

**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 13 MAY 2014, COMMENCING AT 10.00AM**

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**PRESENT**

Cr Julia Leu (Mayor), Cr David Carey, Cr Bruce Clarke, Cr Terry Melchert, Cr Abigail Noli, Linda Cardew (Chief Executive Officer), Darryl Crees (General Manager Corporate Services), Paul Hoyer (General Manager Operations), John Rehn, (Manager, Governance), Donna Graham (Manager Development & Environment), Neil Beck (Technical Officer-Compliance), Greg McLean (Communications Officer), Nicole Barton (Mayor & Councillor Support Officer) and Mary Graham (Acting Minutes Officer)

**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.

**APOLOGIES**

There were no apologies for the meeting.

**CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST**

Nil.

**MAYORAL MINUTES**

Nil.

**CONFIRMATION OF MINUTES OF COUNCIL MEETINGS**

**ORDINARY MEETING HELD ON 29 APRIL 2014**

**Moved** Cr Carey

**Seconded** Cr Clarke

*"That the Minutes of the Ordinary Meeting held on Tuesday, 29 April 2014 be confirmed."*

**Carried** unanimously

**NOTICES OF MOTION**

**A COMBINED CLUB PORT DOUGLAS EXTENSIONS  
Councillor Terry Melchert #420515**

**Moved** Cr Melchert

**Seconded** Cr Clarke

*"that the Council note that the design for extensions to the Combined Club Building in Port Douglas which extends fully to the rear boundary of the property has had to follow existing building floor levels and this has led to the necessity to alter the adjoining footpath levels to accommodate disabled access. Accordingly the Council resolve to:-*

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- i. alter the level of the adjoining footpath under its Control, including a disabled ramp, to meet the floor level.*
- ii. resolve to authorise the small memorial to a lost Club sailor to be located an appropriate area in the reserve*
- iii. approve of the construction, over the footpath, of a cantilevered entry awning (no support posts) at the new club entrance.*

*All works to be undertaken under supervision of Council, to be generally in accordance with plans prepared by the club and fully funded by the club."*

**Amendment to Motion – Cr Carey – "That this Matter be deferred until Agenda Item 2 is considered"**

Cr Melchert declined to accept the Amendment.

**The original Motion was put to vote**

**For:** Crs Melchert and Clarke  
**Against:** Crs Carey, Noli & Leu

**Lost**

**AGENDA ITEM**

- 2. OPERATIONAL WORKS – EXTERNAL WORKS WITHIN THE ROAD RESERVE –  
7 ASHFORD AVENUE, PORT DOUGLAS  
Neil Beck – Technical Officer-Compliance #420222**

**Moved** Cr Carey

**Seconded** Cr Noli

**RECOMMENDATION:**

**With respect to the Development Application for Operational Works - External Works Within the Road Reserve adjacent land described as Lot 126 on RP868, located at 7 Ashford Avenue, Port Douglas, Council advise the applicant as follows:-**

- 1. All building works associated with the transition from the road reserve of Ashford Avenue to the floor level of the building to achieve pedestrian access must be fully contained within the property boundary. Amended plans are to be submitted within twenty (20) business days from notification of this Resolution in order to progress the Development Application unless otherwise approved by the Chief Executive Officer.**
- 2. Should amended plans not be submitted, Council will decide the Development Application for Operational Works.**
- 3. Following receipt of suitably amended plans, a Decision Notice for Operational Works will be issued in a timely manner.**

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Cr Carey withdrew original Motion with the approval of the seconder, Cr Noli who agreed to withdraw.

**Moved** Cr Carey

**Seconded** Cr Noli

*"That consideration of the Matter be deferred due to concerns in relation to public awareness of the proposed encroachment into the road reserve and the applicants be requested to submit a new application for Material Change of Use including the encroachment and obtain Owners Consent from Department of Natural Resources and Mines as the owner of the road."*

Cr Leu foreshadowed moving a motion to accept the officers recommendation contained in the Agenda following voting on the current motion.

**For:** Crs Carey, Noli & Clarke  
**Against:** Cr Melchert, Leu

**Carried**

**NOTICES OF MOTION**

**B WATER CHARGES RSL MOSSMAN  
Councillor Terry Melchert #420540**

**Moved** Cr Melchert

**Seconded** Cr Clarke

*"that the Council note that due to an undetected water leak the Mossman RSL has received an extraordinary water account of \$1395.48 for the period ending 24<sup>th</sup> March 2014, and Council having regard to work undertaken by the group in supporting returned services personnel, and the facts and circumstances involved, Council waive the fee"*

**For:** Crs Melchert, Clarke, Noli & Leu  
**Against:** Cr Carey

**Carried**

**AGENDA ITEMS**

**1. FINANCIAL REPORT FOR PERIOD ENDING 30 APRIL 2014  
Darryl Crees – General Manager Corporate Services #420612**

**Moved** Cr Carey

**Seconded** Cr Noli

*"That Council notes the Financial Report for the period ended 30 April 2014."*

**Carried** unanimously

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**GENERAL BUSINESS**

There was no General Business.

**CLOSURE OF MEETING**

The meeting closed at 11.15am.

**CONFIRMED THIS 3<sup>rd</sup> DAY OF June 2014**

  
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**MAYOR/CHAIR**