

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 OCTOBER 2015, COMMENCING AT 10.00 AM

1. PRESENT

Cr Julia Leu, Cr Abigail Noli, Cr David Carey, Cr Bruce Clarke, Cr Terry Melchert, Linda Cardew (Chief Executive Officer), Paul Hoyer (General Manager Operations), Rebecca Assman (Manager Governance), Donna Graham (Manager Development and Environment), John Rehn (Manager Finance and IT), Lloyd Nunns (Chief Procurement Officer), Greg McLean (Communications/Events Officer), Nicole Barton (Mayor and Councillor Support) 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

Nil.

3. MAYORAL MINUTE

Nil.

4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

SPECIAL MEETING HELD ON 24 SEPTEMBER 2015

Moved Cr Noli

Seconded Cr Clarke

“That the Minutes of the Special Meeting held on Thursday, 24 September 2015, be confirmed.”

Carried unanimously

ORDINARY MEETING HELD ON 29 SEPTEMBER 2015

Moved Cr Carey

Seconded Cr Noli

“That the Minutes of the Ordinary Meeting held on Tuesday, 29 September 2015, be confirmed.”

An amendment to the motion was moved.

Moved Cr Melchert

Seconded Cr Clarke

- a. Prior to item 2 in the minutes insert the words “Mayor granted approval to a reporter from the press publication News Port to audio record the meeting proceedings and refused to grant approval to Mrs Kathy Melchert an elector and ratepayer of the Shire on the basis she is the wife of a Councillor; and

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- b. In part 5.8 Draft Coconut Management Plan. After the words “An amendment to the motion was moved” insert the words “The mover Cr Melchert and the Seconder Cr Clarke did not accept the amendment to the Primary motion”.

For:- Cr Melchert and Cr Clarke
Against:- Cr Leu, Cr Noli and Cr Carey

Lost.

The substantive motion was put to the vote.

For:- Cr Leu, Cr Noli and Cr Carey
Against:- Cr Melchert and Cr Clarke

Carried.

5. AGENDA ITEMS

5.1. COMMERCIAL OTHER SUBSIDIARY ON PREMISES LICENCE

Susanna Andrews, Technical Planning Officer

Moved Cr Noli

Seconded Cr Carey

“That the applicant and the Office of Liquor & Gaming Regulation, Department of Justice & Attorney-General, be advised that Council does not object to the Application for Commercial Other Subsidiary on Premises Licence for Café Ziva, Shops 3 & 4, 18-20 Macrossan Street, Port Douglas, also described as Lot 1 on RP733177.”

Carried unanimously.

5.2 AMENDMENT TO COMMENCEMENT TIME OF ORDINARY COUNCIL MEETING 3 NOVEMBER 2015

Darryl Crees, General Manager Corporate Services

Moved Cr Carey

Seconded Cr Clarke

“That Council amends the commencement time of the Ordinary Council Meeting for 3 November 2015 to 9:00am.”

Carried unanimously.

5.3 FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2015

John Rehn, Manager Finance and IT

Moved Cr Leu

Seconded Cr Noli

“That Council notes the Financial Report for the period ending 30 September 2015.”

Carried unanimously.

**5.4 OPERATIONAL PLAN 2015 - 2016 FOR THE PERIOD JULY TO
SEPTEMBER 2015**

Darryl Crees, General Manager Corporate Services

Moved Cr Carey

Seconded Cr Clarke

“That Council notes the progress of the implementation of the Operational Plan 2015 - 2016.”

Carried unanimously.

5.5 REPORT FROM THE CHIEF EXECUTIVE OFFICER

Linda Cardew, Chief Executive Officer

Moved Cr Leu

Seconded Cr Carey

“That Council receives and notes the report.”

Carried unanimously.

6. NOTICES OF MOTION

Nil.

7. URGENT BUSINESS

Nil.

8. PETITIONS

Nil.

9. CLOSED SESSION

Moved Cr Noli

Seconded Cr Clarke

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

- 9.1 Contractual Matter S275 (1) (E) Local Government Regulation 2012 - Register Of Sole Source Suppliers
- 9.2 Prejudicial Matter S275 (1) (H) Local Government Regulations 2012 - Proposed Road Opening at 16 Bow Street, Mossman”

Carried unanimously.

OUT OF CLOSED SESSION

Moved Cr Noli

Seconded Cr Carey

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

Carried unanimously.

**9.1 CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT
REGULATION 2012 - REGISTER OF SOLE SOURCE SUPPLIERS**
Lloyd Nunns Chief Procurement Officer

Moved Cr Noli

Seconded Cr Carey

“That Council:

- 1) *Council resolves in accordance with section 235 of the Local Government Regulation 2012 that the suppliers listed in Attachment 1 are sole source suppliers.*
- 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/register.”*

Carried unanimously.

**9.2 PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT
REGULATIONS 2012 - PROPOSED ROAD OPENING AT 16 BOW
STREET, MOSSMAN**
Michael Kriedemann, Manager Infrastructure

Moved Cr Carey

Seconded Cr Clarke

“That Council resolves:

1. *To acquire part of Lot 1 RP713772 by negotiation in accordance with Section 5 of the Acquisition of Land Act 1967 and dedicate as road pursuant to Section 51(2) of the Land Title Act 1994 and Section 94(4) of the Land Act 1994; and*
2. *That the Chief Executive Officer be delegated authority under section 257(1)(b) of the Local Government Act 2009 to negotiate the purchase price pursuant to Division 3 of the Acquisition of Land Act 1967; and*
3. *That the Chief Executive Officer be delegated authority (under section 257(1)(b) of the Local Government Act 2009) to negotiate, make, vary, discharge and sign all necessary documents.”*

Carried unanimously.

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CLOSURE OF MEETING

The meeting closed at 10.30am.

CONFIRMED THIS 3rd DAY OF NOVEMBER 2015


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MAYOR/CHAIR