on the subject land must be retained in all areas except those affected by the construction of road works/access driveways, the installation of services or improvements as detailed on the approved plans. Any further clearing requires an Operational Works Approval.

Vegetation to be retained is to be identified and adequately fenced off for protection purposes prior to construction work commencing on the site.

Screen Fence

28. A screen fence must be provided to the side and rear boundaries of the subject land, to the satisfaction of Cairns Regional Council's Chief Executive Officer. The fencing must be consistent in terms of design and materials with other fences in the locality. The fencing must be completed prior to the Commencement of Use.

Street Fencing

29. 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.

Details of the street fencing must be detailed in the Landscape Plan and be endorsed by Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Refuse Storage

30. Refuse storage is required to service the site in accordance with Council requirements. Brochures on these requirements – 'Requirements for Refuse Storage' are available from Cairns Regional Council Water and Waste.
31. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

Details of Development Signage

32. The development must provide clear and legible signage incorporating the street number for the benefit of the public.

Advertising Signage

33. All signage associated with the use must be approved by Cairns Regional Council's 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 Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Works or Commencement of Use, whichever occurs first.

Construction Signage

34. 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

Crime Prevention through Environmental Design

35. The applicant/owner must ensure that all lighting and landscaping requirements comply with Council's General Policy Crime Prevention through Environmental Design (CPTED).

Health Requirements

36. Noise from air conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of Cairns Regional Council's Chief Executive Officer, create an environmental nuisance having regard to the provisions of the *Environmental Protection Act 1994*, Environmental Protection (Noise) Policy 1998.
37. Swimming pool water quality must be maintained in accordance with the Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines 2004.

Screening - Air-conditioning Units

38. 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.

A plan addressing the above must be provided to the satisfaction of Cairns Regional Council's Chief Executive Officer prior to issue of the both the Development Permit for Building Works

Screening - Windows/Decks

39. Provide fixed louvre screens (or other approved mechanism) to the windows and balcony areas of the first floor level on the southern side of the proposed development to inhibit overlooking of the neighbouring residential properties. Alternatively indicate on a detailed drawing how the existing window and balcony configurations inhibit such overlooking.

A plan addressing the above must be provided to the satisfaction of Cairns Regional Council's Chief Executive Officer prior to issue of the both the Development Permit for Building Works.

Lockable Storage

40. Provide each unit with a minimum of 2.5m² (minimum 5m³ volume) of lockable storage space conveniently located with respect to car accommodation.


Bicycle Parking

41. Provide secured, on-site bicycle parking in accordance with Table 10-1 of AUSTROADS Guide to Traffic Engineering Practice Part 14 - Bicycles. Based on the provisions in Table 10-1 (page 133) the minimum number of parking spaces required for this development is 1 (one) space. The bicycle parking area must be constructed prior to Commencement of Use.

FURTHER ADVICE

1. 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 Cairns Regional Council Officers, prior to commencement of works.
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
3. Headwork contribution calculations are attached as **Appendix 1**. Please note that the contributions must be paid at the rates applicable at the time of payment. Updated calculations must be requested prior to payment.
4. For information relating to the repealed *Integrated Planning Act 1997* and *Sustainable Planning Act 2009* log on to www.dip.qld.gov.au. To access Council's Development Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.

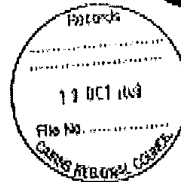
Appendix 1 Headwork Contribution Calculations

