

DOUGLAS SHIRE COUNCIL

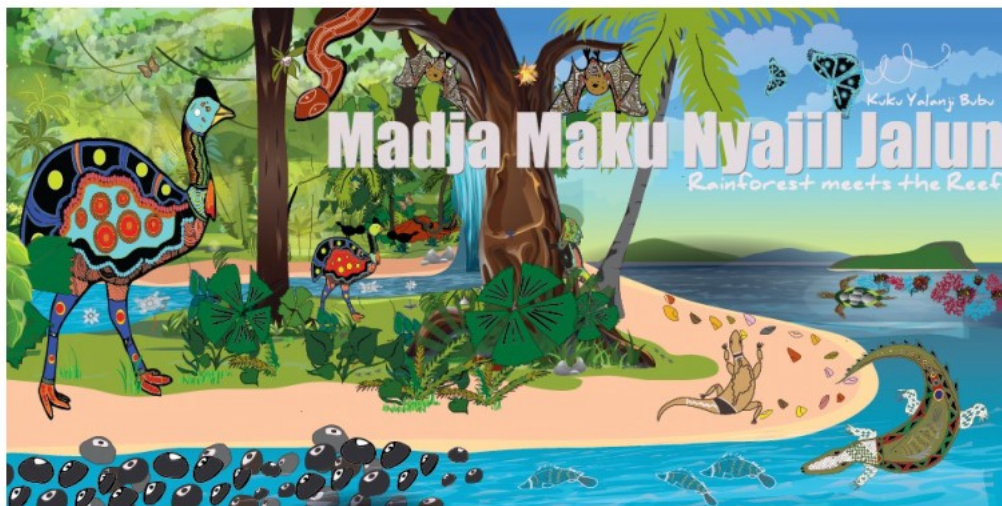
ORDINARY COUNCIL MEETING

MINUTES

Tuesday, 11 February 2020

ENSURING EXCELLENCE IN GOVERNANCE
ACCOUNTABLE AND TRANSPARENT DECISION-MAKING
ENGAGING, PLANNING, PARTNERING
CELEBRATING OUR COMMUNITIES

DOUGLAS
SHIRE COUNCIL



Douglas Shire Council would like to show its appreciation by acknowledging local indigenous artists Lenice Schonenberger, Loretta Pierce (Lenoy) and Ronald Bamboo for providing the cover artwork entitled "**Daintree Ferry**"

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 11 FEBRUARY 2020 COMMENCING AT 10.00AM**

Mayor Cr Leu opened the Meeting by advising the audience that the meeting is being recorded and that the recordings will be posted onto Council's website along with the minutes.

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.

1. ATTENDANCE

PRESENT

Cr Julia Leu (Mayor), Cr Abigail Noli (Deputy Mayor), Cr David Carey, Cr Michael Kerr, Cr Roy Zammataro,

OFFICERS IN ATTENDANCE

Mark Stoermer (Chief Executive Officer), Michael Kriedemann (Executive Manager Infrastructure), Terry Farrelly (Manager People and Community Services), Tara Killeen (Chief Financial Officer), Juanita Holden (Manager Governance), Scott Hahne (Manage Projects), Peter Tonkes (Manager Water and Wastewater), Paul Smyth (Events Officer), Lisa Golding (Team Leader Community and Economic Development), Sara Roberts (Team Leader Local Laws), Helen Coulthard (Grants Officer), Nicole Barton (Mayoral and Councillor Support Officer) and Brenda Jang (Executive Assistant).

APOLOGIES

Nil

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Nil

3. MAYORAL MINUTE

Nil

4. CONFIRMATION OF MINUTES OF COUNCIL MEETING HELD ON TUESDAY, 21 JANUARY 2020

Moved Cr Noli

Seconded Cr Kerr

"That the Minutes of the Ordinary Meeting held on Tuesday, 21 January 2020 be confirmed."

