CASSOWARY COAST REGIONAL COUNCIL

MINUTES OF THE LOCAL GOVERNMENT MEETING HELD IN THE SHIRE CHAMBERS - BOARD ROOM, 38 - 40 BRYANT STREET, TULLY ON 22 APRIL 2010 COMMENCING AT 9.00AM.

PRESENT:
Crs B Shannon (Mayor), M Nolan, I Rule, B Horsford, R Sorbello, J Downs and C Silvestro and Messrs T Brennan (Chief Executive Officer), J W Pettigrew (Director, Planning and Environmental Services), P Cochrane (Director, Corporate Services) and D Horton (Manager, Planning Services) and Mrs J Murphy (Director Community Services), Ms A Nugent (Manager, Strategic Planning) and Ms J Cooksley (Minutes Clerk).

OPENING PRAYERS:
Cr Shannon welcomed Pastor Rob Magarey of the Tully Family Church representing the Tully Ministers’ Fraternal to offer an opening prayer.

After thanking Council for their leadership within the community and upon conclusion of the blessing, Pastor Magarey left the meeting.

Item Number 1.1
CONFIRMATION OF MINUTES OF THE LOCAL GOVERNMENT MEETING HELD ON 08 APRIL 2010

Recommendation:
“That the Minutes of the Local Government Meeting held on 08 April 2010 be confirmed as a true and correct record.”

Moved Cr I Rule
Seconded Cr M Nolan
Resolution Number 00942
“That the Recommendation be adopted.”
CARRIED

Item 2.1
RECEIPT OF MINUTES OF THE TOURISM ADVISORY COMMITTEE MEETING HELD ON 18 MARCH 2010

Recommendation:
“That Council receive the minutes of the Tourism Advisory Committee Meeting held on 18 March 2010.”

Moved Cr J Downs
Seconded Cr R Sorbello
Resolution Number 0943
“That the Recommendation be adopted.”
CARRIED
3. BUSINESS FROM PREVIOUS MEETING - REQUEST FOR TURNING LANE – INTERSECTION OF THE PALMERSTON HIGHWAY AND PULLOM ROAD

Cr Ian Rule advised this matter was referred to a representative of Department of Main Roads at the CCRC Traffic Consultative Committee Meeting on 14 April 2010 who has since advised that a meeting has been organised between the East Palmerston State School’s P & C Association and the Department of Main Roads in an effort to resolve this issue.

Item Number 4.2
CCRC-080/10 - REGISTRATION AS A COMPANY LIMITED BY GUARANTEE AND CONSEQUENTIAL AMENDMENTS TO THE CONSTITUTION AND RULES OF THE LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND

Executive Summary:
In a letter dated 1 April 2010, the LGAQ advised Council that in 2008 the Queensland Government determined that the Association should no longer be incorporated under a Queensland Act of Parliament. This action will require the LGAQ to seek registration as a company limited by guarantee through the Australian Securities and Investment Commission (ASIC).

As a result, the Association is currently undertaking the task of effecting this change in corporate status which, amongst other things, requires the LGAQ to record Member Council’s support for the ASIC registration and effect certain changes to the Association’s Constitution.

Accordingly, the LGAQ is calling a “Special Conference - postal ballot” of the Association, with the focus of business being on Registration as a Company Limited by Guarantee and Consequential Amendments to the Constitution and Rules of the LGAQ.

There are five (5) motions for Council’s consideration (see motions regarding the Consent to Application attached). All voting papers must be received by the LGAQ by 5.00pm on Wednesday, 19 May 2010. The LGAQ urges Member Councils to submit their ballot papers in favour of the proposed motions.

Recommendation:
“That Cassowary Coast Regional Council support the Consent to Application motions (as attached to the report) to enable the LGAQ to seek registration as a company limited by guarantee through the Australian Securities Investment Commission by completing the voting paper and lodging it with the LGAQ by 5.00pm on 19 May 2010 and the consequential amendments to the Constitution and Rules of the LGAQ.”

Moved Cr I Rule
Seconded Cr J Downs

Resolution Number 0944
“That the Recommendation be adopted.”
CARRIED
Item Number 4.3
CCRC-081/10 - QUARTERLY PROGRESS REPORT - 2009/10 OPERATIONAL PLAN

Executive Summary:
Council adopted its 2009/10 Operational Plan on 25 June 2009 following the adoption of the Corporate Plan. The Operational Plan details the activities proposed to be undertaken over the next financial year which will contribute towards achieving the strategies outlined in the Corporate Plan.

The third quarterly review of the 2009/10 Operational Plan has recently been completed and a copy is attached for review by Council.

Officer’s Recommendation:
“That the quarterly review of the 2009/10 Operational Plan to 31 March 2010 be received and its contents noted.”

Moved Cr C Silvestro
Seconded Cr R Sorbello
Resolution Number 0945

“That the Recommendation be adopted.”

CARRIED

Item Number 4.4
CCRC-082/10 - QUARTERLY PROGRESS REPORT - STRATEGIC FINANCIAL ACTION PLAN

Executive Summary:
In October 2008 the Council adopted a Strategic Financial Action Plan as one of the key measures to implement improved governance arrangements. The Action Plan is a tool to assist Council to better manage its short and long term financial future. The Plan contains a set of key priorities, the implementation of which will assist Council in achieving longer term financial sustainability.

A quarterly update of the Action Plan has recently been completed for review by Council. A copy of the review will also be forwarded to the Department of Infrastructure and Planning for its information.

Officer’s Recommendation:
“That the quarterly review of the Strategic Financial Action Plan to 31 March 2010 be received and its contents noted.”

Moved Cr J Downs
Seconded Cr R Sorbello
Resolution Number 0946

“That the Recommendation be adopted.”

CARRIED
Item Number 4.5  
CCRC-089/10 - YEAR OF WOMEN IN LOCAL GOVERNMENT FUNCTION FOR CASSOWARY COAST REGIONAL COUNCIL

Executive Summary:
2010 has been designated as the Year of Women in Local Government. Having had discussions with Meredith Russell, Manager Human Resources and consultation with Cr Carmel Silvestro and Minister Desley Boyle, Minister for Local Government, Cr Downs would like to propose that Council host a small function to recognise the contribution of women in Local Government in our region.

It is suggested that the function be as simple as a morning tea, and given Minister Desley Boyle’s commitment that she would be happy to attend, it is suggested that this be held (at this stage, and dependent on the Minister’s schedule) in the morning tea break at Council meeting on 12th August.

Recommendation:
“That Council support the staging of a small function in conjunction with a Local Government meeting to recognise the contribution of women in Local Government during the current Year of Women in Local Government.”

Moved Cr J Downs  
Seconded Cr M Nolan

Resolution Number 0947  
“That the Recommendation be adopted subject to the following amendment:

“That Council support the staging of a small function in conjunction with a Local Government meeting to recognise the contribution of women in Local Government during the current Year of Women in Local Government (INSERT) on 12 August 2010.”

CARRIED

9.35am Ms N Moore (Planning Officer) and Mr B Abercrombie (Co-ordinator, Works North) and his wife, Dawn entered the meeting.

Item Number 5.1  
CCRC-085/10 - ROAD AND LAND USE MATTER - APPLICATION FOR TEMPORARY ROAD CLOSURE OVER PART OF AN UNNAMED ROAD ADJACENT TO LOT 4 ON CP906666, MURDERING POINT ROAD, KURRIMINE BEACH

Executive Summary:
Council is in receipt of correspondence requesting Council’s views and/or requirements in relation to the following land use matter:

1. Correspondence from the Department of Environment and Resource Management (DERM) regarding an application for temporary road closure over part of an unnamed road adjacent to Lot 4 on CP906666, shown on Drawing Number: DD2010/ 010 (Appendix 1) - Murdering Point Road, Karrimine Beach.
Minutes of CCRC Local Government Meeting  
22 April 2010

Item Number 5.1  
CCRC-085/10 - ROAD AND LAND USE MATTER - APPLICATION FOR TEMPORARY ROAD CLOSURE OVER PART OF AN UNNAMED ROAD ADJACENT TO LOT 4 ON CP906666, MURDERING POINT ROAD, KURRI MINE BEACH (Cont’d...)

Recommendation:  
“That Council offer no objection to the application for temporary road closure over part of an unnamed road adjacent to Lot 4 on CP906666, on the condition that access to Lot 6 on RP742700 and Maria Creek National Park is maintained.”

Moved Cr C Silvestro  
Seconded Cr I Rule

Resolution Number 0948  
“That the Recommendation be adopted.”

CARRIED

Item Number 5.2  
CCRC-086/10 - REGULATION OF DUPLEx DEVELOPMENT - SUSTAINABLE PLANNING REGULATION 2009

Executive Summary:  
The Sustainable Planning Regulation 2009 (SPR) was released on 18 December 2009. Item 2 of Table 2 in Schedule 4 of the SPR made Attached Duplexes exempt development under a Planning Scheme in certain circumstances. Councils could become a Concurrence Agency to the building application for duplexes in these circumstances by passing an Amenity and Aesthetics resolution.

In response to concerns raised by a number of Local Governments about the change in regulation of duplexes, the Government has amended Schedule 4, Table 2 of the SPR so that a Local Government has to ‘opt in’ if it wishes to regulate duplex development in accordance with the new regime. Otherwise, a duplex is assessable against the applicable Planning Scheme as it was prior to the release of the SPR.

Council has been asked by the Department of Infrastructure and Planning whether it intends to ‘opt in’ to the new regime for the regulation of certain duplex developments.

Recommendation:  
“That Council resolve not to ‘opt in’ to regulate duplexes in accordance with the new regime in Item 2 of Table 2 in Schedule 4 of the Sustainable Planning Regulation 2009 and the Department of Infrastructure and Planning be advised accordingly.”

Moved Cr M Nolan  
Seconded Cr R Sorbello

Resolution Number 0949  
“That the Recommendation be adopted.”

CARRIED
Item Number 5.3
CCRC-087/10 – STATEMENT OF PROPOSALS FOR THE CASSOWARY COAST REGIONAL COUNCIL PLANNING SCHEME

Executive Summary:
At its meeting on 8 October 2009, Council resolved to prepare a new Planning Scheme for the Cassowary Coast Regional Council Local Government Area and adopted a Project Plan for the preparation of the new Planning Scheme.

In accordance with the adopted Project Plan, Council has prepared a Statement of Proposals for the new Planning Scheme (the volume of this document prevents its inclusion in the report - provided under separate cover). Council must now distribute the Statement of Proposals and give public notice of the Statement of Proposals in accordance with Schedule 1 of the Integrated Planning Act 1997.

Recommendation:
"That Council;

1. Endorse the Statement of Proposals it has prepared for the purposes of section 3(1) of Schedule 1 of the Integrated Planning Act 1997 (Qld).

2. Give a copy of the Statement of Proposals to the Chief Executive of the Department of Infrastructure and Planning and each adjoining Local Government.

3. Publish, at least once in a newspaper circulating generally in the Cassowary Coast Regional Council Local Government Area, a Notice stating:

   (a) the name of the Local Government (Cassowary Coast Regional Council);

   (b) that the Cassowary Coast Regional Council has prepared a Statement of its Proposal for preparing the Planning Scheme and that the Statement is available for inspection and purchase;

   (c) a contact telephone number for information about the Statement;

   (d) that written submissions about any aspect of the Proposal can be made to the Local Government by any person;

   (e) the period during which submissions can be made;

   (f) the requirements for making a properly made submission under Part 1, Schedule 1 of the Integrated Planning Act 1997 (Qld).

4. Display a copy of the Notice referred to in Dot Point 3 above in a conspicuous place in the Tully and Innisfail Council offices and Council libraries."

Moved Cr J Downs  
Seconded Cr R Sorbello  
Resolution Number 0950  
“That the Recommendation be adopted.”  
CARRIED

10.00am – 10.35am  The meeting adjourned for morning tea during which a presentation was made to Mr Brian Abercrombie, Co-ordinator Works North who is retiring from Council after 46 years of dedicated service to the former Johnstone Shire Council and the Cassowary Coast Regional Council.

It was noted when the meeting reconvened that Ms A Nugent and Mr B Abercrombie (and his wife, Dawn) were no longer in attendance and that Ms Michelle Wood and Mr Steve Bertocchi of the Department of Environment and Resource Management, Cairns were in attendance.

PRESENTATION ON THE WET TROPICS WATER RESOURCE PLANNING PROCESS BY MICHELLE WOOD, DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT, CAIRNS

Mayor Bill Shannon welcomed Ms Wood and Mr Bertocchi to the meeting and invited Ms Wood to address Council regarding the Wet Tropics Water Resource Planning process.

Ms Wood thanked the Mayor for the opportunity to speak to Council regarding this initiative and proceeded to talk to an overhead presentation highlighting the water planning framework and water resource planning in the Wet Tropics.

The Minister for Natural Resources, Mines and Energy will form a Community Reference Panel (CRP) to represent the interests of the community in the proposed plan area to advise on the community’s views on the development of the ‘draft’ Water Resource Plan.

The Minister is currently seeking the community’s views on the process for appointing the CRP and the broader consultation arrangements for development of the ‘draft’ plan through submissions. Once the ‘draft’ plan has been developed it will be released for public comment and a further round of submissions.

Ms Wood and Mr Bertocchi left the meeting at this time.

Mayor Bill Shannon advised FNQROC have asked Member Councils to provide a response to the following regarding the Wet Tropics Water Resource Planning process by 30 April 2010:

1. What is Council’s preferred approach to representation on the Community Reference Panel?

2. If Terrain was able to secure DERM undertaking structured engagement at catchment scale, who should be sitting at the table?
After some consideration, Council resolved the following:

1. To support an FNQ Local Government representative being a member of the Community Reference Panel.

2. Representation from both Cassowary Coast Regional Council’s catchment areas, i.e. the Murray/Kennedy Valley in the south and the Lower Johnstone in the north with representation from the sugar and banana growers’ industries, environmental interests and possibly Council.

11.30am Mrs J Murphy (Director, Community Services) entered the meeting.

Item Number 5.4
CCRC-090/10 - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - INTENSIFICATION OF AN EXISTING USE - LIGHT INDUSTRY (CABINET MAKING)

Executive Summary:
Council is in receipt of an application for a Material Change of Use for an Intensification of an Existing Use - Light Industry (Cabinet Making). The application was prepared by the applicant/owner for the establishment of a cabinet making business within the Rural (Rural Precinct) Zone at Innisfail Japoon Road, Mundoo and described as Lot 11 on SP196194.

The application was impact assessable and therefore public notification was required. No properly made submissions were received by Council.

The subject site is located outside the urban footprint as indicated in the Far North Queensland Regional Plan (FNQRP) 2009-2031 and the proposal consists of a total GFA greater than 250m² and therefore was required to be referred to the Department of Infrastructure and Planning as per the FNQRP State Regulatory Provisions. The subject site is also within 100m of a state controlled road (Innisfail Japoon Road) and therefore was also required to be referred to the Department of Transport and Main Roads.

