

**MINUTES OF THE SPECIAL COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL  
HELD AT THE DOUGLAS SHIRE COUNCIL CHAMBERS, 64-66 FRONT STREET,  
MOSSMAN ON THURSDAY 29 JANUARY 2015, COMMENCING AT 11.00 AM**

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**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), Rebecca Assman (Manager Governance), Donna Graham (Manager Planning & Environment), Robyn Spiller (Planning Consultant), and Nicole Barton (Mayor & Councillor Support 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.

**ORDER OF BUSINESS**

**Moved** Cr Leu

**Seconded** Cr Carey

"That the order of business be altered to enable the Conflict of Interest/Material Personal Interest to be considered when Councillors are advised of the subject matter of the Closed Session. Further, once Council comes out of Closed Session the Mayor will formally deal with the Conflict of Interest/Material Personal Interest for the public record."

**For:** Crs Leu, Noli, Carey and Clarke.

**Against:** Cr Melchert.

**Carried**

**3. CLOSED SESSION AGENDA ITEM**

**Moved** Cr Leu

**Seconded** Cr Carey

*"That Council resolves to move into Closed Session to discuss the following matter:*

- *Legal Proceedings – S275(1)(F) Local Government Regulation 2012."*

**For:** Crs Leu, Noli, Carey and Clarke.

**Against:** Cr Melchert.

**Carried.**

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**OUT OF CLOSED SESSION**

**Moved** Cr Leu

**Seconded** Cr Noli

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

**For:** Crs Leu, Noli, Carey and Clarke.

**Against:** Cr Melchert.

**Carried.**

**CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST**

Nil.

**3.1 LEGAL PROCEEDINGS - S275(1)(F) LOCAL GOVERNMENT  
REGULATION 2012**

R Spiller: Project Officer Legal: #438572

D Graham: Manager Development & Environment

**Moved** Cr Carey

**Seconded** Cr Noli

*"That Council resolves to:*

1. *Consent to the determination of each of the following Planning and Environment Court Appeals:-*
  - *44 of 2014;*
  - *45 of 2014; and*
  - *116 of 2014,*

*on the basis that each Appeal be dismissed with no order as to costs.*

2. *Delegate to the Mayor and Chief Executive Officer the power to finalise any matters necessary to give effect to the resolution above including authorising the solicitor on the record to execute consent orders and other necessary documents in usual form to effect the orders contemplated by the resolution."*

**For:-** Crs Leu, Noli, Carey and Clarke.

**Against:-** Cr Melchert.

**Carried.**

**CLOSURE OF MEETING**

The meeting closed at 11.27 am.

**CONFIRMED THIS 10TH DAY OF FEBRUARY 2015**

  
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**MAYOR/CHAIR**