		1996 Planning Scheme		DEVELOPERS CONTRIBUTIONS SUMMARY			
Preliminaries Developer: F Langan Estate Name: Fagard Stage: 0 Street No. and Name: 27 Murphy Street Suburb: Port Douglas Parcel No.: 2500 Lot and RP No.: Lot 113 on FID0091 Development Permit No.: 63558		Development Type District No.: 1996 Douglas Shire Planning Scheme Quarter Ending Effective: Sep-09 SKIDS No.: 2414343 Version No.: 1 Current RCI: 0.00 Current CPI: 0.00 Valuation Period: 4 Current RAB: 157.6		UCU 1996 Douglas Shire Planning Scheme Sep-09 2414343 1 0.00 0.00 4 157.6			
Water Supply District No.: 11 District Name: Port Douglas Base Rate - existing: \$5,972.19 Base Rate - proposed: \$5,972.19 Base Rate - test: \$5,123.29 Base Date: Mar-00 Receipt Code Existing: 05674 Receipt Code Proposed: 05603 Current Rate (Indexed): \$5,909.67 Current Rate (Indexed): \$5,944.48 Current Rate (Indexed): \$6,494.15 Base Index: 148.60		Sewerage District No.: 1 District Name: P.D. Town Area Base Rate - existing: \$2,378.63 Base Rate - proposed: \$366.00 Base Rate - test: \$2,734.63 Base Date: Jun-03 Receipt Code Existing: 16555 Receipt Code Proposed: 05673 Current Rate (Indexed): \$3,166.15 Current Rate (Indexed): \$473.86 Current Rate (Indexed): \$3,640.01 Base Index: 113.60		Proposed Demand 4 Multiple Dwellings (2 bedrooms): 2.00 EDC None: 0.00 EDC None: 0.00 EDC Total demand: 2.00 EDC Existing Demand 1 Dwelling house: 1.00 EDC None: 0.00 EDC None: 0.00 EDC Normal use credit: 1.00 EDC Long term use credit Credit for long term water consumption removed from policy on 12/2/2002 as per minutes of meeting #433009 Previous contribution Historical amount: \$0.00 Date of payment: 0-Jun-00 Credit for previous payment: 0.00 EDC Credit for Works External Opening balance of works external: \$0.00 Opening balance of credits: \$0.00 Credit claimed: \$0.00 Net demand: 1.00 EDC Net Charges: 360 Net Charges Existing Works: 359 Net Charges Proposed Works: 355 Contributions: \$3,992.00 Time of payment: 0		Proposed Demand 4 Multiple Dwellings (2 bedrooms): 2.60 EDC None: 0.00 EDC None: 0.00 EDC Total demand: 2.60 EDC Existing Demand 1 Dwelling house: 1.00 EDC None: 0.00 EDC None: 0.00 EDC Normal use credit: 1.00 EDC Long term use credit Credit for long term sewer use removed from policy on 12/2/2002 as per minutes of meeting #433009 Previous contribution Historical amount: \$0.00 Date of payment: 0-Jun-00 Credit for previous payment: 0.00 EDC Credit for Works External Opening balance of works external: \$0.00 Opening balance of credits: \$0.00 Credit claimed: \$0.00 Net demand: 1.60 EDC Net Charges Existing Works: 359 Net Charges Proposed Works: 355 Contributions: \$5,699.07 Net Charges Proposed Works: 355 Contributions: \$6,582.03 Time of payment: 0	
Road Network District No.: 0 District Name: 0 Receipt Code: 0 Base Rate: \$0.00 ERA Base Date: Jan-00 Current Rate (Indexed): \$0.00 ERA Proposed Demand None: 0.00 ERA None: 0.00 ERA None: 0.00 ERA Total demand: 0.00 ERA Existing Demand None: 0.00 ERA None: 0.00 ERA None: 0.00 ERA Allowable credit: 0.00 ERA Subtotal: 0.00 ERA Credit for Works External Works external: 0 Opening balance of credits: \$0.00 Credit for this work: \$0.00 Closing balance for works external: \$0.00 Contributions: \$0.00 Time of payment: 0		Drainage District No.: 44 District Name: None Mitigation: No Policy in Former DSC Area Unit: Ha Quantity: 0.00 Receipt Code: 0 Base Rate: \$0.00 Base Date: Jan-00 Current Rate (Indexed): \$0.00 Proposed Demand None: \$0.00 Subtotal: \$0.00 Credit for Works External Works external: 0 Opening balance of credits: \$0.00 Credit for this work: \$0.00 Closing balance for works external: \$0.00 Contributions (Mitigation) Water Quality: Ha Quantity: 0 Receipt Code: 0 Base Rate: \$0.00 Base Date: Jan-00 Current Rate (Indexed): \$0.00 Proposed Demand None: \$0.00 Subtotal: \$0.00 Credit for Works External Works external: 0 Opening balance of credits: \$0.00 Credit for this work: \$0.00 Closing balance for works external: \$0.00 Contributions (Water Quality) \$0.00 Time of payment: 0		Other Bonds and Contributions None: \$0.00 None: \$0.00 0: 000/000 \$0.00 None: \$0.00 Subtotal: \$0.00 Time of payment: prior to commencing works for road improvement Adjustment Index: RAB			
Ocean Space Adjustment Index: 0 Surrender of Land &/or Money: Area of new attachments: ha Parklands proposed: ha Area of subject land: ha UCV of subject land: ha Parkland required: ha Districts: Number: 2 Name: Former DSC Area Receipt Code: 516 \$0.00 Contribution for shortfall: \$2.62 Time of payment:		Amendments Prepared/Checked: Gary Warner 12/01/2010 12-Jun-10 TOTAL: \$16,128.92		Developer Contributions Project			

Attachment 2
Concurrence Agency Conditions of Approval

09 October 2008

Mr. N Briggs
Chief Executive Officer
Cairns City Council
PO Box 359
CAIRNS, QLD 4870



**Queensland
Government**

Department of Main Roads

Dear Mr. Briggs

Cairns Regional Council: Port Douglas Road
Located at 27 Murphy Street, Port Douglas
Lot 113 on PTD1091, Parish of Salisbury
F.A. Langton
Proposed Material Change of use (Multiple Dwellings - Tourist) Application
Referral Agency's Response (no requirements)

I refer to the application received at the Department 08 October 2008 requesting consideration of the above development.

The Queensland Department of Main Roads, as a Concurrence Agency, has assessed the impact of the proposed development on the State-controlled road network and advises that it has no requirements with regard to the subject application.

This department would appreciate a copy of Council's decision notice for the application.

A copy of this letter has been sent to the applicants.

Yours sincerely

Malcolm Hardy
SENIOR PLANNER FAR NORTH

Road Business Group
Far North Regional Office
Floor 4, Cairns Corporate Tower, 15 Lake Street
Cairns Queensland 4870
PO Box 6185 Cairns Queensland 4870
ABN 51 816 717 711

Our Ref: 2146564/02 (3623)
Your Ref: 10/ASB
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Facsimile: +61 7 40505434
Website: www.pointrails.com.au/qld/gov.au
Email: www.pointrails.com.au/qld/gov.au