The application is an extension to an existing approved use and therefore is considered to be consistent with the intent of the zoning and strategic framework, and adequately meets the provisions of the Johnstone Shire Council Planning Scheme, 2005, and therefore the proposed application for Material Change of Use for an Intensification of an Existing Use - Light Industry (Cabinet Making) is recommended for approval subject to reasonable and relevant conditions.

Recommendation:
“That a Development Permit be issued for a Material Change of Use for an Intensification of an Existing Use - Light Industry (Cabinet Making) situated at Innisfail Japoon Road, Mundoo, on land described as Lot 11 on SP196191, Parish of Johnstone, subject to the following conditions:
Item Number 5.4

CCRC-090/10 - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - INTENSIFICATION OF AN EXISTING USE - LIGHT INDUSTRY ( CABINET MAKING)

(Cont’d…)

Assessment Manager’s Conditions:

1) **Proposal:** The applicant/owner is to ensure that the development is undertaken generally in accordance with the application, documentation and drawings, Site Plan (MCU-374/4; undated), Floor Plan (MCU-374/4; undated) and Elevation Plan (CURM17678, 2 of 5; dated 7/11/09), received by Council 20 November 2009; all relating to Development Application No. 134/09 excepting where varied by the following conditions.

2) **Timing of Effect:** The conditions of the Development Permit must be complied with prior to commencement of use, except where specified otherwise in these conditions of approval.

3) **Amended Plans:** An amended set of plans incorporating any of the changes required by these conditions shall be provided to Council to be endorsed by the Director, Planning & Environmental Services, prior to an application being made for Building Work. A copy of the endorsed plans must also be provided to the person from whom building approval is sought.

4) **Commencement of Use:** The applicant/owner must return to Council the attached Notification of Intention to Commence Use after acceptance of and compliance with these or negotiated conditions (or court determined conditions) and prior to the commencement of the use. Council officers will subsequently carry out an on site inspection to confirm the conditions of approval have been met.

5) **Lot Access:** Access to the subject site is to be maintained to the requirements set out in the conditions of the existing Material Change of Use approval (Council Ref: MCU-374/4). Future maintenance of the access is the responsibility of the landowner.

6) **Floor Level:** The applicant/owner is to ensure the minimum floor level for the extension to the shed is 300mm above the 50 year ARI flood level as per P7 of 5.4.2 Hazards Code of the Johnstone Shire Planning Scheme 2005, to the satisfaction of the Director, Planning & Environmental Services.

7) **Landsaping:** The applicant/owner is to maintain the existing landscaping along Innisfail-Japoon Road as per the conditions for the previous Material Change of Use approval (Council Ref: MCU-374/4)

8) **Car Parking:** The applicant/owner is to provide an additional two (2) car parking spaces on site, bring the total number of car parking spaces to five (5) (Three (3) car parking spaces from the previous approval). All car parking spaces, loading areas and access thereto must be constructed, hardstand (150 mm of gravel pavement) and drained to a lawful point of discharge and maintained at all times, in accordance with the P15 of the Vehicle Access, Parking and Loading Code, to the satisfaction of the Director, Planning & Environmental Services.
Item Number 5.4
CCRC-090/10 - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - INTENSIFICATION OF AN EXISTING USE - LIGHT INDUSTRY (CABINET MAKING)

(Cont’d…)

9) **Public Utilities - Alterations:** Any relocation or alteration to any Public Utilities in association with works pertaining to this development must be undertaken as required by the relevant service provider and at no cost to Council.

10) **Waste Bins:** The waste bin area must be screened from view of adjoining properties and roads, to the requirements and satisfaction of the Director, Planning & Environmental Services.

11) **Hours of Work:** Work involving machinery of any description shall only be carried out on site from:

   a. 6.00am to 6.00pm, Monday to Friday;
   b. 6.00am to 6.00pm Saturdays;
   c. With no work on Sundays or Public Holidays.

   Unless otherwise authorised by the Chief Executive Officer.

12) **Stormwater:** The applicant/owner is to ensure that adequate precautions are taken to avoid the discharge of stormwater onto adjoining allotments, to the requirements and satisfaction of the Director, Planning & Environmental Services.

13) **Environmental Conditions:**

   **SCHEDULE A - GENERAL CONDITIONS**

   **Compliance with Development Approval**

   (A1) **Contaminants must not be released to the environment other than in accordance with this Development Approval.**

   (A2) **The holder of this Development Approval must:**

   (a) install and operate all works and control equipment, and

   (b) take all measures, perform all acts and do all things, necessary to ensure compliance with the conditions of this Development Approval.

   **Display of Development Approval**

   (A3) **A copy of this Development Approval must be kept in a location readily accessible to personnel carrying out the activity.**

   **Records**
Item Number 5.4
CCRC-090/10 – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – INTENSIFICATION OF AN EXISTING USE – LIGHT INDUSTRY (CABINET MAKING)
(Cont’d…)

(A4) Any record required to be kept by a condition of this Development Approval must be kept at the licensed place and be available for examination by an authorised person.

(A5) Copies of any record required to be kept by a condition of this Development Approval must be provided to any authorised person or the Administering Authority on request.

Alterations

(A6) No change, replacement or operation of any plant or equipment is permitted if the change, alteration or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm or environmental nuisance.

Commencement of Activity

(A7) The holder of this Development Approval must ensure that a final inspection is conducted by an Authorised Officer of the Administrative Authority and that a compliance level is achieved, prior to the activity commencing.

SCHEDULE B- AIR

Release of Contaminants to the Atmosphere

(B1) Except as otherwise provided by the conditions of the air schedule of this Development Approval the environmentally relevant activity/activities must be carried out by such practicable means necessary to prevent or minimise the release or likelihood of release of contaminants to the atmosphere.

Noxious or Offensive Odour

(B2) Notwithstanding any other condition of this Development Approval, no odour determined to be noxious or offensive by an authorised person is to be released beyond the boundaries of the licensed place.

Nuisance

(B3) No release of contaminants, including but not limited to odour, dust, smoke, fume, particulate, and aerosols is to cause or be likely to cause an environmental nuisance beyond the boundaries of the licensed place.

Fabric Filter Dust Collector (FFDC)

(B4) All wood dust and associated fine particles generate by machinery must be collected in a fabric filter dust collector (FFDC).
Item Number 5.4
CCRC-090/10 - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - INTENSIFICATION OF AN EXISTING USE - LIGHT INDUSTRY (CABINET MAKING) (Cont’d…)

(B5) All collected material removed from the FFDC must be removed and disposed of in a manner that will not cause the release of contaminants to the atmosphere or to waters.

(B6) A complete set of replacement bags for the FFDC filter that serves the equipment specified in Condition B4 must be held on site at all times.

SCHEDULE C - WATER

Release of Contaminants to Waters

(C1) Except as otherwise provided by the conditions of the water schedule of this Development Approval the environmentally relevant activity/activities must be carried out by such practicable means necessary to prevent or minimise the release or likelihood of release of contaminants to waters.

(C2) Contaminants must not be directly or indirectly released from the licensed place to any waters or the bed and banks of any waters except as permitted under the water schedule or the stormwater management schedule or to a sewer unless permitted by the Cassowary Coast Regional Council in accordance with its Trade Waste Policy.

SCHEDULE D - STORMWATER MANAGEMENT

Contaminant Releases Caused by Rainfall

(D1) Except as provided by the conditions of the stormwater management schedule and the water schedule of this Development Approval, the environmentally relevant activities must be carried out by such practicable means necessary to prevent or minimise the contact of incident rainfall and stormwater runoff with wastes or other contaminants, and prevent or minimise the release or likelihood of release of any such contaminated runoff from the licensed place.

SCHEDULE E- LAND APPLICATION

Release of Contaminants to Land

(E1) Except as otherwise provided by the conditions of the land application schedule of this Development Approval the environmentally relevant activities must be carried out by such practicable means necessary to prevent or minimise the release or likelihood of release of contaminants to land.
SCHEDULE F - NOISE

Emission of Noise

(F1) Except as otherwise provided by the conditions of the noise schedule of this Development Approval the environmentally relevant activities must be carried out by such practicable means necessary to prevent or minimise the emission or likelihood of emission of noise.

(F2) The emission of noise from the licensed place must not result in levels greater than those specified in Table 1 of the Noise Schedule.

### SCHEDULE F TABLE 1

#### NOISE LIMITS AT A NOISE SENSITIVE PLACE

<table>
<thead>
<tr>
<th>Period</th>
<th>Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{A\text{max adj, T}}$</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 am - 6 pm</td>
<td>Background noise level plus 5 dB(A)</td>
</tr>
<tr>
<td>6 pm - 10 pm</td>
<td>Background noise level plus 5 dB(A)</td>
</tr>
<tr>
<td>10 pm - 7 am</td>
<td>Background noise level plus 3 dB(A)</td>
</tr>
</tbody>
</table>

#### NOISE LIMITS AT A COMMERCIAL PLACE

<table>
<thead>
<tr>
<th>Period</th>
<th>Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level $L_{A\text{max adj, T}}$</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 am - 6 pm</td>
<td>Background noise level plus 10 dB(A)</td>
</tr>
<tr>
<td>6 pm - 10 pm</td>
<td>Background noise level plus 10 dB(A)</td>
</tr>
<tr>
<td>10 pm - 7 am</td>
<td>Background noise level plus 8 dB(A)</td>
</tr>
</tbody>
</table>
Item Number 5.4
CCRC-090/10 – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – INTENSIFICATION OF AN EXISTING USE – LIGHT INDUSTRY (CABINET MAKING) (Cont’d…)

SCHEDULE G - WASTE MANAGEMENT

General

(G1) Waste must not be released to the environment, stored, transferred or disposed contrary to any condition of this Development Approval.

(G2) Waste must not be burnt or allowed to burn on the licensed site or removed and burnt elsewhere unless specifically permitted by an Development Approval.

(G3) An area must be set aside for the segregation and storage of recyclable solid wastes.

(G4) Where a no-cost recycling service is available, recyclable waste must not be deposited in the general waste stream.

Waste Storage and Handling Conditions

(G5) All storages of raw waste or processed materials must be sealed or covered to prevent loss of contents or exposure of the contents to the atmosphere.

(G6) The base and walls of all bunded areas must be maintained free from gaps or cracks.

Notification of Improper Disposal of Regulated Waste

(G7) If the holder of this Development Approval becomes aware that a person has removed waste from the licensed place and disposed of the waste in a manner which is not authorised by this Development Approval or improper or unlawful, then the holder of this Development Approval must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.
Item Number 5.4
CCRC-090/10 – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – INTENSIFICATION OF AN EXISTING USE – LIGHT INDUSTRY (CABINET MAKING)
(Cont’d…)
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CCRC-090/10 – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – INTENSIFICATION OF AN EXISTING USE – LIGHT INDUSTRY (CABINET MAKING) (Cont’d…)

(vi) the suspected cause of the release;
(vii) the environmental harm and or environmental nuisance caused, threatened, or suspected to be caused by the release; and
(viii) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(H5) Not more than 14 days following the initial notification of an emergency or incident, the holder of the Development Approval must provide written advice of the information supplied in accordance with condition number H4 in addition to:

(i) proposed actions to prevent a recurrence of the emergency or incident;
(ii) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance, and
(iii) the results of any environmental monitoring performed.

SCHEDULE I - DEFINITIONS

(I1) For the purposes of this Development Approval any term not otherwise defined in the Act and any subordinate legislation made pursuant to the Act or in the Definitions Schedule of this Development Approval has the meaning conferred to that term in its common usage.

(I2) In the event of any inconsistency arising between the meaning of any term provided in the Definitions Schedule of this Development Approval and any common usage of that term, the meaning conferred in the Definitions Schedule of this Development Approval prevails.

For the purposes of this Development Approval the following definitions apply:

(I3) “Act” means the Environmental Protection Act 1994.

(I4) “Administering Authority” means the Cassowary Coast Regional Council or its successor.

(I5) “Land” means land excluding waters and the atmosphere

Noise Definitions

(I6) $L_{A\max \text{ adj, } T}$ “ means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.
(17) “Background noise level” means either:

\[ L_{A90, T} \]

being the A-weighted sound pressure level exceeded for 90 percent of the time period not less than 15 minutes, using Fast response, or

\[ L_{A, T} \]

being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.

(18) “Max\[L_{pA, T}\]” means the maximum A-weighted sound pressure level measured over a time period of not less than 15 minutes, using Fast response.
## Conditions of Development and Statement of Reasons

### Council Ref: 134/09J

### Date: 28 January 2010

**State-controlled road:** Innisfail-Japoon Road  
**Proposal:** Material Change of Use (Intensification of Cabinet Making Business)  
**Real property description:** Lot 11 on SP 196194, Parish of Johnstone  
**Site locality:** Innisfail-Japoon Road, Mundoo  
**Applicant:** Innisfail Kitchens & Cabinets

### Conditions of Development

<table>
<thead>
<tr>
<th>Permitted Road Access Location</th>
<th>Reasons</th>
<th>Condition Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <strong>Vehicular access between the state-controlled road (Innisfail-Japoon Road) and the Subject Land shall be via the existing access located about 170m south of the Gracey Creek bridge, shared with the adjoining Lot 12 on SP 196194, only.</strong></td>
<td>DTMR must ensure that access to the Subject Land does not adversely impact the safe and efficient operation of the state-controlled road</td>
<td>s. 62 Transport Infrastructure Act 1994 (Qld)</td>
</tr>
<tr>
<td>2. <strong>No additional direct vehicular access between the state-controlled road (Innisfail-Japoon Road) and the Subject Land is permitted.</strong></td>
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**Building Alignment Setback**

3. **A minimum building alignment setback of 40m from the boundary of the state-controlled road shall apply to any and all structure(s) intended to be located on the Subject Land.**

<table>
<thead>
<tr>
<th>Conditions of Development</th>
<th>Reasons</th>
<th>Condition Basis</th>
</tr>
</thead>
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<td>Advertising</td>
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<tr>
<td>4. No advertising device for the proposed development is permitted within the state-controlled road reserve (Innisfail-Jaupon Road).</td>
<td></td>
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</tr>
</tbody>
</table>

Advertising devices may obscure signage and distract motorists.

s. 50 Transport Infrastructure Act 1994 (Qld)
**Department of Infrastructure and Planning Conditions:**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The development must be carried out generally in accordance with the plan MCU-374/4 (attached).</td>
<td>To ensure the development is carried out as applied for and does not exceed the assessment criteria in column 2 of Table 2F of the Far North Queensland Regional Plan 2009-1031 State Planning Regulatory Provisions.</td>
</tr>
</tbody>
</table>
Item Number 5.4
CCRC-090/10 – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – INTENSIFICATION OF AN EXISTING USE – LIGHT INDUSTRY (CABINET MAKING) (Cont’d…)

Advice to Applicant:

a) Relevant Period: The relevant period for the Development Approval (Material Change of Use) shall be four (4) years starting the day the approval is granted or takes effect. In accordance with Section 3.5.21(1) of IPA, the development approval for Material Change of Use lapses if the first change of use under the approval does not happen within the abovementioned relevant period. However, if there are one or more related approvals for the development approval for material change of use, the relevant period is taken to have started on the day the latest related approval takes effect. (Please refer to Section 3.5.21(7) of IPA for the meaning of related approval).

