

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL HELD
AT THE DOUGLAS SHIRE COUNCIL CHAMBERS, 64-66 FRONT STREET, MOSSMAN ON
TUESDAY, 19 JULY 2016, COMMENCING AT 10.00AM**

1. PRESENT

Cr Julia Leu (Mayor), Cr Abigail Noli (Deputy Mayor), Cr David Carey, Cr Michael Kerr, Cr Roy Zammataro, Linda Cardew (Chief Executive Officer), Darryl Crees (General Manager Corporate Services), Paul Hoye (General Manager Operations), Joanne Jacobson (Manager Governance), Michael Kriedemann (Manager Infrastructure Services), Peter White (Acting Manager Water and Wastewater), John Rehn (Manager Finance and IT), Kerrie Hawkes (Executive Officer), Lloyd Nunns (Senior Procurement Officer), Robert Donovan (Property Officer), Susanna Andrews (Property Officer), Michael Matthews (Project Engineer), Helen Coulthard (Community & Economic Development Officer), Annette Watson (Rates Administration Officer), Daniel McAuliffe (Ganger Amenities), Natalie Crimmins (Frontline Services Officer), Peter Logan (Coordinator Public Spaces), Marie Lawson (Administration Support Officer), Gary Aylett (Labourer Public and Natural Areas), Bill Wilkie (Library Officer), Greg McLean (Communications and Events Officer) and Nicole Barton (Mayoral and Councillor Support Officer) and Nevinia Davenport (Executive Assistant).

ACKNOWLEDGEMENT OF COUNTRY

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

MINUTE'S SILENCE

A minute's silence was observed for the victims of the terrorist attack in Nice, France.

APOLOGIES

Nil.

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Nil.

3. MAYORAL MINUTE

Moved Cr Leu

"That Council congratulates the 13 Council staff who are to be presented with Recognition Awards at this Council meeting today, acknowledging their outstanding contribution in local government to their communities over the last 10 to 35 years at Douglas Shire Council."

Carried unanimously.

MEETING SUSPENDED

The meeting was suspended at 10.08am for a group photo of Councillors and staff.

MEETING RE-COMMENCED

The meeting re-commenced at 10.11am

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4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

ORDINARY MEETING HELD ON 28 JUNE 2016

Moved Cr Noli

Seconded Cr Kerr

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

Carried unanimously.

SPECIAL (BUDGET) MEETING HELD ON 28 JUNE 2016

Moved Cr Carey

Seconded Cr Zammataro

“That the Minutes of the Special (Budget) Meeting held on Tuesday, 28 June 2016, be confirmed.”

Carried unanimously.

SPECIAL MEETING HELD ON 5 JULY 2016

Moved Cr Noli

Seconded Cr Kerr

“That the Minutes of the Special Meeting held on Tuesday, 5 July 2016, be confirmed.”

Carried unanimously.

The Chair permitted a request from *Port Douglas Mossman Gazette* to record the Ordinary Council Meeting in accordance with the Standing Orders clause 21.1A.

5. AGENDA ITEMS

5.01. INTERIM FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2016

John Rehn, Manager Finance and IT

Moved Cr Leu

Seconded Cr Carey

“That Council notes the Interim Financial Report for the period ended 30 June 2016.”

Carried unanimously.

5.02. AMENDMENT TO FEES AND CHARGES SCHEDULE 2016 - 2017

Peter White, Acting Manager Water and Wastewater

Moved Cr Noli

Seconded Cr Carey

“That Council adopt the amended fees and charges contained in the Amendment to the Fees and Charges Schedule 2016 – 2017 (Attachment 1).”

Carried unanimously.

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5.03. SHIPPING CONTAINER - 'MEN'S SHED' 22 MILL ST MOSSMAN

Susanna Andrews, Property Officer

Moved Cr Carey

Seconded Cr Zammataro

"That Council:

1. *approves the development of a shipping container on land located at 22 Mill Street, Mossman, also described as Lot 5 on RP706271, subject to the following conditions:*

- a. *Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s):*

The term 'approved drawing(s) and/or document(s)' or other similar expression means:

<i>Drawing or Document</i>	<i>Reference</i>	<i>Date</i>
<i>Clarkeville Designs site layout</i>	<i>Dwg No 3 – 5 – 16.</i>	<i>16/05/16</i>
<i>Clarkeville Designs container footings</i>	<i>Dwg No3 – 5 – 16.</i>	<i>16/05/16</i>

- b. *In the event that any part of Council's existing sewer/water or road infrastructure is damaged as a result of construction activities occurring on the site, the lessee must notify Council immediately of the affected infrastructure and have it repaired or replaced at the lessee's cost, prior to Commencement of Use.*
 - c. *This approval does not negate the requirement for compliance with relevant Local Laws and statutory requirements.*
2. *Delegates the authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to determine and finalise any and all matters associated with this request."*

Carried unanimously.

