

ORDINARY MEETING 16 JUNE 2015	6.6
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NOTICE OF MOTION – CR MELCHERT – REGULATION OF ILLEGAL CAMPING

NOTICE OF MOTION

I hereby give Notice of my intention to move the following motion at Council’s Ordinary Meeting to be held on Tuesday 16 June 2015:-

“that Council resolve that funds from savings in the 2014/2015 budget proposed to be allocated to the Spaceport be reallocated to allow for the immediate implementation of the approved Illegal Camping Regulation program and funding for the Spaceport be considered in the 2015/2016 budget.”

BACKGROUND

Through public announcements Council has created a community expectation that it is prepared to act immediately to control illegal camping.

I am now receiving reports of a significant increase in illegal camping in the area and the immediate allocation of funds will ensure Council is seen to “walk the talk” in terms controlling illegal camping.

CEO’S COMMENT:

1. Re-allocation of funding

Council’s resolution of 15 May 2015 was in part “to establish ‘Space Port’ and a satellite Customer Service Office, in conjunction with the Library Kiosk, at the Port Douglas Community Hall”.

Contained within the body of the report, under Financial/Resource Implications, it was advised to Council how the capital works at the Port Douglas Community Hall, for this initiative, would be funded from savings in the 2014/15 Capital Works Program.

The recommendation of staff was adopted by Council as follows:

For:- Cr Leu, Cr Noli, Cr Carey

Against:- Cr Melchert, Cr Clarke

The above notion of motion cannot be considered and is out of order for the following reasons:

- Section 262 of the Local Government Regulation 2012 details the requirements to repeal or amend resolutions and states – “A resolution of a local government may be repealed or amended only if written notice of intention to propose the repeal or amendment is given to each councillor at least 5 days before the meeting at which the proposal is to be made.” The requirements of this section have not been satisfied.
- The resolution of 15 May 2015 is incapable of being repealed or amended as it has been enacted by staff who have engaged suppliers to undertake work required.

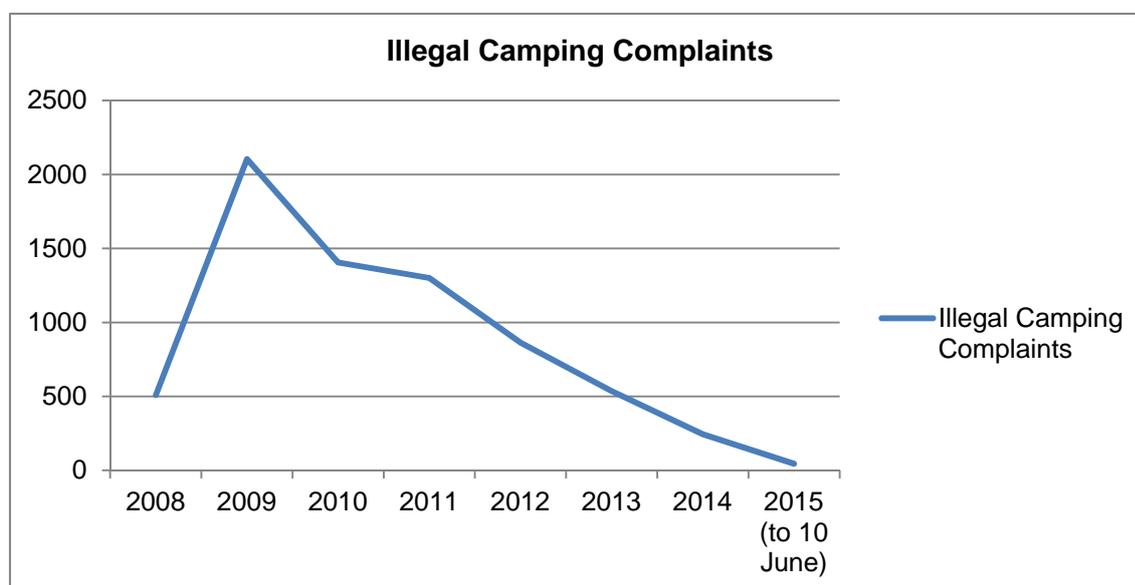
- Notwithstanding the above points, even though savings have been achieved in the Capital Works Program, this will not generate any additional operating revenue and therefore application of these savings to fund an operational expense will increase Council's operating deficit.

2. Council's response to illegal camping

A detailed briefing on illegal camping was provided for Councillors at a workshop on 31 March 2015. This briefing included the following statistics which have now been updated to 10 June 2015, showing that over recent years, the number of complaints regarding illegal camping has decreased, not increased.

Illegal Camping Complaints

Column1	2008	2009	2010	2011	2012	2013	2014	2015 (to 10 June)
Illegal Camping Complaints	509	2104	1405	1301	864	536	244	45



At its Ordinary Meeting on 5 May 2015 Council considered a report on illegal camping and allocation of funding and resolved as follows:

That Council:

1. Approves an allocation of funding in the 2015/16 budget to facilitate the recruitment of a permanent part time local laws officer to assist Regulatory Services with the management of illegal camping, including early morning patrols, and associated enforcement; and
2. Approves the allocation of funds in the 2015/16 budget, to install illegal camping signage at hot spot locations in the Shire; and
3. Approves the allocation of funds in the 2015/16 budget for the purpose to engage the local Police on a commercial basis to assist Local Laws as required.
4. That the long term options identified in the report with the inclusion of, but not limited to, consideration to establishing at least two (2) free or low cost camps in the Douglas Shire be referred to the 2015/16 operation plan and budget for consideration.

The following is an update on measures currently being implemented by Council to manage illegal camping:

- Signage has been designed for installation at key entry points in the Shire and will shortly be installed.
- An additional Local Laws Officer will be employed on a part-time basis with the primary role of managing illegal camping in the Shire. This position has been advertised with the application period closing on Friday 12 June 2015.
- Some funding has been set-aside in the budget to engage police to assist Local Laws officers when required.
- Local Law officers are currently responding to all illegal camping complaints as they are received. Regular dawn patrols will commence during the peak season.
- Designated sleep over areas/rest stops are being considered.
- Tourist organisations, campervan/car hire companies have been contacted and provided information on camping restrictions in the Shire.