An applicant may request Council to extend the relevant period provided that such request is made in accordance with Section 3.5.22 of IPA and before the development approval lapses under Section 3.5.21 of IPA.

b) Council Indemnity: The Council is indemnified against any claims arising from works carried out by the Applicant/Owner on Council property.

c) Aboriginal Cultural Heritage: The Applicant/Owner is to ensure compliance with the requirements of the Aboriginal Cultural Heritage Act and in particular ‘the duty of care’ that it imposes all landowners, developers and the like.

d) Other approvals: A development approval for Building Work will be required, with a permit for these works issued prior to any works commencing.

e) Compliance with Laws: This approval does not negate the requirement for compliance with all other relevant local laws and other statutory requirements.

f) Environmental Harm and Nuisance: The Environmental Protection Act 1994 states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their "general environmental duty" to minimise the risk of causing environmental harm.

Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council to cause undue disturbance or annoyance to persons or affect property not connected with the use.
Item Number 5.4
CCRC-090/10 - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - INTENSIFICATION OF AN EXISTING USE - LIGHT INDUSTRY (CABINET MAKING) (Cont’d…)

Moved Cr M Nolan
Seconded Cr C Silvestro
Resolution Number 0951
“That the Recommendation be adopted.”
CARRIED

11.35am Mr P Cochrane left the meeting.

Item Number: 5.5
CCRC-091/10 - D/A 001/10C - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR COMMERCIAL AND BUSINESS PREMISES AND WAREHOUSE

Executive Summary:
Council is in receipt of an application for a Material Change of Use (Impact Assessable) for a Commercial and Business Premises and Warehouse situated at Bruce Highway, Tully, and described as Lot 3 on RP746183; Parish of Rockingham.

The application is Impact Assessable and was therefore subject to the public notification process. The application triggered referral to the Department of Transport & Main Roads as a Concurrency Agency as the subject site is within 100m of a State-controlled road.

The proposed development is recommended for approval with reasonable and relevant conditions, as it complies adequately with the provisions and requirements of the Cardwell Shire Council Planning Scheme (July 2007).

Recommendation:
“That a Development Permit be issued for a Material Change of Use for a Commercial and Business Premises and Warehouse situated at Bruce Highway, Tully on land described as Lot 3 on RP746183, Parish of Rockingham subject to the following conditions:

ASSESSMENT MANAGER’S CONDITIONS:

1. Proposal: That the development be undertaken generally in accordance with the application and documentation as well as the plans in the table below, accepted by Council on the 13 January 2010, all relating to Development Application No. 001/10C, excepting where varied by the following conditions.

<table>
<thead>
<tr>
<th>Plan/ Document Number</th>
<th>Plan/ Document Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job No 923 – DWG No 2 of 2</td>
<td>Site Plan</td>
<td>November 2009</td>
</tr>
<tr>
<td>Job No 923 – DWG No 1 of 2</td>
<td>Plan and Elevations</td>
<td>November 2009</td>
</tr>
</tbody>
</table>
2. **Timing of Effect:** The conditions of the Development permit must be complied with prior to commencement of use, except where specified otherwise in these conditions of approval.

3. **Amended Plans:** An amended set of plans incorporating any of the changes required by these conditions shall be provided to Council to be endorsed by the Director, Planning & Environmental Services, prior to an application being made for building work. A copy of the endorsed plans must also be provided to the person from whom building approval is sought.

4. **Car Parking:** The development is to provide a minimum of nineteen (19) carparks on the subject site. All carparking facilities must comply with the following requirements, to the satisfaction of the Director, Planning & Environmental Services:

   - All carparking facilities are to be designed and constructed to comply with Australian Standard AS1428 Design for Access and Mobility and Australian Standard AS2890.1 Parking Facilities - off street carparking; and
   - All carparking facilities are to be imperviously sealed, drained and line marked; and
   - Carparking is not to dominate the street frontage; and
   - All carparks must be constructed prior to the issue of a Certificate of Final Inspection or a Certificate of Classification; and
   - Carparking facilities are to be maintained and available at all times.

5. **Landscaping:** The applicant/owner is to provide landscaping to the subject site in accordance with the Landscaping Code and as follows:

   - A wide one (1) metre wide landscaped strip along the frontage of the site (with the exception of the access to the site), where there is sufficient area, in order to provide adequate screening from the street.
   - The island situated in front of the existing angle parking is to be planted with vegetation that will reach a height of at least one (1) metre, in order to provide adequate screening of the car parking area.
   - The landscaped areas are to be planted with vegetation considered appropriate screening species that may be selected from Schedule 5 - Landscaping - Preferred Species of the Cardwell Shire Council Planning Scheme (July 2007), and are to be planted at a maximum of one (1) metre intervals.

6. **Waste Bins & Storage Areas:** The waste bin and storage areas must be screened from view of adjoining properties and road frontages, to the requirements and satisfaction of the Director, Planning & Environmental Services.
7. **Erosion & Sediment Control**: Effective erosion and sediment control must be maintained at all times during and after construction work until there is adequate vegetation cover, paved or other controls to prevent any silt run-off from the site, to the requirements and satisfaction of the Director, Planning & Environmental Services.

8. **Public Utilities - Alterations**: Any relocation or alteration to any public utilities in association with works pertaining to this development must be undertaken as required by the relevant service provider and at no cost to Council.

9. **Stormwater Drainage**: The applicant/owner must ensure that the flow of all external stormwater from the property is directed to a lawful point of discharge, such that stormwater does not adversely affect surrounding properties to the requirements and satisfaction of the Director, Planning & Environmental Services.

10. **Environmental Nuisance**: The applicant/owner is to ensure that noise from either air conditioning units, service equipment, swimming pool filters or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Director, Planning & Environmental Services, create an environmental nuisance having regard to the provisions of the Environmental Protection Act 1994, Environmental Protection (Noise) Policy 1997 and Environmental Protection Regulation 1998 (Part 2A - Environmental Nuisance).

11. **Night Lighting**: The applicant/owner is to ensure that all night lighting is designed and constructed to the satisfaction of the Director, Planning & Environmental Services so as to ensure that light emitted from the subject site does not, in the opinion of the Director, Planning & Environmental Services, create an environmental nuisance having regard to the provisions of the Environmental Protection Act 1994 and Environmental Protection Regulation 1998 (Part 2A - Environmental Nuisance).
Council Ref: DA001/10C  Date: 9 March 2010
State-controlled road: Bruce Highway (Ingham – Innisfail)
Proposal: Material Change of Use – Commercial and Business Premises and Warehouse
Real property description: Lot 3 on RP746183
Site locality: Bruce Highway, Tully
Applicant: Reefview Pty Ltd C/- Higham & Dodds

### Conditions of Development

<table>
<thead>
<tr>
<th>Layout</th>
<th>Reasons</th>
<th>Condition Basis</th>
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<tbody>
<tr>
<td>2. Unless otherwise approved in writing by DTMR the development site layout must generally comply with Rob Wolff Designs drawing number 2 of 2, Job 923 “Site Plan”, “Proposed Extension to Building for Dave West at Lot 3 Bruce Highway Tully”, dated November 2009.</td>
<td>To ensure the development proceeds in accordance with the proposal</td>
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### Permitted Road Access Location

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<tr>
<td>3. Vehicular access between the state-controlled road (Bruce Highway) and the Subject Land shall be via the existing access, modified by changing the existing line marking layout in accordance with condition 4, to allow all movements access to and from the site.</td>
<td>DTMR must ensure that access between to the Subject Land does not adversely impact the safe and efficient operation of the state-controlled road</td>
</tr>
<tr>
<td>4. No additional direct vehicular access between the state-controlled road (Bruce Highway) and the Subject Land is permitted.</td>
<td>s. 62 Transport Infrastructure Act 1994 (Qld)</td>
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<tr>
<td>Conditions of Development</td>
<td>Reasons</td>
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</table>
| **Road Access Works**    | Access works at the permitted access location are required to mitigate the impacts of development generated traffic onto the state-controlled road. | s. 33 *Transport Infrastructure Act 1994 (Qld)*  
Main Roads' *Road Planning and Design Manual* |

4. Road access works at the permitted road access location, pursuant to Condition 2, are required and shall be constructed in accordance with:

- DTMR’s *Road Planning and Design Manual*, and
- Current DTMR standards

Modifications to the existing line marking arrangements adjacent the access to the subject land are required to allow all movements access to and from the site.

Prior to Council or any private certifier issuing a Certificate of Classification for the proposed material change of use the applicant / landowner shall either:

(i) Provide to DTMR a monetary contribution for the modifications to the line marking arrangements which will be carried out by DTMR in conjunction with scheduled upgrading works to the Butler Street / Bruce Highway intersection. The contribution shall be to the amount of $5000.00; or

(ii) At the applicant / landowners expense, remove existing line marking and re-install to DTMR specific design in accordance with DTMR Manual of Uniform Traffic Control Devices.
<table>
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<tr>
<th>Road Access Works (continued…)</th>
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<tbody>
<tr>
<td>To this end:</td>
<td>Any works within the state-controlled road reserve must have the written approval of the Chief Executive Officer</td>
</tr>
<tr>
<td>(a) The applicant/landowner shall obtain DTMR approval prior to commencing any works within the state-controlled road reserve.</td>
<td>s. 50 Transport Infrastructure Act 1994 (Qld)</td>
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<tr>
<td>(b) The applicant/landowner shall construct the works in accordance with a design provided by DTMR upon request.</td>
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<td>(c) The line marking contractor engaged by the applicant/landowner must be approved in writing by DTMR.</td>
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<td>(d) The line marking contractor shall construct the works including all necessary traffic management and notification to the DTMR Traffic Management Centre.</td>
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<tr>
<td>(e) All required access works must be completed prior to the applicant/landowner requesting Council or any private certifier to issue a Certificate of Classification for the proposed material change of use.</td>
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<tr>
<td>Conditions of Development</td>
<td>Reasons</td>
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<tr>
<td><strong>Visual Amenity Treatments</strong></td>
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<tr>
<td>5. The applicant/landowner shall provide a 1m wide landscaped strip along the Subject Land's frontage to the Bruce Highway, except for the access driveways, to screen the onsite vehicular circulation. The landscaping shall be designed and planted such that when the landscaping matures, it provides a minimum 1m high screening and complementary screen trees approximately 6m tall at 7m spacings.</td>
<td>To screen onsite vehicular circulation.</td>
</tr>
<tr>
<td>The species of plants used in the landscaping works shall be in accordance with Council's standards. If Council does not have standards, then the only requirements are that the species are native, low maintenance species that are effective at providing the necessary screening specified above and do not create a safety risk (that is, no thorns, poisonous fruits or berries or large nuts).</td>
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<tr>
<td>All landscaping works shall be completed prior to the commencement of the approved use to the written approval of DTMR.</td>
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<tr>
<td><strong>Stormwater &amp; Drainage</strong></td>
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<tr>
<td>6. To protect the existing flood immunity of the state-controlled road (Bruce Highway), the applicant/landowner shall seek the written approval of DTMR prior to any works commencing on the Subject Land which may involve filling or reshaping the existing drainage gullies on the Subject Land.</td>
<td>Changing the location, level or flow of water runoff to, across or along the state-controlled road can adversely impact the road in terms of safety, efficiency and planning.</td>
</tr>
<tr>
<td><strong>Advertising</strong></td>
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<tr>
<td>7. No advertising device for the proposed development is permitted within the state-controlled road reserve (Bruce Highway).</td>
<td>Advertising devices may obscure signage and distract motorists.</td>
</tr>
<tr>
<td>Parking</td>
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<tr>
<td>8. No parking associated with the development is permitted within the state-controlled road reserve (Bruce Highway).</td>
<td>Lack of on-site parking can cause vehicle queuing and conflict at an access to the state-controlled road.</td>
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</tbody>
</table>
Item Number: 5.5  
CCRC-091/10 - D/A 001/10C - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR COMMERCIAL AND BUSINESS PREMISES AND WAREHOUSE (Cont’d...)

Advice to Applicant

a) **Relevant Period:** The relevant period for the development approval (Material Change of Use) shall be four (4) years starting the day the approval is granted or takes effect. In accordance with Section 341(1) of the Sustainable Planning Act 2009 (SPA), the development approval for material change of use lapses if the first change of use under the approval does not happen within the abovementioned relevant period. However, if there are one or more related approvals for the development approval for material change of use, the relevant period is taken to have started on the day the latest related approval takes effect. (Please refer to Section 341(7) of SPA for the meaning of related approval).

An applicant may request Council to extend the relevant period provided that such request is made in accordance with Section 383 of SPA and before the development approval lapses under Section 341 of SPA.

b) **Notice of Intention to Commence Use:** The applicant/owner must return to Council the attached Notice of Intention to Commence Use after acceptance of and compliance with these or negotiated conditions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.

c) **Required Approvals:** A Development approval for Building Works will be required, with a permit for these works issued prior to any works commencing;

d) **Cultural Heritage:** The applicant/owner is to ensure compliance with the requirements of the Aboriginal Cultural Heritage Act and in particular ‘the duty of care’ that it imposes all landowners, developers and the alike.

e) **Engineering Works:** The applicant/owner is to ensure that the engineering works involved in the proposed development are designed and constructed in accordance with the FNQROC Development Manual, 2005.

f) **Environmental Nuisance:** The Environmental Protection Act 1994 states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their “general environmental duty” to minimise the risk of causing environmental harm.

Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council to cause undue disturbance or annoyance to persons or affect property not connected with the use.
Item Number: 5.5
CCRC-091/10 – D/A 001/10C – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR COMMERCIAL AND BUSINESS PREMISES AND WAREHOUSE (Cont’d…)

Moved Cr I Rule
Seconded Cr R Sorbello
Resolution Number 0952
“That the Recommendation be adopted.”
CARRIED

Item Number: 5.6
CCRC-092/10 – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR PRIVATE FORESTRY A

Executive Summary:
Council is in receipt of an application for a Material Change of Use (Impact Assessable) for Private Forestry A on land located at North Davidson Road, Cardstone and described as Lot 1 on RP748775 (refer to Appendix 1).

The application is impact assessable, and therefore subject to public notification. Council received no submissions in respect to the proposed development.

The application triggered referral to the Department of Environment and Resource Management. The proposed development is recommended for approval with reasonable and relevant conditions, as it complies adequately with the provisions and requirements of the Cardwell Shire Planning Scheme (July 2007).