**5.04. EXECUTE PART C FOR ROAD CLOSURE APPLICATION - ADJOINING
BANABILLA RD, DEGARRA**

Susanna Andrews, Property Officer

Moved Cr Noli

Seconded Cr Kerr

"That Council delegates authority to the Chief Executive Officer, in accordance with section 257 of the Local Government Act 2009, to execute, as Road Manager, Part C Statement in relation to an application under the Land Act 1994 over State land, for a proposed road closure of part of the esplanade adjoining land described as Lot 6 on SP123877, located at Banabilla Road, Degarra."

For:- Cr Leu, Cr Kerr and Cr Noli

Against:- Cr Carey and Cr Zammataro

Carried.

**5.05. 'STAGE' STRUCTURE - 69R TEA TREE RD, DIWAN - REPAIR OR
DEMOLITION**

Susanna Andrews, Property Officer

Moved Cr Leu

Seconded Cr Noli

"That Council:

1. *resolves to undertake all necessary steps to repair the 'stage' structure on land located at 69R Tea Tree Road, Diwan, also described as Lot 45 on RP739764. The repairs will include, but are not limited to:*
 - a. *the supply and installation of new steel columns and beams with appropriate protective coating; and*
 - b. *core filling and reinforcement of masonry walls if loads are to be fixed.*
2. *delegates authority to the Chief Executive Officer, in accordance with section 257 of the Local Government Act 2009, to determine and finalise all matters associated with this restoration work."*

Carried unanimously.

**5.06. DAINTREE GATEWAY - WESTERN PRECINCT - STAGE 3 - DAY
VISITORS CAR PARK UPGRADE PROJECT**

Michael Matthews, Project Engineer

Michael Kriedemann, Manager Infrastructure Services

Moved Cr Leu

Seconded Cr Carey

"That Council resolves to:

1. *Adopt the revised car park layout plan identified as the Daintree Gateway Western Precinct – Stage 3 – Visitor Car and Coach Parking Upgrade Project;*
2. *Advise respondents of the community engagement phase of the adopted revised concept layout plan; and*
3. *Proceed to final detailed design and documentation of the Daintree Gateway Western Precinct – Stage 3 - Visitor Car and Coach Parking Upgrade Project for construction."*

Carried unanimously.

5.07. PORT DOUGLAS SERVICE ROAD UPGRADE PROJECT

Michael Matthews, Project Engineer

Michael Kriedemann, Manager Infrastructure Services

Moved Cr Noli

Seconded Cr Carey

“That Council resolves to:

- 1. adopt the revised concept layout plan for the section of Port Douglas Service Road between Atoll Close and Barrier Street;*
- 2. advise respondents of the community engagement of the adopted revised concept layout plan; and*
- 3. proceed to final detailed design and documentation for construction.”*

Carried unanimously.

5.08. LOCAL ROADS OF REGIONAL SIGNIFICANCE - STATEMENT OF INTENT

Michael Kriedemann, Manager Infrastructure

Moved Cr Carey

Seconded Cr Zammataro

“That Council resolve to adopt the Statement of Intent documents dated 2016 for the four Local Roads of Regional Significance.”

Carried unanimously.

6. NOTICES OF MOTION

Nil.

7. URGENT BUSINESS

Nil.

8. PETITIONS

Nil.

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9. CLOSED SESSION

Moved Cr Carey

Seconded Cr Kerr

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

- 9.1 *Contractual Matter S275 (1) (E) Local Government Regulation 2012 – Contract Award (Road Sweeper) Under S234 the Contract Is Made Under an Exception for LGA Arrangement;*
- 9.2 *Contractual Matter S275 (1) (E) Local Government Regulation 2012 – Contract for Cowie Range Road Pavement Upgrade Project, Cowie Range;*
- 9.3 *Contractual Matter S275 (1) (E) Local Government Regulation 2012 – Refresh of a Register of Prequalified Suppliers Under S232;*
- 9.4 *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 - Proposed Application to Expand Leased Area of Lot 115 SR632 from Council Trustee Land Lot 2 SP262338; and*
- 9.5 *Prejudicial Matter S275(1) (H) Local Government Regulation 2012 - Regional Arts Development Fund (RADF) Committee Appointments.”*

Carried unanimously.

OUT OF CLOSED SESSION

Moved Cr Carey

Seconded Cr Kerr

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

Carried unanimously.

