

**MINUTES OF THE SPECIAL COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD AT THE DOUGLAS SHIRE COUNCIL CHAMBERS, 64-66 FRONT STREET,
MOSSMAN ON FRIDAY, 26 SEPTEMBER 2014 COMMENCING AT 1.00 PM**

PRESENT

Cr Julia Leu, Cr Abigail Noli, Cr David Carey, Cr Bruce Clarke, Cr Terry Melchert, Linda Cardew (Chief Executive Officer), Darryl Crees (General Manager Corporate Services), Donna Graham (Acting General Manager Operations), Rebecca Assman (Manager Governance), Greg McLean (Communication/Events Officer), and Sandra Johnston (Minutes Officer)

ACKNOWLEDGEMENT OF COUNTRY

Cr Noli 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.

CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Nil.

3.1 MAYOR TO ATTEND MEETING VIA TELECONFERENCE

Darryl Crees – General Manager Corporate Services #429429

Moved Cr Noli

Seconded Cr Carey

"That Council resolve to allow Mayor Leu to attend this Special Council Meeting and the following Special Meeting via teleconference."

Carried unanimously

3.2 LATE ITEM – LEASE OF LAND AT DIWAN FOR A HEALTH CLINIC

Darryl Crees – General Manager Corporate Services #429457

Moved Cr Melchert

Seconded Cr Clarke

"That Council resolves "in principle" to offer Queensland Health (lessee) a freehold lease over part of Lot 45 on RP739764 (actual area to be confirmed), Tea Tree Road, Diwan for the purpose of a new Health Clinic, helicopter pad, carpark and associated facilities, subject but not limited to the following conditions:

- *for a term of twenty (20) years from a date to be determined;*
- *a peppercorn rent of \$1.00 per annum will be applicable for the term of the lease;*
- *the lessee is to be responsible, at its cost, for obtaining and complying with all necessary permits and approvals associated with the development including without limitation planning, building and plumbing approvals;*
- *a metered water service from Council's ground water supply will be provided subject to the explicit agreement of the lessee to meet all costs and to undertake all actions required to fulfil legislative requirements for the provision of water;*
- *lessee is to be responsible for all rates and charges, including any costs of water usage on the proposed premises;*

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- *with the exception of the water supply, the lessee will be responsible for creating a self-sufficient site and health facility including, but not limited to, car parking within the leased area, own electricity supply and helicopter pad;*
- *lessee will be responsible for all maintenance and capital costs associated with the facility, including maintenance of the grounds, carpark, and helicopter pad;*
- *Council to initially provide the internal and external power supply with a view to the lessee assuming full responsibility in due course;*
- *lessee will be responsible for the removal of the existing helicopter pad located to the west of the proposed lease area;*
- *lessee is to be responsible for all reasonable costs associated with the preparation, execution and registration of the lease, including any required survey;*
- *lessee is to be responsible for all costs associated with statutory planning applications and operational works required for the health facility, helicopter pad and carparking that may be external to the site; and in accordance with Council's Standard Terms Document for leases registered under dealing number 713119030.*

Furthermore, the final draft lease document to be brought back to Council prior to execution by the Mayor and Chief Executive Officer in accordance with section 257 of the Local Government Act 2009.

For: Crs Melchert and Clarke

Against: Crs Leu, Noli and Carey

Lost

The Mayor put the original motion

Moved Cr Noli

Seconded Cr Leu

"That Council resolves "in principle" to offer Queensland Health (lessee) a freehold lease over part of Lot 45 on RP739764 (actual area to be confirmed), Tea Tree Road, Diwan for the purpose of a new Health Clinic, helicopter pad, car park and associated facilities, subject but not limited to the following conditions:

- *for a term of ten (10) years from a date to be determined with an option of a further ten (10) years;*
- *a peppercorn rent of \$1.00 per annum will be applicable for the term of the lease;*
- *the lessee is to be responsible, at its cost, for obtaining and complying with all necessary permits and approvals associated with the development including without limitation planning, building and plumbing approvals;*
- *a metered water service from Council's ground water supply will be provided subject to the explicit agreement of the lessee to meet all costs and to undertake all actions required to fulfil legislative requirements for the provision of water;*
- *lessee is to be responsible for all rates and charges, including any costs of water usage on the proposed premises;*
- *with the exception of the water supply, the lessee will be responsible for creating a self-sufficient site and health facility including, but not limited to, car parking within the leased area, own electricity supply and helicopter pad;*
- *lessee will be responsible for all maintenance and capital costs associated with the facility, including maintenance of the grounds, car park, helicopter pad and external lighting;*

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- lessee will be responsible for the removal of the existing helicopter pad located to the west of the proposed lease area;
- lessee is to be responsible for all reasonable costs associated with the preparation, execution and registration of the lease, including any required survey;
- lessee is to be responsible for all costs associated with statutory planning applications and operational works required for the health facility, helicopter pad and car parking that may be external to the site; and in accordance with Council's Standard Terms Document for leases registered under dealing number 713119030.

Furthermore, Council delegates authority to the Mayor and Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to negotiate, determine and approve any and all matters, including execution associated with the proposed lease."

For: Crs Leu, Noli, Clarke, and Melchert
Against: Cr Carey
Carried

CLOSURE OF MEETING

The meeting closed at 1.23 pm

CONFIRMED THIS 7th DAY OF October 2014


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MAYOR/CHAIR