Recommendation:
“That a Development Permit be issued for a Material Change of Use for Private Forestry A at North Davidson Road, Cardstone, on land described as Lot 1 on RP748775, subject to the following conditions:

ASSESSMENT MANAGER’S CONDITIONS:

1. Proposal: That the development be undertaken generally in accordance with the application and documentation as well as the plans in the table below, accepted by Council on the 3 November 2009, all relating to Development Application No. 036/09C, excepting where varied by the following conditions.

<table>
<thead>
<tr>
<th>Plan/ Document Number</th>
<th>Plan/ Document Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stanwell Corporation Limited</td>
<td>King Ranch Property Proposed Plantation Areas</td>
<td>15 Oct 09</td>
</tr>
</tbody>
</table>
Item Number: 5.6

CCRC-092/10 - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR PRIVATE FORESTRY A (Cont’d…)

2. **Setback Distances:** The applicant/owner is to ensure that forestry plantations are setback a minimum distance of fifteen (15) metres from remnant riparian vegetation of which regional ecosystems 7.3.17, 7.3.25, 7.12.5 and 7.3.10 are part. A revised site plan showing this setback distance is to be endorsed by the Director, Planning & Environmental Services prior to the commencement of the use.

All other setbacks are to be in accordance with the separation distances outlined in Outcome 1 - Probable Solution of the Private Forestry Code and Trigger 1 - Probable Solution of the Watercourse and Esplanade/ Foreshore Overlay.

3. **Fire Management Plan:** The applicant/owner is to submit a Fire Management Plan that is to outline management strategies for the control of fires on the subject site to Council.

This plan is to include:

- Indicating on the private forestry planning map, all fire breaks, access tracks, and watering points that you have or will establish; and
- Indicating where fire fighting vehicles can access watering points in case of fire, by marking ‘WP’ on the private forestry planning map; and
- Ensuring that the maximum contiguous area (continually of a coupe/block) of a plantation without an access road does not exceed 30 hectares; or
- Ensuring no part of a plantation is more than 250 metres from an access road; and

The Fire Management Plan is to be endorsed by the Director, Planning & Environmental Services prior to the commencement of the use.

4. **Access & Internal Roads:** The applicant/owner is to ensure that the access and internal roads of the property are constructed to a suitable standard to minimise impacts on the external road network, and is to be maintained at all times to the requirements and satisfaction of the Director, Planning & Environmental Services.

5. **Stormwater Drainage:** The applicant/owner must ensure that the flow of all external stormwater from the property does not adversely affect surrounding properties to the requirements and satisfaction of the Director, Planning & Environmental Services.
6. **Pest Management Plan:** The applicant/owner is to submit a Pest Management Plan that is to outline management strategies for the control of weeds on the subject site at all times. This plan is to include:

- measures for preventing weeds from spreading from the land;
- measures for controlling weeds declared under the *Land Protection (Pest and Stock Route Management) Act 2002*;
- measures for producing products free from weed contamination;
- measures for minimising the introduction onto the land of any declared weeds;
- record keeping requirements in relation to monitoring and any treatment of weeds necessary;
- ensure that every six (6) - eight (8) weeks all access tracks, roads and vehicle and machinery wash down and disposal areas are monitored for the presence of weeds for a minimum of five (5) metres either side of the track or road, and any weeds found are controlled in accordance with the current control measured specified in the relevant DNR&W Pest Fact Sheets and pest management guidelines.

The Pest Management Plan is to be submitted to Council for endorsement by the Director, Planning & Environmental Services prior to the commencement of the use.

7. **Declared Weeds:** The parcel of land is to be cleared of all Class 1, 2 & 3 declared weeds and maintained at all times to the requirements and satisfaction of the Director, Planning & Environmental Services.

8. **Pests:** The applicant/owner must ensure that any animal pests on the subject site are managed in accordance with the relevant DNR&W Pest Fact Sheets and Pest Management Guidelines.

9. **Spread of Weeds:** The applicant/owner must ensure that all vehicle and machinery working in a weed-infested area adhere to the following guidelines for the prevention of the speed of weeds:

1. Guideline for clean down procedures;
2. Guideline for inspection procedures;
3. Guideline for the construction of vehicle and machinery wash down facilities;
4. Property inspection report; and
5. Vehicle/ machinery inspection report.
ADVICE FROM DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT

1. The applicant/owner is to mitigate against potential impacts on water quality by minimising and filtering overland flows through:

   - retaining and expanding riparian vegetation on site using local provenance species;
   - providing an adequate buffer between forestry activities and riparian vegetation;
   - preparing soils for planting only during the dry season months to limit sediment loads in overland flows;
   - fertilising and weed managements efforts using herbicides be limited when practical to the dry season months;
   - planting lines on hill slopes to follow the contours of the land to the greatest extent practical;
   - managing ground cover at all times to recognise its role in stabilising and retaining nutrients and sediments on site.

2. The applicant/owner is to prevent offsite impacts by:

   - maintenance and rehabilitation of riparian vegetation along waterways;
   - being consistent with best practice, managing and releasing of pesticides and nutrients for agricultural purposes so it does not occur in quantities or circumstances that have the potential to result in adverse impacts off site, either directly or indirectly, or adversely impact on on-site features of significant value, such as coastal wetlands or waterways;
   - protection of wetland, including riverine areas of all sizes;
   - constructing and managing agricultural drains and dams so there are no significant adverse effects on coastal resources and their values;
   - undertake protective measures on land susceptible to soil erosion because of slope, soil or agricultural practices to avoid or minimise sediment entering waterways.

3. The applicant/owner is to ensure there is no further loss or degradation of wetlands by:

   - Maintenance of an areas between the wetlands and the proposed forestry operation, of a width and with characteristics that will safeguard the function of the wetlands;
   - Minimise any modification of the natural characteristics of the wetland, including topography, groundwater hydrology, water quality, and plant and animal species;
   - Minimise any adverse impact on the wetland as a result of weed management;
   - Minimise potential changes in fire regimes that may have adverse impacts on the wetlands;
   - Maintain the wetlands functions to provide habitat for rare and threatened species; and
   - Restore and rehabilitate degraded wetlands (old water courses) with local provenance species.
Item Number: 5.6  
CCRC-092/10 - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR PRIVATE FORESTRY A (Cont’d...)

Advice to Applicant

a) **Relevant Period:** The *relevant period* for the development approval (Material Change of Use) shall be four (4) years starting the day the approval is granted or takes effect. In accordance with Section 3.5.21(1) of IPA, the development approval for material change of use lapses if the first change of use under the approval does not happen within the abovementioned *relevant period.*

However, if there are one or more *related approvals* for the development approval for material change of use, the *relevant period* is taken to have started on the day the latest related approval takes effect. (Please refer to Section 3.5.21(7) of IPA for the meaning of *related approval*).

An applicant may request Council to extend the *relevant period* provided that such request is made in accordance with Section 3.5.22 of IPA and before the development approval lapses under Section 3.5.21 of IPA;

b) **Notice of Intention to Commence Use:** The applicant/owner must return to Council the attached Notice of Intention to Commence Use after acceptance of and compliance with these or negotiated conditions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.

c) **Cultural Heritage:** The applicant/owner is to ensure compliance with the requirements of the Aboriginal Cultural Heritage Act and in particular ‘the duty of care’ that it imposes all landowners, developers and the alike.

d) **Engineering Works:** The applicant/owner is to ensure that the engineering works involved in the proposed development are designed and constructed in accordance with the FNQROC Development Manual, 2005.

e) **Environmental Nuisance:** The Environmental Protection Act 1994 states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their "general environmental duty" to minimise the risk of causing environmental harm.

   Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council to cause undue disturbance or annoyance to persons or affect property not connected with the use.
Item Number: 5.6
CCRC-092/10 – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR PRIVATE FORESTRY A (Cont’d…)

Moved Cr J Downs
Seconded Cr M Nolan
Resolution Number 0953

“That the Recommendation be adopted.”
CARRIED

Item Number: 5.7
CCRC-094/10 – D/A 065/09J – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – HEAVY INDUSTRY (FERTILISER MANUFACTURE)

Executive Summary:
Council is in receipt of an application for a Material Change of Use for a Heavy Industry (Fertiliser Manufacture). The application was prepared by Wolter Rowlands on behalf of Nu-Edge Solutions Australia Pty Ltd for the establishment of a fertiliser manufacturing business within the Rural Zone at 420 Camp Creek Road, Camp Creek and described as Lot 1 on SP121918.

The proposed development triggered referral to the Department of Environment and Resource Management (DERM) as the subject site contains remnant vegetation.

The application was impact assessable and therefore public notification was required. Seven (7) properly made submissions were received by Council.

The subject site is located outside the urban footprint as indicated in the Far North Queensland Regional Plan (FNQRP) 2009-2031. However, as the proposed use was considered to be reasonably associated with the agriculture industry, referral to DIP was not triggered.

The application is consistent with the intent of the zoning and strategic designation of the subject site, and adequately meets the provisions of the Johnstone Shire Council Planning Scheme, 2005, and therefore the proposed application for Material Change of Use for a Heavy Industry (Fertiliser Manufacture) is recommended for approval subject to reasonable and relevant conditions.

Recommendation:
“That a Development Permit be issued for a Material Change of Use for a Heavy Industry (Fertiliser Manufacture) situated at 420 Camp Creek Road, Camp Creek, on land described as Lot 1 on SP121918, Parish of Johnstone, subject to the following conditions:

Assessment Manager’s Conditions:

1) Proposal: The proposed documents and plans for the development set out in the following table and accepted by Council on the 25 May 2009 and 13 November 2009 are approved, subject to:
Item Number: 5.7

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CCRC-094/10 - D/A 065/09J - DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - HEAVY INDUSTRY (FERTILISER MANUFACTURE) (Cont’d...)

<table>
<thead>
<tr>
<th>Plan/ Document Number</th>
<th>Plan/ Document Name</th>
<th>Date</th>
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<tbody>
<tr>
<td>Ref: T304</td>
<td>Planning Report; Information Request</td>
<td>25 May 2009</td>
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<tr>
<td>Wolter and Rowlands Project Management</td>
<td></td>
<td>13 November 2009</td>
</tr>
<tr>
<td>WOL09/1:MM</td>
<td>Response to RFI</td>
<td>26 October 2009</td>
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<tr>
<td>Northern Consulting engineers</td>
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<tr>
<td>No reference</td>
<td>Site Plan</td>
<td>Received 25 May 2009</td>
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<tr>
<td>WOL08/2 Rev A</td>
<td>Site Layout and Drainage Plan</td>
<td>Dated 23 October 2009</td>
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<td>Northern Consulting engineers</td>
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<tr>
<td>Wolter and Rowlands Project Management</td>
<td>Additional Information on vehicle movements (Email)</td>
<td>Dated 10 March 2010</td>
</tr>
</tbody>
</table>

(a) The plans, specifications, facts and circumstances as set out in the application submitted to Council;
(b) Ensuring 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
(c) Any alterations found necessary by the Chief Executive Officer or his delegate at the time of examination of the Engineering Plans or during construction of the development because of a particular requirement;

except where modified by these conditions of approval.

2) **Traffic Generation:** The maximum traffic generation from the site shall be limited to (four (4) cars and three (3) trucks) 14 vehicle movements per day as per the consultant planner’s further advice. Any proposed increase above this will require prior approval from Council.

3) **School Bus:** The applicant/owner shall liaise with relevant school bus drivers who utilise Camp Creek Road and instruct all truck vehicles accessing the fertiliser business to minimise the use of the road during school bus hours. A letter is to be provided to the Director, Planning & Environmental Services from the relevant bus company stating that this condition has been complied with.

4) **Timing of Effect:** The conditions of the Development Permit must be complied with prior to commencement of use, except where specified otherwise in these conditions of approval.

5) **Amended Plans:** An amended set of plans incorporating any of the changes required by these conditions shall be provided to Council to be endorsed by the Director, Planning & Environmental Services, prior to an application being made for Building Work. A copy of the endorsed plans must also be provided to the person from whom building approval is sought.
6) **Commencement of Use:** The applicant/owner must return to Council the attached Notification of Intention to Commence Use after acceptance of and compliance with these or negotiated conditions (or court determined conditions) and prior to the commencement of the use. Council officers will subsequently carry out an on site inspection to confirm the conditions of approval have been met.

7) **Lot Access:** Access to the proposed development must be via the existing access from Camp Creek Road and Easement C on SP123172.

The access is to be maintained at all times in accordance with the Easement agreement, at no cost to Council. Future maintenance and upgrading of the access is the responsibility of the landowner(s) indicated in the agreement.

8) **On-site Vehicle Parking, Circulation and Manoeuvring areas:** The applicant/owner is to comply with the following requirements:

- Vehicle access and circulation must comply with AS 2890.
- The internal circulation path for loading is to be as per approved plan WOL08/2
- Any area used for vehicles, including loading and unloading and car parking, manoeuvring areas and paths is to be gravel hardstand, as per report by Northern Consulting Engineers (WOL09/1:MM)
- Loading and unloading areas should be clearly marked and distinguished from car parking areas. Visitor and Staff car parking are to be signed accordingly.
- The design of the internal circulation path should be ‘one way’, as indicated on the approved Site Plan and signed accordingly, to ensure all vehicles exit the site in forward gear.
- Drainage of the paved areas is to be such that the discharge is directed to a permanent water quality device before being directed to a lawful point of discharge.

9) **Road Signage:** The applicant/owner shall contribute the amount of $2,500 to be expended by Council towards the provision of appropriate advisory signage along Camp Creek Road, prior to the commencement of the use, to the requirements and satisfaction of the Director, Planning & Environmental Services.

10) **Stormwater Drainage:** On site stormwater treatment and discharge is to be incorporated into the site works as submitted on Northern Consulting Plan WOL08/2 (A) except where altered by the following requirements:

- Diversion catch drains are to be constructed as per Northern Consulting Plan WOL08/2 (A) with the catch drains to be grassed with the discharge points to be via the existing grassed farmland below the development site. No discharges from these drains are to be directed to access road table drains unless they are fully grass lined, this includes within Easement “C”.


Item Number: 5.7
CCRC-094/10 – D/A 065/09J – DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - HEAVY INDUSTRY (FERTILISER MANUFACTURE) (Cont’d...)

- All stormwater from the facility and surrounding fenced footprint area as indicated on Northern Consulting Plan WOL08/2 (A) which is to be discharged via overland flow shall be done so through grassed lined drains and at the point of discharge dispersed through the grassed farmland.
- A sediment basin shall be installed at the North eastern corner of the development footprint. The sizing of the sediment basin and maintenance regime will be in accordance with the requirements of the FNQROC Development Manual and associated references. Discharge from this sediment basin will be via a spreader through the existing grassed farmland to the East.
- The gravelled traffic manoeuvring areas are to be bunded and shaped to ensure all overland flow is directed to a sediment basin to be installed in the North Eastern corner of the development footprint.
- Suitable energy dissipation devices and erosion/scour protection shall be provided at all drainage outlets (including those along the access road and Easement “C”), and maintained by the developer.
- All washwater and wastewater from the internal building footprint is to be collected for reuse and not to be discharged or allowed to flow to the external stormwater drainage areas. This includes all areas of the site where washing down will occur (including the shed floor or activities within the shed).
- A plan and supporting documentation detailing all site works including erosion and sediment control measures is to be submitted to Council for its records.