**9.1. CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT
REGULATION 2012 – CONTRACT AWARD (ROAD SWEEPER) UNDER
S234 THE CONTRACT IS MADE UNDER AN EXCEPTION FOR LGA
ARRANGEMENT**

Lloyd Nunns, Senior Procurement Officer

Moved Cr Noli

Seconded Cr Carey

“That Council:

1. *resolves in accordance with section 234 of the Local Government Regulation 2012 to award Contract No 41-2015 for the provision of a new Road Sweeper to Bucher Municipal Pty Ltd for the amount of \$376,197.20 inclusive of GST; and*
2. *Delegates authority to the Mayor and Chief Executive Officer in accordance with Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to this contract/arrangement.”*

Carried unanimously.

**9.2. CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT
REGULATION 2012 – CONTRACT FOR COWIE RANGE ROAD
PAVEMENT UPGRADE PROJECT, COWIE RANGE**

Michael Matthews, Project Engineer

Moved Cr Carey

Seconded Cr Leu

“That Council resolve to:

- a. Enter into contract 69-2016 Cowie Range Road Pavement Upgrade Project at Cowie Range with NCP Contracting Pty Ltd; and*
- b. That the Chief Executive Officer be delegated authority (under Section 257(1)(b) of the Local Government Act 2009) to negotiate, finalise and execute any and all matters associated with the contract.”*

Carried unanimously.

**9.3. CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT
REGULATION 2012 – REFRESH OF A REGISTER OF PREQUALIFIED
SUPPLIERS UNDER S232**

Lloyd Nunns, Senior Procurement Officer

Moved Cr Carey

Seconded Cr Noli

“That Council:

- 1. notes this first refresh of the Register of Prequalified Suppliers for Goods and Services;*
- 2. resolves in accordance with Section 232 of the Local Government Regulation 2012 that it is satisfied the suppliers listed in attachment 1 are to be added to Contract No 31 – Register of Pre-Qualified Suppliers for Goods and Services for the period from 19 July 2016 to 30 June 2017, with the option of an extension of one year at Council’s discretion; and*
- 3. delegates authority to the Mayor and Chief Executive Officer in accordance with Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to this contract/arrangement.”*

Carried unanimously.

**9.4. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT
REGULATION 2012 - PROPOSED APPLICATION TO EXPAND LEASED
AREA OF LOT 115 SR632 FROM COUNCIL TRUSTEE LAND LOT 2
SP262338**

Robert Donovan, Property Officer

Moved Cr Noli

Seconded Cr Zammataro

“That Council:

- 1. resolves to allow an application to be lodged at the Department of Natural Resources & Mines, with respect to apply for an extension of the leased area Lot115 SR632 to incorporate part of Lot 2 SP262338*
- 2. delegates authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to finalise any and all matters associated with this application being lodged with the Department of Natural Resources and Mines, including the execution of the Form Part C as Trustee of a Reserve issued under the Land Act 1994 “*

Carried unanimously.

**9.5. PREJUDICIAL MATTER S275(1) (H) LOCAL GOVERNMENT
REGULATION 2012 - REGIONAL ARTS DEVELOPMENT FUND (RADF)
COMMITTEE APPOINTMENTS**

Helen Coulthard, Community & Economic Development Officer

Moved Cr Noli

Seconded Cr Kerr

“That Council:

- 1. endorse the appointment of new Committee members Bruce McDonald and Tim Ellis to the Regional Arts Development Fund (RADF) Committee, to serve a term of four years, with an option to stand down after two years;*
- 2. endorse the appointment of existing Committee members John Burden and Joy Shand-Culley to the Regional Arts Development (RADF) Committee, to serve a term of two years, with an option to stand down after one year;*
- 3. Cr Leu, Cr Noli and Cr Carey serve on the RADF Committee; and*
- 4. delegate authority to the Mayor and Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any minor amendments in relation to Council’s Regional Arts Development Program Committee.”*

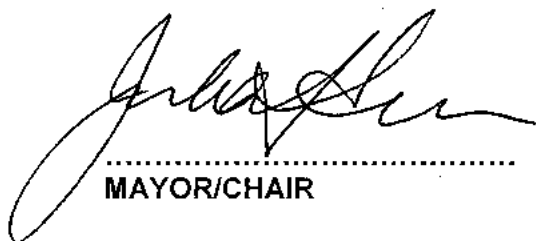
Carried unanimously.

CLOSURE OF MEETING

The meeting closed at 11.20am.

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE
COUNCIL HELD ON TUESDAY, 19 JULY 2016, COMMENCING AT 10.00AM

CONFIRMED THIS 9TH DAY OF AUGUST 2016



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MAYOR/CHAIR