

**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 APRIL 2016, COMMENCING AT 10.00AM**

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**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), Michael Kriedemann (Manager Infrastructure), John Rehn (Manager Finance and IT), Daniel Lamond (Technical Planning Officer), Simon Clarke (Planning Consultant), Scott Hahne (NDRRA Project Engineer), Susanna Andrews (Property Officer), Greg McLean (Communications/Events Officer), Sara Roberts (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.

**APOLOGIES**

Nil.

**2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST**

Cr Noli declared a perceived conflict of interest in item 5.01. Cr Noli advised she had electoral corflute signage in the applicant's front yard. She stated that she had considered her position and that she had a number of friends and relatives living along that stretch of road that she could have used, but she simply choose the applicant's premises by chance.

Cr Noli stated that because of an act of coincidental timing between the election and this application, she does not believe that applicant would be disadvantaged and that she is firmly of the opinion that she can participate in the debate and vote on the matter.

**3. MAYORAL MINUTE**

Nil.

**4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS**

**ORDINARY MEETING HELD ON 15 MARCH 2016**

**Moved** Cr Carey

**Seconded** Cr Noli

*"That the Minutes of the Ordinary Meeting held on Tuesday, 15 March 2016, be confirmed."*

**Carried** unanimously.

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

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**5. AGENDA ITEMS**

**5.01. LIQUOR LICENSE REQUEST FOR COMMENTARY - LIGHTHOUSE  
PORT DOUGLAS**

Daniel Lamond, Technical Planning Officer

**Moved** Cr Carey

**Seconded**

*“That the Commission be advised that the Council does not object to the application insofar as it relates to service of alcohol supplied with the consumption of food but does object to sale of alcohol to patrons who are non-diners on the basis that the premises will effectively become a “defacto bar”. A bar operating with an approval to operate seven days per week between the hours of 10:00am and 12:00 midnight is considered contrary to the preservation of the quiet amenity of what is predominantly a tourist accommodation and passive recreation area.”*

**The motion lapsed for want of a seconder.**

**Moved** Cr Noli

**Seconded** Cr Kerr

*“That the applicant and the Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General, be advised that Council does not object to the Application for Commercial Other Subsidiary on Premises License for Lighthouse Port Douglas, Unit 1, 19-23 The Esplanade, Port Douglas, also described as Lot 0 on BUP100211.”*

**For:** Cr Leu, Cr Noli, Cr Kerr and Cr Zammataro

**Against:** Cr Carey

**Carried.**

**5.02. REQUEST FOR COMMENT FOR GAMING MACHINE LICENSE AT  
IRONBAR SALOON PTY LTD**

Daniel Lamond, Technical Planning Officer

**Moved** Cr Noli

**Seconded** Cr Kerr

*“That the applicant and the Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General, be advised that Council does not object to the Application for Gaming Machine License on premises at the Ironbar, 5 Macrossan Street, Port Douglas, also described as Lot 4 on SP144731.”*

**For:** Cr Leu, Cr Noli and Cr Kerr

**Against:** Cr Carey and Cr Zammataro

**Carried.**

**5.03. LOCAL GOVERNMENT INFRASTRUCTURE PLAN - PREPARATION  
AND APPLICATION FOR AN EXTENTION TO THE PREPARATION  
TIMEFRAME**

Simon Clarke, Planning Consultant

Moved Cr Carey

Seconded Cr Noli

*“That Council:*

- 1. Resolves to prepare a Local Government Infrastructure Plan in accordance with the requirements of the Sustainable Planning Act 2009; and*
- 2. Applies to the Minister for Infrastructure, Local Government and Planning for an extension to the timeframe to prepare the Local Government Infrastructure Plan in accordance with the attached project plan; and*
- 3. Delegates authority to the Chief Executive officer, in accordance with the Local Government Act 2009 to advance any and all matters associated with the preparation of the Local Government Infrastructure Plan.”*

Carried unanimously.