All onsite stormwater requirements and future maintenance shall to the requirements and satisfaction of the Director, Planning & Environment Services prior to commencement of use.

11) Stormwater Discharge: All stormwater emanating from the sediment basin located in the north western corner must comply with ANZECC Australian Water Quality Guidelines for Fresh and Marine Waters Table 4.2. The applicant must conduct independent tests of the sediment basins for contamination of stormwater within 1 month from commencement of operations and then continuing at 6 monthly intervals. Parameters to be tested are to include, nitrogen, phosphorus, potassium, pH, COD (Chemical Oxygen Demand), and sulphur. The results of such tests taken 1 month and 6 months after commencement of operations must be supplied to Council’s Director, Planning & Environment Services. All other test results are to be kept in records onsite and be available for inspection.

12) Hours of Operation: The applicant/owner is to ensure that there are no vehicular movements between 6pm and 6am, unless otherwise approved by the Director Planning & Environmental Services.

13) Night Lighting: The applicant/owner is to ensure that all night lighting is designed and constructed so as to ensure that light emitted from the subject site does not, in opinion of the Director Planning & Environmental Services, create an environmental nuisance having regard to the provisions of the Environmental Protection Act 1994 and the Environmental Planning Regulation 1998 (Part 2A - Environmental Nuisance).
14) Public Utilities - Alterations: Any relocation or alteration to any Public Utilities (including water and sewer reticulation) in association with works pertaining to this development must be undertaken as required by the relevant service provider and at no cost to Council.

15) Construction & Operations: The construction and operations work associated with this development shall be carried out in accordance with sound engineering practice. In particular, no nuisance is to be caused to adjoining residents by way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours. Where material is to be carted to or from the site, loads are to be covered to prevent dust or spillage. Where material is spilled or carried onto existing roads, it is to be removed forthwith so as to restrict dust nuisance and ensure traffic safety.

16) Erosion and Sediment Control: Effective erosion and sediment control must be maintained at all times during and after construction work until there is adequate vegetation cover, paved or other controls to prevent any silt run-off from the site all to the satisfaction of the Director of Planning and Environment Services.

15) Environmental Conditions: The applicant/owner must at all times abide by the following:

a) The activity must be carried out by such practicable means necessary to prevent or minimise the release or likelihood of release of contaminants to the atmosphere.

b) No odour determined to be noxious or offensive by an authorised person is to be released beyond the boundaries of the approved premises.

c) Contaminants must not be directly or indirectly released from the approved premises to any waters or the bed and banks of any waters.

d) The activity must be carried out by such practicable means necessary to prevent or minimise the contact of incident rainfall and stormwater runoff with wastes or other contaminants, and prevent or minimise the release or likelihood of release of any such contaminated runoff from the licensed place.

e) All bunding must be constructed of materials which are impervious to the materials stored.

f) The base and walls of all bunded areas must be maintained free from gaps or cracks.

g) Where it is impractical to completely roof a bunded area the applicant/owner must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.
h) The activity must be carried out by such practicable means necessary to prevent or minimise the release or likelihood of release of contaminants to land.

Department of Environment and Resource Management (Concurrence Agency Response):

2.1. No clearing of assessable vegetation is to occur as a result of the Material Change of Use of Lot 1 on SP121918.

2.2. Placement of all new infrastructure requiring clearing for its construction and/or maintenance must be located at least 15 metres from assessable vegetation.

2.3. Any future clearing of assessable vegetation will be require a development approval, unless the clearing is exempt under Schedule 8 of the Integrated Planning Act 1997.

Advice to Applicant:

a) Relevant Period: The relevant period for the Development Approval (Material Change of Use) shall be four (4) years starting the day the approval is granted or takes effect. In accordance with Section 3.5.21(1) of IPA, the development approval for Material Change of Use lapses if the first change of use under the approval does not happen within the abovementioned relevant period. However, if there are one or more related approvals for the development approval for material change of use, the relevant period is taken to have started on the day the latest related approval takes effect. (Please refer to Section 3.5.21(7) of IPA for the meaning of related approval).

An applicant may request Council to extend the relevant period provided that such request is made in accordance with Section 3.5.22 of IPA and before the development approval lapses under Section 3.5.21 of IPA.

b) Council Indemnity: The Council is indemnified against any claims arising from works carried out by the Applicant/Owner on Council property.

c) Aboriginal Cultural Heritage: The Applicant/Owner is to ensure compliance with the requirements of the Aboriginal Cultural Heritage Act and in particular ‘the duty of care’ that it imposes all landowners, developers and the like.

d) Compliance with Laws: This approval does not negate the requirement for compliance with all other relevant local laws and other statutory requirements.

e) Environmental Harm and Nuisance: The Environmental Protection Act 1994 states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their “general environmental duty” to minimise the risk of causing environmental harm.
Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council to cause undue disturbance or annoyance to persons or affect property not connected with the use.

Moved Cr I Rule
Seconded Cr R Sorbello

Resolution Number 0954

“That the Recommendation be adopted.”
CARRIED

12.05pm Mr P Cochrane re-entered the meeting.

Item Number: 5.8
CCRC-095/10 - D/A 050/09J - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (TWO (2) LOTS INTO FORTY-TWO (42) LOTS) - STAGE 3 AND 3A

Executive Summary:
Council is in receipt of an application for Reconfiguring a Lot (Two (2) Lots into Forty-Two (42) Lots) - Stage 3 & 3A on land located at Campbell Street and Rick Road, Mission Beach and described as Lot 12 & 13 on SP222256.

The reconfiguration results in the creation of forty-two (42) allotments. The proposed allotments have a site area of between 783m² to 1054m². Stage 3 contains 4 Lots (Lots 12, 13, 14 & 15) and Stage 3A contains 38 Lots (Lots 16 to 42 & 75 to 85).

The proposed development triggered referral to the Department of Environment and Resource Management as a Concurrence Agency and Advice Agency.

The subject site is located within the urban footprint as indicated in the Far North Queensland Regional Plan (FNQRP) 2009-2031 and therefore was not required to be assessed against the FNQRP State Regulatory Provisions.

The application is consistent with the intent of the zoning and strategic designation of the subject site, and adequately meets the provisions of the Johnstone Shire Council Planning Scheme, 2005, and therefore the proposed application for Reconfiguring a Lot (Two (2) Lots into Forty-Two (42) Lots) - Stage 3 & 3A is recommended for approval subject to reasonable and relevant conditions.

Recommendation:
“That a Development Permit be issued for the Reconfiguring a Lot (Two (2) Lots into Forty-Two (42) Lots) - Stage 3 & 3A on land located at Campbell Street and Rick Road, Mission Beach and described as Lot 12 & 13 on SP222256, subject to the following conditions:
Assessment Manager’s Conditions:

Stage 3:

1) Proposal: The proposed documents and plans set out in the following table and accepted by Council on the 30 April 2009 are approved subject to:

<table>
<thead>
<tr>
<th>Plan/ Document Number</th>
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<th>Date</th>
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<tbody>
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<td>Ref: 50810 (R64648)</td>
<td>Planning Report</td>
<td>April 2009</td>
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<tr>
<td>Conics (Innisfail) Now known as RPS Australia East Pty Ltd</td>
<td>Planning Report</td>
<td>April 2009</td>
</tr>
</tbody>
</table>

subject to:

(a) The plans, specifications, facts and circumstances as set out in the application submitted to Council;

(b) Ensuring 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

(c) Any alterations found necessary by the Chief Executive Officer or his delegate at the time of examination of the Engineering Plans or during construction of the development because of a particular requirement;

except where modified by these conditions of approval.

2) Timing of Effect: The conditions of this Development Permit must be complied with prior to the signing and dating of the Plan of Survey, except where specified otherwise in these conditions of approval.

3) Subdivision Development: The subdivision development, including but not limited to roads, drainage, effluent disposal, water supply, street lighting, pedestrian/cycle paths and landscaping must be designed to the satisfaction of the Director Planning & Environmental Services in accordance with current requirements of the Planning Scheme and the FNQROC Development Manual.

Three (3) copies [one (1) A1 size and two (2) A3 size] of a plan of the works must be submitted with Application Forms and Fees, and are to be endorsed by the Director Planning & Environmental Services prior to the issue of a Development Permit for carrying out Operational Works.
Item Number: 5.8
CCRC-095/10 - D/A 050/09J - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (TWO (2) LOTS INTO FORTY-TWO (42) LOTS) - STAGE 3 AND 3A (Cont’d...)

All works must be constructed in accordance with the Development Permit for Operational Works, the endorsed plans and the FNQROC Development Manual, to the requirements and satisfaction of the Director Planning & Environmental Services prior to signing and dating the Plan of Survey.

4) Bike Lane & Shared Path Facilities Infrastructure: In accordance with Council’s Planning Scheme Policy 6 - Trunk Infrastructure Contributions And External Works, a Bike Lane & Shared Path Facilities Infrastructure Contribution is payable in respect of this development/subdivision. The Contribution must be paid prior to signing and dating by Council of any Plan of Survey, and must be calculated at the contribution rate applicable at the time of payment.

The applicable contribution rate is the Bike Lane Infrastructure Charge. The Service Demand Increase (SDI) is calculated at 4 ET’s. The current Bike Lane & Shared Path Facilities Infrastructure Contribution Rate is $495/ET.

5) Sewerage Infrastructure Contributions: In accordance with Council’s Planning Scheme Policy 6 - Trunk Infrastructure Contributions and External Works, a Sewerage Contribution is payable by the Applicant/Owner to Council in respect of this development/subdivision. The Contribution must be paid prior to signing and dating by Council of any Plan of Survey, and must be calculated at the contribution rate applicable at the time of payment.

The proposed development is outside the declared Sewerage Precinct and is therefore considered as remote. A joining fee equivalent to the Sewerage Scheme Infrastructure Charge is therefore payable. The applicable contribution rate is the Mission Beach Sewerage Scheme Infrastructure Charge. The Service Demand Increase (SDI) is calculated at 4 ET’s. The current Sewerage Contribution Rate is $5,335/ET.

6) Water Supply Infrastructure Contributions: In accordance with Council’s Planning Scheme Policy 6 - Trunk Infrastructure Contributions And External Works, a Water Supply Contribution is payable by the Applicant/Owner to Council in respect of this development/subdivision. The Contribution must be paid prior to signing and dating by Council of any Plan of Survey, and must be calculated at the contribution rate applicable at the time of payment.

The proposed development is outside the declared Water Precinct and is therefore considered as remote. The applicable contribution rate is the Mission Beach Water Supply Scheme Infrastructure Charge. The Service Demand Increase (SDI) is calculated at 4 ET’s. The current Water Supply Contribution Rate is $10,710/ET.

7) Public Garden and Recreation Space Provision: The 1.0109 Ha park area shown on GT Pozzi Drawing 03/350 Sheet 2 dated April 2005 as per the Negotiated Decision Notice issued 29th July 2005 for Stage 1 of the development/subdivision, is accepted as 87% of the total contribution for the entire development. The balance of 13% will be accepted by way of cash contribution.
Item Number: 5.8  
CCRC-095/10 – D/A 050/09J – DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (TWO (2) LOTS INTO FORTY-TWO (42) LOTS) – STAGE 3 AND 3A (Cont’d...)

In accordance with Council’s Planning Scheme Policy 6 – Trunk Infrastructure Contributions and External Works, the contribution payable in respect of the development is the Mission Beach Parks Infrastructure Charge. The Service Demand Increase (SDI) for this stage of the entire development is calculated at 4 ET’s. The current Public Recreation Infrastructure Contribution Rate is $6,000/ET (discounted by 87% of the total contribution). On the present method of calculation, the estimate park contribution is $3,120.

The contribution must be paid prior to signing and dating by Council of any Plan of Survey, and must be calculated at the contribution rate applicable at the time of payment.

8) Water Reticulation & Meters: The applicant/owner must design and install adequate internal water reticulation, including any necessary hydrants, valves etc and connecting to existing Council water main including an appropriately sized water meter at the boundary fronting each new lot. The meter must be a Council approved integrated unit including backflow prevention device and stopcock. The water reticulation shall also include the provision of connection points and individual meters to each allotment. The installation of water meters must be completed by a suitably qualified person to Council’s Standard Drawing 09002, prior to the signing and dating of the Plan of Survey, at no cost to Council.

Three (3) copies of the plan of works from a REPQ must be submitted with the Development Approval for Operational Works and must be endorsed by the Director, Planning & Environmental Services prior to the issue of a Development Permit for carrying out Operational Works. All works must be carried out in accordance with the approved plans, prior to the signing and dating of the Plan of Survey, to the requirements and satisfaction of the Director, Planning & Environmental Services.

9) Sewerage Works: The Applicant/Owner must undertake sewerage works to connect the subject land to Council’s existing sewerage infrastructure at a point determined by the Director Works and at no cost to Council.

Three (3) copies [one (1) A1 size and two (2) A3 size] of a plan of the works for the relevant stage of development/subdivision must be submitted to and be endorsed by the Director Works prior to the issue of a Development Permit for carrying out Operational Works.

All works must be constructed in accordance with the Development Permit for Operational Works, the approved Sewerage Master Plan, the approved plan and the FNQROC Development Manual to the requirements and satisfaction of the Director Works & Services prior to signing and dating the Plan of Survey of the relevant stage.
Item Number: 5.8
CCRC-095/10 - D/A 050/09J - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (TWO (2) LOTS INTO FORTY-TWO (42) LOTS) - STAGE 3 AND 3A (Cont’d...)

10) **Easements - Drainage Purposes:** The Applicant/Owner must, at no cost to Council, provide for the creation of drainage easements in favour of Council and in accordance with the Development Permit, approved Stormwater Drainage Master Plan and approved plans, to the requirements and satisfaction of the Director Planning & Environmental Services. A copy of the easement documents must be submitted to Council for approval by Council’s solicitors, at no cost to Council, prior to the signing and dating of the Plan of Survey. The approved easement documents must be lodged and registered with the Department of Environment and Resource Management at the time of registration of the Plan of Survey.

11) **Erosion and Sediment Control:** Effective erosion and sediment control must be maintained at all times during and after construction work until there is adequate vegetation cover, paved or other controls to prevent any silt run-off from the site.

The Applicant/Owner must submit an Erosion and Sediment Control Strategy (ESCS) with the operational works application and an Erosion and Sediment Control Plan (ESCP) to be submitted prior to the commencement of any works and prior to the initial construction pre start meeting. Both the ESCS and the ESCP including workings shall be submitted for assessment by Council. All submitted documentation shall be in accordance with the requirements of the FNQROC Development Manual and references.