Carried Unanimously

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5. AGENDA ITEMS

5.1. COUNCIL SPONSORSHIP PROSPECTUS

Paul Smyth, Events Officer

Moved Cr Noli

Seconded Cr Carey

“That Council:

- *resolves to adopt the Sponsorship Prospectus for 2020/2021 as part of the operational Plan 2019/2020, and*
- *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise any and all matters associated with the prospectus, including any future versions of the prospectus.”*

Carried Unanimously

5.2. SAFE PLACES EMERGENCY ACCOMMODATION PROGRAM GRANT APPLICATION

Lisa Golding, Team Leader Community and Economic Development

Moved Cr Zammataro

Seconded Cr Noli

“That Council:

1. *resolves to support an application for the Safe Places Emergency Accommodation Grant to build two self-contained units for the purpose of providing a domestic violence crisis accommodation facility in line with the Operational Model adopted by Council in August 2019;*
2. *commits to providing a suitable block of land in Mossman for the facility should the grant application for capital works be successful, by either:*
 - a. *resolving to apply to the appropriate State Government Department to purchase a vacant block owned by the Queensland Government; or*
 - b. *resolving to purchase an appropriate vacant block through the private market; and*
3. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to initiate proceedings in matters related to the identification and availability of an appropriate property.”*

Carried Unanimously

5.3. AMENDED LOCAL LAWS 2020

Sara Roberts, Team Leader Local Laws

Moved Cr Carey

Seconded Cr Noli

“That Council:

1. *repeal the following local laws and subordinate local laws:*

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Local Law No. 1 (Administration) 2011
Local Law No. 2 (Animal Management) 2011
Local Law No. 3 (Community and Environmental Management) 2011
Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011
Local Law No. 5 (Parking) 2011
Local Law No. 6 (Bathing Reserves) 2011
Local Law No. 59 (Commercial Use of Roads) 2002
Subordinate Local Law No. 1 (Administration) 2011
Subordinate Local Law No. 2 (Animal Management) 2011
Subordinate Local Law No. 3 (Community and Environmental Management) 2011
Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011
Subordinate Local Law No. 5 (Parking) 2011
Subordinate Local Law No. 6 (Bathing Reserves) 2011
Subordinate Local Law No. 59 (Commercial Use of Roads) 2002;

2. *adopt the amended local laws; and*
3. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to proceed with publishing the Local Laws in accordance with section 29B of the Act."*

Carried Unanimously

5.4. COUNCIL POLICIES FOR ADOPTION

5.4.1. COUNCIL POLICIES FOR ADOPTION

Terry Farrelly, Manager People and Community Services

Moved Cr Leu

Seconded Cr Carey

"That Council defer the following revised Council policies:

- *Equal Employment Opportunity (EEO) and Workplace Diversity General Policy ;and*
- *Fitness for Work General Policy*

to a meeting date to be confirmed."

Carried Unanimously

5.4.2. COUNCIL POLICIES FOR ADOPTION

Terry Farrelly, Manager People and Community Services

Moved Cr Leu

Seconded Cr Carey

1. *adopts the following revised Council policies:*
 - *Strategic Freehold Land Policy; and*
 - *Acquisition Resumption of Land General Policy and*
2. *delegates authority under Section 257 (1)(b) of the Local Government Act 2009 to the Chief Executive Officer to finalise any minor amendments to the above General Policies."*

Carried Unanimously

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5.5. MARCH COUNCIL MEETING CHANGE OF DATE

Juanita Holden, Manager Governance

Moved Cr Kerr

Seconded Cr Noli

“That Council amends the March Council Meeting dates as follows:

1. *Meeting scheduled for 3 March 2020 to be moved to 10 March 2020; and*
2. *Meeting scheduled for 24 March 2020 to be cancelled.”*

Carried Unanimously

5.6. DECLARATION OF SEWER AND WATER SERVICE AREAS WITHIN DOUGLAS SHIRE

Peter Tonkes, Manager Water and Wastewater

Moved Cr Noli

Seconded Cr Zammataro

“That Council resolves to:

1. *declare that Douglas Shire Council is the service provider for the provision of reticulated water and sewerage services within Douglas Shire; and*
2. *declare that the attached maps indicate the service areas within the coloured boundary (relevant area) for reticulated water and sewerage within Douglas Shire.”*

Carried Unanimously

5.7. WATER AND WASTEWATER QUARTERLY REPORT FOR PERIOD ENDING 31 DECEMBER 2019

Peter Tonkes, Manager Water and Wastewater

Moved Cr Noli

Seconded Cr Kerr

“That Council receive and note the Quarterly Report of the Water and Wastewater branch for the period ending 31 December 2019.”