**5.04. NDRRA PROGRESS REPORT #13 - JAN/FEB 2016**

Scott Hahne, NDRRA Project Engineer

Moved Cr Noli

Seconded Cr Carey

*“That Council notes the results achieved to date and the future projections contained in the 2014 NDRRA PCG Monthly Report 13 – Jan/Feb 2016.”*

Carried unanimously.

**5.05 LIGHTING UPGRADES AT MOSSMAN POOL, CARAVAN PARK AND  
SHOWGROUNDS AND PORT DOUGLAS SPORTING CLUB REPAIR  
WORK**

Michael Kriedemann, Manager Infrastructure

Moved Cr Carey

Seconded Cr

*“That Council resolve to:*

- 1. Allocate \$90,000 from the 2015/2016 Capital Budget for the replacement of floodlighting at the Mossman Pool;*
- 2. Allocate \$80,000 from the 2015/2016 Capital Budget for the replacement of street lighting at the Mossman Caravan Park;*
- 3. Allocate \$40,000 from the 2015/2016 Capital Budget for the replacement of street lighting at the Mossman Show Grounds;*
- 4. Allocate \$50,000 for the engineering design and documentation of sports field lighting at the Douglas Football Club subject to the outcomes of a discussion between Club representatives and the Council about the aspirations of the Club for the future of this sports ground and any opportunities the Club might perceive for improved facilities for the Club’s use at other established sports grounds in Douglas; and*

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
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5. *Allocate \$20,000 from the 2015/2016 Capital Budget for the replacement of existing ceiling sheeting in the change rooms at the Port Douglas Sporting Club.*

**The motion lapsed for want of a seconder.**

**Moved** Cr Noli

**Seconded** Cr Kerr

*“That Council resolve to:*

1. *Allocate \$90,000 from the 2015/2016 Capital Budget for the replacement of floodlighting at the Mossman Pool;*
2. *Allocate \$80,000 from the 2015/2016 Capital Budget for the replacement of street lighting at the Mossman Caravan Park;*
3. *Allocate \$40,000 from the 2015/2016 Capital Budget for the replacement of street lighting at the Mossman Show Grounds;*
4. *Allocate \$50,000 for the engineering design and documentation of sports field lighting at the Douglas Football Club; and*
5. *Allocate \$20,000 from the 2015/2016 Capital Budget for the replacement of existing ceiling sheeting in the change rooms at the Port Douglas Sporting Club.”*

**Carried** unanimously.

**5.06. APPLICATION FOR GET IN THE GAME FUNDING**

Paul Hoye, General Manager Operations

**Moved** Cr Leu

**Seconded** Cr Carey

*“That Council resolves to submit an application under the current round of the Department of National Parks, Sport and Racing’s (DNPSR) Get in the Game Plus infrastructure grants for \$300,000.00 towards the construction of the Island Point Walking Trail in Port Douglas.”*

**Carried** unanimously.

**5.07. APPLICATION FOR NATIONAL STRONGER REGIONS FUNDING**

Paul Hoye, General Manager Operations

**Moved** Cr Carey

**Seconded** Cr Kerr

*“That Council resolves to submit an application under Round Three of the National Stronger Regions Fund for \$6,745,000 towards the construction of a new, larger water supply reservoir to service Port Douglas and surrounding areas.”*

**Carried** unanimously.

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE  
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**5.08. CHRISTMAS IN THE PARK MOSSMAN**

Helen Coulthard, Community & Economic Development Officer

**Moved** Cr Noli

**Seconded** Cr Leu

*“That Council resolves to:*

- 1. accept formal notification from Douglas Shire Community Services Association Ltd dated 20 January 2016 advising their Board's decision not to host Christmas in the Park;*
- 2. coordinate Christmas in the Park, incorporating Carols by Candlelight; and*
- 3. 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 coordination of Christmas in the Park and Carols by Candlelight.”*