12) **Electricity Supply:** Underground electricity supply shall be provided to the development/subdivision and unless approved otherwise by Council, shall be located within Road Area as required by the FNQROC Development Manual. The Applicant/Owner must provide written evidence of negotiations with the electricity provider stating that power will be provided to the development and that satisfactory arrangements have been made in relation to the provision of power to the proposed development. Such evidence to be provided to Council prior to the signing and dating of the Plan of Survey. All required fees and contributions must have been paid to the electricity provider such that connection will be made upon application. Evidence of such payments must be supplied to the Council prior to “Acceptance of Works”.

13) **Electricity Supply - Location of Property Services:** The location of the Electricity Provider underground property service shall be on opposite boundaries to the individual property water service and meter. Sharing of road trenches with water and sewerage services will not be allowed and the separation distances as per the FNQROC Development Manual shall apply.

14) **Outstanding Rates:** The applicant/owner is to ensure that all rates, interest and other charges levied on the property are paid prior to the endorsement of the Plan of Survey, to the requirements and satisfaction of the Chief Executive Officer.

15) **Permanent Survey Marks:** The Applicant/Owner is to ensure that all existing survey marks are reinstated, new survey marks are installed in accordance with the plan of survey, and that a licensed surveyor certifies the survey work in writing, to the requirements and satisfaction of the Chief Executive Officer, prior to the endorsement of the plan of survey.
Item Number: 5.8
CCRC-095/10 - D/A 050/09J - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (TWO (2) LOTS INTO FORTY-TWO (42) LOTS) - STAGE 3 AND 3A (Cont’d...)

16) Sewerage Lot Connection: A house connection point must be provided to each lot to connect any future building to the sewerage system. Such house connection point must be located as required by the FNQROC Development Manual. Such point must be constructed at no cost to Council.

17) Stormwater Discharge: The applicant must provide Council with a proposed “Point of Lawful Discharge to Stormwater”. Such location(s) must be chosen to fulfil the following criteria:
   
   (a) The location of the discharge is indeed lawful (i.e. the location of discharge is under the lawful control of the Local Authority or other statutory authority from whom permission to discharge has been received and includes publicly controlled land, drainage reserve, or a watercourse under the Water Act).

   (b) That in discharging at the location, the discharge will not cause an actionable nuisance (i.e. a nuisance for which a current or future downstream or upstream property owner may bring an action or claim for damages arising out of the nuisance). In general terms, this implies a “no-worsening” situation as a result of the discharge.

18) Lot Access: Access to all proposed new lots must be constructed in accordance with the FNQROC Development Manual and Council’s standard engineering specifications to the satisfaction of the Director Planning Services and at no cost to Council. Future maintenance of the access is the responsibility of the landowner.

19) Public Utilities - Alterations: Any relocation or alteration to any public utilities in association with works pertaining to this development/subdivision, must be undertaken as required by the relevant service provider and at no cost to Council.

20) Public Utilities – Existing Services: Where existing services for any lot within the development/subdivision are contained within another lot, the Applicant/Owner shall either:

   (a) Relocate the services to the road area or other location as approved by Council; or

   (b) Arrange the registration of the necessary easements over the services, which are located within another lot, prior to or in conjunction with the submission of the Plan of Survey creating the lot.

21) Telecommunications: Underground telecommunications services shall be provided to the development/subdivision and unless approved otherwise by Council, shall be located within Road Area as required by the FNQROC Development Manual. The Applicant/Owner must provide written evidence of negotiations with the telecommunications authority stating that services will be provided to the development and that satisfactory arrangements have been made in relation to the provision of such services to all lots within the development. Such evidence is to be provided to Council prior to the signing and dating of the Plan of Survey.
Item Number: 5.8

CCRC-095/10 - D/A 050/09] - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (TWO (2) LOTS INTO FORTY-TWO (42) LOTS) - STAGE 3 AND 3A (Cont'd...)

All required fees and contributions must been paid to the telecommunications authority such that connection will be made upon application. Evidence of such payments must be supplied to the Council prior to the signing and dating of the Plan of Survey.

22) Street Lighting: The Applicant/Owner must make the following arrangement for the installation of street lighting within the proposed subdivision prior to the signing and dating of the Plan of Survey:

(a) Prior to the acceptance of Operational works onto maintenance, a Rate 2 lighting scheme is to be prepared by the electricity provider or its approved consultant and submitted to the Director Works & Services for approval. The Rate 2 Lighting Scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 “Lighting for Roads and Public Spaces” and the FNQROC Development Manual. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1 and the corresponding applicable Lighting Categories Table D8.1 as identified in the FNQROC Development Manual.

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

- Straight Sections;
- Curves;
- Intersections and junctions;
- Cul-de-sacs;
- Pedestrian Refuges;
- Local Area Traffic Management (LATM) devices; and
- Other locations, which Council considers are a hazard requiring lighting.

(b) Prior to the issue of a Development Permit for Operational Works, the Applicant/Owner must submit written confirmation that the relevant capital contribution required by the electricity provider has been paid, to ensure that the street lighting will be constructed.

(c) Where a new intersection is formed on an existing roadway for the purpose of accessing a new subdivision development, both the intersection and the existing road for a minimum of two (2) spans of lighting on either side of the intersection shall be provided with lighting to the relevant Lighting Category.
Stage 3A:

1) **Proposal:** The proposed documents and plans set out in the following table and accepted by Council on the 30 April 2009 are approved subject to:

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subject to:

(a) The plans, specifications, facts and circumstances as set out in the application submitted to Council;

(b) Ensuring 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

(c) Any alterations found necessary by the Chief Executive Officer or his delegate at the time of examination of the Engineering Plans or during construction of the development because of a particular requirement;

except where modified by these conditions of approval.

2) **Timing of Effect:** The conditions of this Development Permit must be complied with prior to the signing and dating of the Plan of Survey, except where specified otherwise in these conditions of approval.

3) **Subdivision Development:** The subdivision development, including but not limited to roads, drainage, effluent disposal, water supply, street lighting, pedestrian/cycle paths and landscaping must be designed to the satisfaction of the Director Planning & Environmental Services in accordance with current requirements of the Planning Scheme and the FNQROC Development Manual.

Three (3) copies [one (1) A1 size and two (2) A3 size] of a plan of the works must be submitted with Application Forms and Fees, and are to be endorsed by the Director Planning & Environmental Services prior to the issue of a Development Permit for carrying out Operational Works.
Item Number: 5.8

CCRC-095/10 - D/A 050/09J - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (TWO (2) LOTS INTO FORTY-TWO (42) LOTS) - STAGE 3 AND 3A (Cont'd...)

All works must be constructed in accordance with the Development Permit for Operational Works, the endorsed plans and the FNQROC Development Manual, to the requirements and satisfaction of the Director Planning & Environmental Services prior to signing and dating the Plan of Survey.

4) Bike Lane & Shared Path Facilities Infrastructure: In accordance with Council’s Planning Scheme Policy 6 - Trunk Infrastructure Contributions And External Works, a Bike Lane & Shared Path Facilities Infrastructure Contribution is payable in respect of this development/subdivision. The Contribution must be paid prior to signing and dating by Council of any Plan of Survey, and must be calculated at the contribution rate applicable at the time of payment.

The applicable contribution rate is the Bikelane Infrastructure Charge. The Service Demand Increase (SDI) is calculated at 36 ET’s. The current Bike Lane & Shared Path Facilities Infrastructure Contribution Rate is $495/ET.

5) Sewerage Infrastructure Contributions: In accordance with Council’s Planning Scheme Policy 6 - Trunk Infrastructure Contributions and External Works, a Sewerage Contribution is payable by the Applicant/Owner to Council in respect of this development/subdivision. The Contribution must be paid prior to signing and dating by Council of any Plan of Survey, and must be calculated at the contribution rate applicable at the time of payment.

The proposed development is outside the declared Sewerage Precinct and is therefore considered as remote. A joining fee equivalent to the Sewerage Scheme Infrastructure Charge is therefore payable. The applicable contribution rate is the Mission Beach Sewerage Scheme Infrastructure Charge. The Service Demand Increase (SDI) is calculated at 36 ET’s. The current Sewerage Contribution Rate is $5,335/ET.

6) Water Supply Infrastructure Contributions: In accordance with Council’s Planning Scheme Policy 6 - Trunk Infrastructure Contributions And External Works, a Water Supply Contribution is payable by the Applicant/Owner to Council in respect of this development/subdivision. The Contribution must be paid prior to signing and dating by Council of any Plan of Survey, and must be calculated at the contribution rate applicable at the time of payment.

The proposed development is outside the declared Water Precinct and is therefore considered as remote. The applicable contribution rate is the Mission Beach Water Supply Scheme Infrastructure Charge. The Service Demand Increase (SDI) is calculated at 36 ET’s. The current Water Supply Contribution Rate is $10,710/ET.

7) Public Garden and Recreation Space Provision: The 1.0109 Ha park area shown on GT Pozzi Drawing 03/350 Sheet 2 dated April 2005 as per the Negotiated Decision Notice issued 29th July 2005 for Stage 1 of the development/subdivision, is accepted as 87% of the total contribution for the entire development. The balance of 13% will be accepted by way of cash contribution.
In accordance with Council's Planning Scheme Policy 6 - Trunk Infrastructure Contributions and External Works, the contribution payable in respect of the development is the Mission Beach Parks Infrastructure Charge. The Service Demand Increase (SDI) for this stage of the entire development is calculated at 36 ET's. The current Public Recreation Infrastructure Contribution Rate is $6,000/ET (discounted by 87% of the total contribution). On the present method of calculation, the estimate park contribution is $28,080.

The contribution must be paid prior to signing and dating by Council of any Plan of Survey, and must be calculated at the contribution rate applicable at the time of payment.

8) **Water Reticulation & Meters:** The applicant/owner must design and install adequate internal water reticulation, including any necessary hydrants, valves etc and connecting to existing Council water main including an appropriately sized water meter at the boundary fronting each new lot. The meter must be a Council approved integrated unit including backflow prevention device and stopcock. The water reticulation shall also include the provision of connection points and individual meters to each allotment. The installation of water meters must be completed by a suitably qualified person to Council’s Standard Drawing 09002, prior to the signing and dating of the Plan of Survey, at no cost to Council.

Three (3) copies of the plan of works from a REPQ must be submitted with the Development Approval for Operational Works and must be endorsed by the Director, Planning & Environmental Services prior to the issue of a Development Permit for carrying out Operational Works. All works must be carried out in accordance with the approved plans, prior to the signing and dating of the Plan of Survey, to the requirements and satisfaction of the Director, Planning & Environmental Services.

9) **Water Supply Master Plan:** Prior to the issue of a development permit for carrying out Operational Works, the Applicant/Owner must undertake a study and submit a Water Supply Master Plan to Council for approval. The Water Supply Master Plan must:

(a) Detail the impact of the development on the water supply network and the additional/upgraded infrastructure required to connect the development to Council's existing water supply infrastructure.

(b) Detail the size of water main(s) and other water supply infrastructure required to service the development/subdivision, and the location of any easements/reserves required for such infrastructure.

(c) Comply with the objectives and design criteria of Sections CP1 “Construction Procedures” and D6 “Water Reticulation Design Guidelines” of the FNQROC Development Manual.

(d) Be endorsed by the Director Works prior to the issue of the Development Permit for Operational Works.
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CCRC-095/10 - D/A 050/09J - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (TWO (2) LOTS INTO FORTY-TWO (42) LOTS) - STAGE 3 AND 3A (Cont'd...)

Council commissioned consultant Cardno, Queensland (Milton Office, Brisbane), for water demand modelling in the old Johnstone Shire area and as a requirement of this approval, modelling of the proposed water infrastructure requirements for the proposed subdivision is required. The Applicant/Owner is to fund the cost of the necessary modelling by Cardno Queensland to ascertain the effect of this development.

10) **Stormwater Drain Diversion:** The applicant/owner is to remove the stormwater drain out of the public use land (park) and complete any associated works needed to allow full use of this area. All details of these works and plans are required to be included in the application for Operational Works and are to be endorsed by the Director, Planning & Environmental Services, prior to the issue of the Development Permit. All works are to be carried out as per the Operational Works approval, to the requirements and satisfaction of the Director, Planning & Environmental Services, prior to the signing and dating of the Plan of Survey.

11) **Landscape Buffer:** The Applicant/Owner must provide a landscaped buffer zone along the full length of the eastern boundary within the Rural Zoned lots (currently Lots 12 and 13 on SP222256, proposed Lots 2 & 4) that abuts the future urban area (proposed lots 37-42 & 75-76) and new road, excepting where accesses to proposed rural lots are located. A landscape plan for the buffer must be submitted for approval by the Director, Planning & Environmental Services prior to works on the landscape buffer commencing.

The landscape buffer shall:

(a) be wholly contained within proposed lots 2 and 4;

(b) comprise a buffer mound 5 metres wide and 2 metres high generally in the shape as depicted within the FNQROC Development Manual Standard Plan S4230; and

(c) comprise planted vegetation which will be incorporated on to all buffer mound sides/surfaces as spacing allows, but generally in accordance with the FNQROC Development Manual Standard Plan S4230.

A covenant on title protecting the landscape buffer zone will be required to the requirements and satisfaction of the Director Planning and Environmental Services. A copy of the covenant documents must be submitted to Council for approval by Council’s solicitors, at no cost to Council, prior to the endorsement of the Plan of Survey. The approved covenant documents must be lodged and registered with the Department of Environment and Natural Resources at the time of registration of the Plan of Survey.

12) **Lot Access:** Access to all proposed new lots must be constructed in accordance with the FNQROC Development Manual and Council’s standard engineering specifications to the satisfaction of the Director Planning Services and at no cost to Council. Future maintenance of the access is the responsibility of the landowner.
Item Number: 5.8
CCRC-095/10 - D/A 050/09J - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (TWO (2) LOTS INTO FORTY-TWO (42) LOTS) - STAGE 3 AND 3A (Cont’d...)

13) **Outstanding Rates:** The applicant/owner is to ensure that all rates, interest and other charges levied on the property are paid prior to the endorsement of the Plan of Survey, to the requirements and satisfaction of the Chief Executive Officer.

14) **Permanent Survey Marks:** The Applicant/Owner is to ensure that all existing survey marks are reinstated, new survey marks are installed in accordance with the plan of survey, and that a licensed surveyor certifies the survey work in writing, to the requirements and satisfaction of the Chief Executive Officer, prior to the endorsement of the plan of survey.

15) **Public Utilities - Alterations:** Any relocation or alteration to any public utilities in association with works pertaining to this development/subdivision, must be undertaken as required by the relevant service provider and at no cost to Council.

16) **Public Utilities - Existing Services:** Where existing services for any lot within the development/subdivision are contained within another lot, the Applicant/Owner shall either:
   (a) Relocate the services to the road area or other location as approved by Council; or
   (b) Arrange the registration of the necessary easements over the services, which are located within another lot, prior to or in conjunction with the submission of the Plan of Survey creating the lot.