Carried Unanimously

5.8. MONTHLY FINANCIAL REPORT FOR JANUARY 2020

Tara Killeen, Chief Financial Officer

Moved Cr Leu

Seconded Cr Carey

“That Council notes the Financial Report for the period ended 31 January 2020.”

Carried Unanimously

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5.9. CONCEPT PLAN FOR LOT 83 SR596 CAPE TRIBULATION RD, KIMBERLEY
Mark Stoermer, Chief Executive Officer

Moved Cr Carey

Seconded Cr Zammataro

“That Council endorses the Lot 83 SR596 Concept Plan, the establishment of a stakeholder reference group and undertakes community consultation.”

For: Cr Leu, Cr Noli, Cr Carey and Cr Zammataro

Against: Cr Kerr

Carried

5.10. DOUGLAS CHAMBER OF COMMERCE FUNDING
Mark Stoermer, Chief Executive Officer

Moved Cr Kerr

Seconded Cr Noli

“That Council makes a grant in the amount of \$5,000.00 to the Douglas Chamber Commerce for operational assistance.”

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

Against: Cr Carey

Carried

5.11. OPERATIONAL PLAN PROGRESS REPORT FOR OCTOBER TO DECEMBER
2019
Mark Stoermer, Chief Executive Officer

Moved Cr Noli

Seconded Cr Zammataro

“That Council notes the progress of the implementation of the Operational Plan 2019 – 2020.”

Carried Unanimously

5.12. CEO REPORT FOR OCTOBER TO DECEMBER 2019
Mark Stoermer, Chief Executive Officer

Moved Cr Carey

Seconded Cr Noli

“That Council receives and notes the Organisational Report Card and the Report from the Chief Executive Officer for the period October to December 2019.”

Carried Unanimously

6. NOTICES OF MOTION

Nil

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7. URGENT BUSINESS

Nil

8. PETITIONS

Nil

9. CLOSED SESSION

Moved Cr Noli

Seconded Cr Kerr

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

9.1 *Contractual Matter S275 1 E Local Government Regulations 2012 – **Contract 2020 – 104 Upper Daintree Road Landslip Repair.***

9.2 *Prejudicial Matter S275 1 H Local Government Regulations 2012 – **Local Government Waste Management Reforms Submission.***”

Carried Unanimously

OUT OF CLOSED SESSION

Moved Cr Kerr

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 - CONTRACT 2020 - 104 UPPER DAINTREE ROAD LANDSLIP REPAIR
Scott Hahne, Manager Projects

Moved Cr Noli

Seconded Cr Kerr

“That Council resolves to:

1. *resolves to award Contract Number 2020-104 Upper Daintree Road Landslip Repair to GEO Design Pty Ltd for an amount of \$290,151.00 exclusive of GST; and*

2. *delegates authority under Section 257 of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise and execute all matters in relation to this contract.”*

Carried Unanimously

9.2. PREJUDICIAL MATTER S275 1 H LOCAL GOVERNMENT REGULATIONS
2012 - LOCAL GOVERNMENT WASTE MANAGEMENT REFORMS
SUBMISSION
Paul Hoye, Manager Environment and Planning

Moved Cr Carey

Seconded Cr Zammataro

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"That Council resolve to advise the Department of Environment and Science that Council supports the implementation of Option 2 as described in the Local Government Waste Management Reforms – consultation regulatory impact statement document on the condition that there will be:-

- 1. an ongoing ability for local governments to levy a compulsory charge to cover the costs of community waste; and*
- 2. that Council will be able to levy a mandatory charge, in exchange for a Council service, where a commercial service is shown not to be viable or is cost prohibitive in an area, such as remote areas, within the Shire."*

Carried Unanimously

CLOSURE OF MEETING

The meeting closed at 11.22am.

CONFIRMED THIS 10TH DAY OF MARCH 2020.


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MAYOR/CHAIR