**Carried** unanimously.

**5.09. REGIONAL ARTS DEVELOPMENT FUND (RADF) COUNCIL INITIATED  
PROJECT - PUBLIC ART**

Helen Coulthard, Community & Economic Development Officer

**Moved** Cr Kerr

**Seconded** Cr Leu

*“That Council:*

- 1. notes the concept proposal submitted by Lenice Schonenberger for the Rotary Park Mossman mural under the Regional Arts Development Fund (RADF) Council Initiated Project for Public Art;*
- 2. notes the concept proposal submitted by Lenice Schonenberger for the Teamsters Park Craiglie mural under the Regional Arts Development Fund (RADF) Council Initiated Project for Public Art; and*
- 3. delegates authority to the Mayor and Chief Executive Officer in accordance with the Local Government Act 2009 to finalise all matters in relation to this RADF Council Initiated Project.”*

**Carried** unanimously.

**5.10. FINANCIAL REPORT FOR THE PERIOD ENDED 31 MARCH 2016**

John Rehn, Manager Finance

**Moved** Cr Carey

**Seconded** Cr Leu

*“That Council notes the Financial Report for the period ended 31 March 2016.”*

**Carried** unanimously.

**5.11. DEVELOPING NORTHERN AUSTRALIA CONFERENCE - DARWIN, 20-22 JUNE 2016**

Sara Roberts, Mayoral and Councillor Support Officer

**Moved** Cr Noli

**Seconded** Cr Carey

*“That Council nominates the Mayor as the Douglas Shire Council delegate at the Developing Northern Australia Conference 2016 in Darwin from 20-22 June.”*

**Carried** unanimously.

**5.12. ELECTION OF THE LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ POLICY EXECUTIVE DISTRICT REPRESENTATIVES 2016 - 2020**

Tracey Crouch, Acting Manager Governance

**Moved** Cr Noli

**Seconded** Cr Kerr

*“That Council nominates the Mayor to be included in the nominations for the LGAQ election of District Representatives to the Association's Policy Executive for the term of 2016 –2020.”*

**Carried** unanimously.

**6. NOTICES OF MOTION**

Nil.

**7. URGENT BUSINESS**

Nil.

**8. PETITIONS**

Nil.

**9. CLOSED SESSION**

**Moved** Cr Carey

**Seconded** Cr Noli

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

- 9.1 *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 – Renewal of Special Lease 50138*
- 9.2 *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 – Land Acquisition Upper Daintree Road*

**Carried** unanimously.

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

**OUT OF CLOSED SESSION**

Moved Cr Carey

Seconded Cr Noli

"That Council resolves to move out of Closed Session."

Carried unanimously.

**9.1. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT  
REGULATION 2012 - RENEWAL OF SPECIAL LEASE 50138**

Susanna Andrews, Property Officer

Moved Cr Carey

Seconded Cr Noli

"That Council:

1. *advises the Department of Natural Resources and Mines that it does not object to the renewal of Special Lease 50138, on land described as Lot 147 on Crown Plan SR866, County of Solander, Parish of Salisbury, located at Mahogany Street, Port Douglas.*
2. *delegates authority to the Chief Executive Officer, in accordance with section 257 of the Local Government Act 2009, to finalise all matters associated with this request."*

Carried unanimously.

**9.2. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT  
REGULATION 2012 - LAND ACQUISITION UPPER DAINTREE ROAD**

Susanna Andrews, Property Officer

Moved Cr Noli

Seconded Cr Zammataro

"That Council

1. *notes the report regarding the acquisition of land located at Upper Daintree Road, Upper Daintree, also described as parts of Lot 6 on SP134307, Lot 1 on AP19304, Lots 1 and 2 on RP703847, Lot 1 on RP703844, Lot 2 on RP708048 and Lot 1 on RP707917;*
2. *delegates authority to the Chief Executive Officer, in accordance with section 257 of the Local Government Act 2009, to finalise all matters associated with Lot 6 on SP134307, Lot 1 on AP19304, Lots 1 and 2 on RP703847, Lot 1 on RP703844, Lot 2 on RP708048 and Lot 1 on RP707917."*

Carried unanimously.

**CLOSURE OF MEETING**

The meeting closed at 10.59am.

**CONFIRMED THIS 17<sup>th</sup> DAY OF MAY 2016**

  
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MAYOR/CHAIR