17) **Road Names:** The applicant must submit with the application for Operational Works a list of proposed road names (minimum of three per road) for consideration by the Chief Executive Officer. Where the development takes place in an area where road names follow a theme or pattern, then names consistent with that theme or pattern must be provided. Road Name signs are to be installed by the Applicant/Owner at locations to the satisfaction of the Director Works and at no cost to Council.

18) **Road Works:** The Applicant/Owner must, at no cost to Council, provide the following works to the subject land:
   (a) Campbell Street must be upgraded/constructed to a “Major Collector” standard as per the FNQROC Development Manual with 10.0 metre asphalt sealed carriageways and barrier kerb and channel on both sides, from the end of the existing kerb & channel completed as part of Stage One which is adjacent (southern side) to lot 11 on SP222256. Street lighting is to be provided in accordance with the FNQROC Development Manual for the full length of Campbell Street.
(b) The proposed New Road extending west from Stage 2 & 2B shall be designed and constructed to a “Minor Collector Street” standard as per the FNQROC Development Manual, with 7.5 metre asphalt sealed carriageways and layback kerb and channel on both sides.

(c) The proposed New Road extending north from the proposed extension of Campbell Street shall be designed and constructed to “Minor Collector Street” standard as per the FNQROC Development Manual, with 10 metre asphalt sealed carriageways and layback kerb and channel on both sides to provide adequate area for a bus service.

(d) A 2.0 metre wide concrete pathway shall be constructed along one side of the Campbell Street reserve in accordance with the FNQROC Development Manual to align with the finished point of the footpath completed as part of Stage One, to the requirements and satisfaction of the Director, Planning & Environmental Services.

(e) A 1.5 metre wide concrete pathway shall be constructed along one side of the Road reserve on the abovementioned new roads in accordance with the FNQROC Development Manual, to the requirements and satisfaction of the Director, Planning & Environmental Services.

The works outlined above require a Development Permit for Operational Works. Three (3) copies [one (1) A1 size and two (2) A3 size] of a plan of the works for the relevant stage of development/subdivision must be submitted to and be endorsed by the Director Works prior to the issue of a Development Permit for carrying out Operational Works.

All works must be constructed in accordance with the Development Permit for Operational Works, the endorsed plan and the FNQROC Development Manual, to the requirements and satisfaction of the Director, Planning & Environmental Services prior to signing and dating of the Plan of Survey of the relevant stage.

19) **Sewerage Master Plan:** Prior to the issue of a development permit for carrying out Operational Works, the Applicant/Owner must finalise with Council the Sewerage Master Plan to the requirements and satisfaction of the Director Works. The Sewerage Master Plan must:

(a) Detail the impact of the development on the sewerage network and the additional/upgraded infrastructure required to connect the development to Council’s existing sewerage infrastructure.

(b) Detail the size of sewer main(s) and other sewerage infrastructure required to service the development/subdivision, and the location of any easements/reserves required for such infrastructure.

(c) Comply with the objectives and design criteria of Sections CP1 “Construction Procedures” and D7 “Sewerage System Design Guidelines” of the FNQROC Development Manual.
(d) Be endorsed by the Director Works prior to the issue of the Development Permit for Operational Works.

The Applicant/Owner is to fund the cost of the necessary modelling to ascertain the effect of this development.

20) **Sewerage Lot Connection:** A house connection point must be provided to each lot to connect any future building to the sewerage system. Such house connection point must be located as required by the FNQROC Development Manual. Such point must be constructed at no cost to Council.

21) **Sewerage Works:** The Applicant/Owner must undertake sewerage works to connect the subject land to Council’s existing sewerage infrastructure at a point determined by the Director Works and at no cost to Council.

Three (3) copies [one (1) A1 size and two (2) A3 size] of a plan of the works for the relevant stage of development/subdivision must be submitted to and be endorsed by the Director Works prior to the issue of a Development Permit for carrying out Operational Works.

All works must be constructed in accordance with the Development Permit for Operational Works, the approved Sewerage Master Plan, the approved plan and the FNQROC Development Manual to the requirements and satisfaction of the Director Works & Services prior to signing and dating the Plan of Survey of the relevant stage.

22) **Stormwater Discharge:** The applicant must provide Council with a proposed “Point of Lawful Discharge to Stormwater”. Such location(s) must be chosen to fulfil the following criteria:

(a) The location of the discharge is indeed lawful (i.e. the location of discharge is under the lawful control of the Local Authority or other statutory authority from whom permission to discharge has been received and includes publicly controlled land, drainage reserve, or a watercourse under the Water Act).

(b) That in discharging at the location, the discharge will not cause an actionable nuisance (i.e. a nuisance for which a current or future downstream or upstream property owner may bring an action or claim for damages arising out of the nuisance). In general terms, this implies a “no-worsening” situation as a result of the discharge.

23) **Stormwater Drainage Master Plan:** Prior to the issue of a development permit for carrying out Operational Works, the Applicant/Owner must finalise the Sewerage Master Plan with Council to the requirements and satisfaction of the Director Works. The Stormwater Drainage Master Plan must:

(a) Detail the impact/effects of stormwater discharges from the development/subdivision on other properties, both upstream and downstream, and the measures required to minimise such effects.
(b) Comply with the objectives and design criteria of Sections CP1 “Construction Procedures”, D4 “Stormwater Drainage” and D5 “Stormwater Quality Management” of the FNQROC Development Manual. In particular, the post development discharge must have a “no-worsening” effect on the drainage of upstream or downstream properties.

(c) Detail the drainage infrastructure (size and scope etc.) and the location of any drainage easements/reserves required to convey stormwater drainage through the development/subdivision to the “Point of Lawful Discharge to Stormwater”.

(d) Be endorsed by the Director Works prior to issue of the Development Permit for Operational Works.

24) **Stormwater Drainage Works:** The Applicant/Owner must undertake stormwater drainage works, both internal and external to the development, to connect the development/subdivision to the approved “Point of Lawful Discharge to Stormwater” and at no cost to Council.

Three (3) copies [one (1) A1 size and two (2) A3 size] of a plan of the works for the relevant stage of development/subdivision must be submitted to and be endorsed by the Director Works prior to the issue of a Development Permit for carrying out Operational Works.

All works must be constructed in accordance with the Development Permit for Operational Works, the approved Stormwater Drainage Master Plan, the approved plan and the FNQROC Development Manual to the requirements and satisfaction of the Director Works prior to signing and dating the Plan of Survey of the relevant stage.

25) **Street Lighting:** The Applicant/Owner must make the following arrangement for the installation of street lighting within the proposed subdivision prior to the signing and dating of the Plan of Survey:

(a) Prior to the acceptance of Operational works onto maintenance, a Rate 2 lighting scheme is to be prepared by the electricity provider or its approved consultant and submitted to the Director Works & Services for approval. The Rate 2 Lighting Scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 “Lighting for Roads and Public Spaces” and the FNQROC Development Manual. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1 and the corresponding applicable Lighting Categories Table D8.1 as identified in the FNQROC Development Manual.
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The design must provide the applicable illumination level specified in the Road lighting Standard AS/ NZS 1158 at the following road elements:

- Straight Sections;
- Curves;
- Intersections and junctions;
- Cul-de-sacs;
- Pedestrian Refuges;
- Local Area Traffic Management (LATM) devices; and
- Other locations, which Council considers are a hazard requiring lighting.

(b) Prior to the issue of a Development Permit for Operational Works, the Applicant/Owner must submit written confirmation that the relevant capital contribution required by the electricity provider has been paid, to ensure that the street lighting will be constructed.

(c) Where a new intersection is formed on an existing roadway for the purpose of accessing a new subdivision development, both the intersection and the existing road for a minimum of two (2) spans of lighting on either side of the intersection shall be provided with lighting to the relevant Lighting Category.

26) **Telecommunications:** Underground telecommunications services shall be provided to the development/subdivision and unless approved otherwise by Council, shall be located within Road Area as required by the FNQROC Development Manual. The Applicant/Owner must provide written evidence of negotiations with the telecommunications authority stating that services will be provided to the development and that satisfactory arrangements have been made in relation to the provision of such services to all lots within the development. Such evidence is to be provided to Council prior to the signing and dating of the Plan of Survey. All required fees and contributions must been paid to the telecommunications authority such that connection will be made upon application. Evidence of such payments must be supplied to the Council prior to the signing and dating of the Plan of Survey.

**Advice to Applicant:**

a). **Relevant Period:** the *relevant period* for the development approval (reconfiguring of a lot requiring Operational Works) shall be *four (4) years* starting the day the approval is granted or takes effect. In accordance with Section 3.5.21(2) of IPA, the development approval for reconfiguring a lot lapses if a plan for the reconfiguration is not given to Council under Section 3.7.2(2) within the abovementioned *relevant period*. However, if there are one or more *related approvals* for the development approval for reconfiguring a lot, the *relevant period* is taken to have started on the day the latest related approval takes effect. (Please refer to Section 3.5.21(7) of IPA for the meaning of *related approval*).

An applicant may request Council to extend the *relevant period* provided that such request is made in accordance with Section 3.5.22 of IPA and before the development approval lapses under Section 3.5.21 of IPA.
Council's approval of a development application for operational works is required in respect of the proposed development. This application should be submitted to and approved by Council, and the operational works completed in accordance with the approval, prior to the end of the **relevant period** for the development approval (reconfiguring a lot).

b). This approval does not negate the requirement for compliance with all other relevant Local laws and other statutory requirements;

c). Current requirements and estimates of infrastructure contributions may change when elements of the Johnstone Shire Council Priority Infrastructure Plan (PIP) are adopted;

d). The applicant/owner is to ensure compliance with the requirements of the Aboriginal Cultural Heritage Act and in particular ‘the duty of care’ that it imposes all landowners, developers and the like;

e). The applicant/owner is to ensure that any engineering works involved in the proposed development are designed and constructed in accordance with the FNQROC Development Manual, 2005; and

f). When the plan of subdivision for the reconfiguring of a lot is submitted to Council for endorsement, such plan shall be accompanied by the endorsement fee in accordance with Council's Schedule of Fees and Charges.

Moved Cr M Nolan
Seconded Cr J Downs
Resolution Number 0955
“That the Recommendation be **adopted.**”
CARRIED

12.15pm Mr D Horton and Ms N Moore left the meeting.
Item Number: 6.2  
**CCRC-083/10 - LOBBYISTS CODE OF CONDUCT**

*Executive Summary:*
The Queensland Government undertook a review of integrity and accountability in Queensland during 2009. This review resulted in the Queensland Government producing a White Paper entitled “Response to Integrity and Accountability in Queensland”.

Several of the recommendations from this White Paper relate to reforming lobbyists’ contact with Queensland Government (including Local Government). These recommendations were captured in the *Integrity Act 2009* (the Act).

The Act regulates contact between Queensland Government (including Local Government) and lobbyists in Queensland, the registration process for lobbyists and expands the role of the Integrity Commissioner.

Council has been advised that the Lobbyists Code of Conduct has now been approved by the Integrity Commissioner (see attached).

**Recommendation:**  
“That the report on the Lobbyists Code of Conduct be received and noted.”

Moved Cr I Rule  
Seconded Cr B Horsford

Resolution Number 0956  
“That the Recommendation be **adopted.**”

**CARRIED**

12.30pm - 1.00pm The meeting adjourned for lunch. It was noted when the meeting reconvened that Messrs D Trotter (Director, Works) and R Jennings (Manager, Water) and Mrs J Gravagna (Co-ordinator, Rates & Customer Service) were in attendance.
Item Number: 7.1

**CCRC-075/10 - TENDER 0910-024 - EARLY CONTRACTOR INVOLVEMENT FOR DESIGN AND CONSTRUCTION OF THE INNISFAIL SEWERAGE TREATMENT PLANT**

**Executive Summary:**
The Innisfail Sewerage Treatment Plant (ISTP) is required to be upgraded due to its aging infrastructure, issues with effluent quality and lack of capacity for the existing and future population of Innisfail.

The Early Contractor Involvement (ECI) process adopted by Council for the construction of Innisfail Sewerage Treatment Plant involves three phases for the selection of an appropriate contractor to undertake the detailed design and construction of the ISTP. The first and second phases of the selection process are complete with the receipt of submissions via a tender submission process and interviews of short-listed tenderers. To progress to the final phase of the selection process, a minimum of two (2) preferred tenderers must be selected to enter into Stage One ECI Contracts for the Design Development Phase of the project. Two (2) tenderers have been recommended for this final phase of contractor selection.

Stage One of the ECI involves a joint design, risk assessment, risk allocation and pricing. A single contractor will then be selected for the Design and Construction of the Innisfail Sewage Treatment Plant.

Considerable emphasis has been placed on the need for the contractor to engage the local community during the project and in particular local industry, with the aim of supporting the local economy.

**Recommendation:**
“**That two (2) tenderers - WDS/York Civil and Baulderstone are invited to enter into Stage One (Design Development Stage) of the Early Contractor Involvement (ECI) contract for the Design and Construction of the Innisfail Sewerage Treatment Plant.**”

<table>
<thead>
<tr>
<th>Moved Cr M Nolan</th>
<th>Seconded Cr J Downs</th>
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<tbody>
<tr>
<td>Resolution Number 0957</td>
<td>“That the Recommendation be <strong>adopted.</strong>”</td>
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**CARRIED**

1.30pm Messrs D Trotter and R Jennings left the meeting.
1.35pm Mrs M Cox (Manager of Finance) and Mrs A Lamb (Financial Accountant) entered the meeting.
Item Number: 6.3
CCRC-084/10 - EXPENSES REIMBURSEMENT POLICY FOR COUNCILLORS

Executive Summary:
The Cassowary Coast Regional Council has developed a ‘Draft’ Expense Reimbursement for Councillors Policy in accordance with Section 534 of the Local Government Act 1993 (the Act).

Subsequently, on 10 March 2010, a copy of the ‘Draft’ Expenses Reimbursement for Councillors Policy was submitted to the Department of Infrastructure and Planning for approval, pursuant to section 250AR of the Local Government Act 1993.

Recommendation:
“That;

• Council adopt the approved Expenses Reimbursement for Councillors Policy (under section 250AS of the Act) (Refer to Appendix A attached);

• Authorise the payment of reasonable expenses incurred, and the provision of facilities to its Councillors according to the approved Expenses Reimbursement for Councillors Policy endorsed by Council (pursuant to section 236B of the Act); and

• Issue a Public Notice regarding Council’s approval of the amended Expenses Reimbursement for Councillors Policy (under section 250AT of the Act).”

Moved Cr J Downs
Seconded Cr I Rule
Resolution Number 0958
“That the Recommendation be adopted.”
CARRIED

Item Number: 6.4
CCRC-088/10 - FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2009 - 31 MARCH 2010

Executive Summary:
The Financial Statements for the period 1 July 2009 to 31 March 2010 are provided herewith.

Officer’s Recommendation:
“That the Statements with Notes for the period 1 July 2009 to 31 March 2010, incorporating the following, be received:-

• Operating Statement
• Balance Sheet
• Statement of Cash Flows
• Graphical Representation of Recurrent Revenue and Expenditure
• Notes to and Forming Part of the Financial Report
  Note 1 - Cash Assets and Cash Equivalents
  Note 2 - Trade and Other Receivables
  Note 3 - Borrowings
  Note 4 - Recurrent Revenue and Expenditure”
Item Number: 6.4
CCRC-088/10 - FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2009 - 31 MARCH 2010 (Cont'd...)

Moved Cr R Sorbello
Seconded Cr B Horsford
Resolution Number 0959
“That the Recommendation be adopted.”
CARRIED

1.45pm Mrs A Lamb left the meeting.

Item Number: 6.5
CCRC-093/10 - COLLECTION OF RATE MONIES

Executive Summary:
The report is presented for Council's information regarding revenue collected from rates and charges for the period 01 January 2010 to 30 June 2010.

Recommendation:
“That the report be received and noted.”

Moved Cr I Rule
Seconded Cr R Sorbello
Resolution Number 0960
“That the Recommendation be adopted.”
CARRIED

Item Number: 6.6
CCRC-095/10 - REVIEW OF COUNCIL REVENUE AND EXPENDITURE

Executive Summary:
A review of financial performance against budget to 17th March 2010 has been carried out to ensure Council is able to meet its budgeted obligations up until the end of the financial year. Overall there is no material negative variance to pro rata budget at this stage and the projections to 30th June indicate that net expenditure will remain within budget.

Recommendation:
“That the report be received and Council note the Capital and Operational Revenue and Expenditure estimated to 30th June 2010.”

Moved Cr J Downs
Seconded Cr R Sorbello
Resolution Number 0961
“That the Recommendation be adopted.”
CARRIED
2.00pm Mrs M Cox left the meeting and Mr D Horton re-entered the meeting.

Item Number: 8.1
CCRC-97/10 – COSTS AND BENEFITS OF ASSUMING CONTROL OF THOSE PARTS OF THE CASSOWARY COAST REGION’S FORESHORES NOT UNDER COUNCIL CONTROL

Executive Summary:
At the Local Government Meeting on 17 December 2009, as part of the resolution to reopen the unformed track south of the boat ramp at Cowley Beach and to regulate the movement of vehicles on dunes and beaches north of the boat ramp at Cowley Beach, it was also resolved that Council Officers bring a report to Council highlighting the costs and benefits of Council seeking through proclamation notice of Governor in Council to take control of those parts of the Cassowary Coast foreshore that are not already under the control of Local Government.

Recommendation:
“That Council resolve to:

1. Make application to the Minister for the Governor in Council to, by gazette notice, place defined areas of foreshore under the control of Council pursuant to Section 936 of the Local Government Act 1993.

2. Develop, through appropriate consultation, a “Strategy defining vehicle use on beaches throughout the Cassowary Coast Region” that can be used to inform future CCRC policy and Local Laws.”

Moved Cr J Downs
Seconded Cr C Silvestro

Resolution Number 0962
“That the Recommendation be adopted.”

THE MOTION WAS CARRIED – 5 votes to 2 with Crs J Downs, C Silvestro, R Sorbello, B Horsford and B Shannon voting FOR the Motion and Crs M Nolan and I Rule voting AGAINST the Motion.

GENERAL BUSINESS:

1. PEDESTRIAN ACCESS TO KIRRAMA RANGE ROAD
Cr Sorbello advised a resident in Cardwell contacted him to ask whether the Kirrama Range Road, which is currently ‘closed’, could be opened for use by pedestrians, walkers, cyclists, etc. This matter was referred to Mr D Trotter to investigate.

2. NEXT DEPUTATION DAY
The Chief Executive Officer advised the next Deputation Day has been scheduled for Tuesday, 18 May 2010 in Tully and asked Councillors to note their diaries accordingly.

2.45pm Mrs J Murphy and Mr P Devine left the meeting with Mrs J Gravagna following shortly thereafter.
MEETING CLOSED TO THE PUBLIC (3.00PM)

Moved Cr R Sorbello  
Seconded Cr M Nolan
Resolution Number 0963  
“That in accordance with Section S463 1 (b), (e) and (f) of the Local Government Act 1993, Council close the meeting to the public to consider enterprise bargaining negotiations, taking action to recover overdue rates and the renewal of the Cowley Beach Caravan Park lease.”

CARRIED

MEETING RE-OPENED TO THE PUBLIC (3.35PM)

Moved Cr J Downs  
Seconded Cr M Molan
Resolution Number 0964  
“That the meeting be re-opened to the public.”

CARRIED

Item Number: 4.1

‘CONFIDENTIAL’ REPORT NO. CCRC-079/10 – ENTERPRISE BARGAINING NEGOTIATIONS

Executive Summary:
The existing Enterprise Bargaining Agreement that applies to employees of Council is nominally due to expire on 30 June 2010. Initial discussions have been commenced with employee representatives and union officials concerning the expiry of the agreement and the direction of future negotiations. It has been proposed that Council would be willing to consider a 12 month extension or rollover of the existing agreement.

Recommendation:
“That the report be received and the CEO be authorised to continue negotiations concerning the expiry of the existing Enterprise Bargaining Agreement.”

Moved Cr I Rule  
Seconded Cr J Downs
Resolution Number 0965  
“That the Recommendation be adopted.”

CARRIED
Item Number 6.1
‘CONFIDENTIAL’ REPORT NO. CCRC-077/10 – COMMENCEMENT OF RATES DEBT RECOVERY

Executive Summary:
To endeavour to recover overdue rates which have remained unpaid for a period of twelve months or more by utilising the Council’s Debt Collection Agency, The Global Arms Group.

Recommendation:
“That Council instruct its Debt Collection Agency to take action against the owners of land on which overdue rates have been outstanding for twelve months or more, including the commencement of legal action if considered warranted by the Chief Executive Officer or an officer delegated by him, but excluding all land which Council has resolved to sell.”

Moved Cr B Horsford  
Seconded Cr C Silvestro

Resolution Number 0966  
“That the Recommendation be adopted.”

CARRIED

Item Number: 6.7
‘CONFIDENTIAL’ REPORT NO. CCRC-096/10 – RENEWAL OF COWLEY BEACH CARAVAN PARK LEASE

Executive Summary:
Discussions have been held over an extended period of time with Windmill (Qld) Pty Ltd concerning a proposal for an extension to a lease over part of a reserve currently used as Cowley Beach Caravan Park. The current 30 year lease has nine years until it would normally be subject to open public tender. The proposal seeks a renewed 30 years without the requirement for a public tender. This is only possible with Ministerial Exemption to the normal purchasing requirements under the Local Government Act. Before a submission is made to the Minister, Council needs to be satisfied that there is a reasonable return for Council and a community benefit.

A proposal has been prepared which would provide a reasonable commercial return to Council and a community benefit in the form of improved facilities.

Recommendation:
“That Council:

1. Advise Windmill (Qld) Pty Ltd that the following terms and conditions will form the basis of future leasing arrangements over land described as part of R1399, which is currently being used as Cowley Beach Caravan Park:

   - Term 30 years
   - Base rent of $10,500-00 per annum increased by CPI annually
   - After three years the base rent will be adjusted in line with the market valuation to then be increased by CPI annually with re-valuations every five years
   - Construction of the 17 cabins and ancillary infrastructure to be completed within two years (condition precedent to lease)
   - Lessee to meet the cost of lease preparation and associated documents
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2. Make application to the Minister for Local Government and Aboriginal and Torres Strait Island Partnerships seeking exemption under Section 492 (1) (e) of the Local Government Act 1993 to the public tender requirement for a longer term lease for the Cowley Beach Caravan Park.”

Moved Cr J Downs
Seconded Cr M Nolan

Resolution Number 0967

“That the Recommendation be adopted subject to an amendment to Item 1 - Dot Point 3 as follows:

“After three years the base rent will be adjusted in line with (INSERT) returns based on the market valuation (INSERT) of the improved property to then be increased by CPI annually with re-valuations every five years.”

CARRIED

3.45pm The Mayor declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD THIS 13th DAY OF MAY 2010.

____________________________
MAYOR

CEO1004270919
APPENDIX A

CASSOWARY COAST REGIONAL COUNCIL

DRAFT POLICY

EXPENSES REIMBURSEMENT FOR COUNCILLORS

Policy Number: 1.4

1. Authority
Local Government Act 1993 (As amended)
Sections 236(b), 250(ak), 250(ar), 250(as), 250(at), 250(au) and 534.
Department of Local Government, Sport and Recreation Guidelines.

2. Policy Statement
To provide the Mayor and councillors with reimbursement of reasonable expenses incurred in the performance of their roles.

3. Principles
This Councillor Expenses Reimbursement Policy complies with the Statement of Principles, set out in the Department of Local Government guidelines:

- **No private benefit to be derived**
  Facilities provided to Councillors are for the sole use of councillors in undertaking their duties and must be used responsibly and appropriately.

- **Reasonable Expenses Reimbursement**
  Councillors should not be financially disadvantaged when carrying out their roles, and should be fairly and reasonably compensated in accordance with community expectations.

- **Public accountability and transparency**
  The use of the provided facilities will be open for review to the extent appropriate to the proper performance of a Councillor’s responsibilities.

- **Public perceptions and community expectations**
  The council will provide only those facilities reasonably necessary for the efficient performance of a Councillor’s responsibilities.

- **Equity and Participation**
  To maximise equity and the participation of councillors from diverse backgrounds and circumstances, this councillor Expenses Reimbursement Policy expressly permits the reimbursement of expenses that are necessarily incurred to allow the participation of councillors who experience unusual barriers to participation, such as a disability or cultural responsibilities.

4. Scope
This policy applies to the Mayor and councillors for the reimbursement of expenses incurred by them in undertaking their roles.
5. **Responsibility**

The Chief Executive Officer is responsible for ensuring this policy is understood and adhered to by the Mayor and Councillors.

6. **Definitions**

**Official Council Business** – Activities conducted on behalf of council where a Councillor is required to undertake certain tasks to satisfy legislative requirements or achieve business objectives for the Council. Official council business should result in a benefit being achieved either for the local government and/or the local community. This includes:

- Attendance at council, committee and Briefing meetings
- Attendance at prescribed Local Government training/workshops, seminars and conferences
- Attendance at civic ceremonies and community events where a formal invitation has been received inviting councillors in their capacity to undertake official duty
- Attending public meetings, annual meetings or presentation dinners where invited as a Councillor
- Attending meetings of community groups where invited to speak about council programs or initiatives
- Attending private meetings with constituents, where arranged through official council channels and details of discussions are documented in official records or diaries
- Attending civic Reception functions on behalf of the Mayor
- Attending organised meetings/deputations/inspections/community consultations on a one off basis; and
- Attending organised meetings pertaining to the meeting of a community organisation whereby a Delegate of the Council has not been appointed to attend or is unavailable to attend.

**Reasonable** – Councillors must make sound judgements and consider what is prudent, responsible and acceptable to their communities when determining reasonable levels of expenditure.

**Expenses** – Council will reimburse Councillors for their reasonable and necessary expenses incurred or to be incurred when discharging their duties as councillors.

**Professional Development** – Attendance at workshops, courses, seminars and conferences that improve councillor’s skills relevant to the role of councillor. Mandatory Professional Development is the title that applies when the council resolves that all councillors must attend the event. Discretionary Professional Development is the title used to describe all professional development that is not Mandatory Professional Development.

7. **Policy**

The Council will reimburse councillors for expenses as set out in this policy.

In addition to the expenses expressly referred to in the section of this Policy headed *Expense Categories*, the Council will reimburse other expenses that are necessarily incurred to allow the participation of Councillors who experience unusual barriers to participation, such as a disability or cultural responsibilities.
Expense Categories

1. **Professional development**

   The council will reimburse expenses incurred for:

   - All mandatory professional development; and
   - Discretionary professional development up to a maximum of $5,000 (indexed to CPI annually) during a single local government term

2. **Travel as required to represent Council**

   The Council will reimburse local, interstate and overseas travel expenses (e.g. flights, car, accommodation, meals and associated registration fees), deemed necessary to achieve the business of council when:

   - A Councillor is acting as an official representative of Council; and
   - The activity/event and travel have been endorsed by resolution of Council

   Councillors must travel via the most direct route, using the most economical and efficient mode of transport. The amount of the reimbursement will be the actual amount expended by the councillor, or where an actual amount cannot be directly substantiated, an equivalent mileage allowance.

   **NOTE:** Any fines incurred while travelling in Council-owned vehicles or privately owned vehicles when attending to council business, will be the responsibility of the Councillor incurring the fine.

2.1 **Travel bookings**

   All councillor travel approved by Council will be booked and paid for by Council. Economy class is to be used where possible although council may approve business class in certain circumstances.

   Airline tickets are not transferable and can only be procured for the Councillor's travel on Council business. They cannot be used to offset other unapproved expenses (e.g. cost of partner or spouse accompanying the Councillor).

2.2 **Travel transfer costs**

   Any travel transfer expenses associated with Councillors travelling for Council approved business will be reimbursed, e.g. trains, buses, taxi and ferry fares. Receipts must be provided with all claims for reimbursement.

2.3 **Private vehicle usage**

   Payment for use of the Councillor's private vehicle on council business will be reimbursed to the Councillor on a kilometre rate as set out in the Australian Taxation Office allowable deductions for motor vehicles.

   In other circumstances, Councillor's private vehicle usage will be reimbursed by council if the:

   - Travel has been endorsed by Council resolution
   - Claim for mileage is substantiated with log book details; and
   - Total travel claim does not exceed the cost of the same travel using economy flights plus the cost of taxi transfers.
2.4 Accommodation

All Councillor accommodation for council business will be booked and paid for by Council.

Accommodation should be selected that provides:

- Council with the best price value; and
- Convenient to the conference/meeting

Councillors will be reimbursed for the actual cost of meals when:

- The Councillor incurs the cost personally
- The meal was not provided within the (registration) costs of the approved activity/event/travel; and
- The Councillor can produce documents sufficient to verify the actual meal cost.

If a Councillor cannot produce a receipt for a meal they have purchased then a Statutory Declaration must be completed to claim the reimbursement.

No alcohol will be paid for by Council.

2.5 Hospitality Expenses

The Mayor will be reimbursed up to $1,000 per annum for hospitality expenses deemed necessary in the conduct of Council business.

3. Facilities Categories – ‘Administrative tools’

Administrative tools will be provided to councillors as required to assist councillors in their role. Administrative tools include:

- Office space and meeting rooms
- Computers
- Stationery
- Access to photocopiers
- Printers
- Facsimile machines
- Publications
- Use of council landline telephones and internet access in council offices
- Secretarial support may also be provided for the Mayor and Councillors as required

Date of adoption: April 2010
Minute Number:
Policy Review: 2 years or as determined by Council or Chief Executive Officer