

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, 30 MAY 2017, COMMENCING AT 10.00AM

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), Michael Kriedemann (Acting General Manager Operations), Joanne Jacobson (Manager Governance), Paul Hoye (Manager Sustainable Communities), John Rehn (Manager Finance & IT), Robert Donovan (Senior Property Officer), Lloyd Nunns (Senior Procurement Officer), Peter White (Team Leader, Wastewater), Peter Logan (Coordinator Public Spaces), Greg McLean (Communications and Event Officer), Nicole Barton (Mayoral and Councillor Support Officer) and Fionnuala Blayney (Executive Assistant).

ACKNOWLEDGEMENT OF COUNTRY

Cr Leu acknowledged the KukuYalanji 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

No apologies.

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Cr Leu declared a real conflict of interest in regards to item 5.6 - *Tourism Port Douglas Daintree Quarterly Report October – December 2016* due to being a Council appointed Director of Tourism Port Douglas Daintree and proposed to exclude herself from the meeting while the matter is debated and the vote is taken.

3. MAYORAL MINUTE

Nil.

4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

ORDINARY MEETING HELD ON 26 APRIL 2017

Moved Cr Noli

Seconded Cr Zammataro

"That the Minutes of the Ordinary Meeting held on Tuesday, 26 April 2017, be confirmed."

Carried Unanimously

SPECIAL MEETING HELD ON 10 MAY 2017

"That the Minutes of the Special Meeting held on Tuesday, 10 May 2017, be confirmed."

Moved Cr Noli

Seconded Cr Kerr

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

Against: Cr Carey

Carried

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5.5. APPLICATION FOR BUILDING OUR REGIONS FUNDING

Kerrie Hawkes, Executive Officer

Moved Cr Noli

Seconded Cr Carey

"That Council resolves to:

- 1. Support an application under the current round of the State Government 'Building Our Regions' Fund, for \$370,000 towards the Sludge Handling System upgrade Project; and*
- 2. commit to delivering the project; and*
- 3. commit to contributing \$370,000 towards the total project cost; and*
- 4. commit to the management and costs associated with ongoing operation and maintenance of the infrastructure; and*
- 5. delegates authority to the Mayor and Chief Executive Officer in accordance with the Local Government Act 2009 to administer this matter.*

Carried unanimously

MEETING WITHDRAWAL

Cr Leu declared a real conflict of interest in regards to item 5.6 due to being a Council appointed Director of Tourism Port Douglas Daintree and withdrew from the meeting at 10.36am. Cr Noli took the Chair.

**5.6. TOURISM PORT DOUGLAS DAINTREE QUARTERLY REPORT
OCTOBER - DECEMBER 2016**

Kerrie Hawkes, Executive Officer

Moved Cr Kerr

Seconded Cr Noli

"That Council notes the October - December 2016 Quarterly Report received from Tourism Port Douglas Daintree (TPDD) further to the Resource and Performance Agreement dated 1 July 2014 to 30 June 2017 between TPDD and Douglas Shire Council."

Carried unanimously

MEETING RE-ATTENDANCE

Cr Leu re-attended the meeting at 10.37 am and resumed the Chair.

5.7. RE-ADOPTION OF PROCUREMENT GENERAL POLICY

Darryl Crees, General Manager Corporate Services

Moved Cr Noli

Seconded Cr Carey

"That Council adopts the Procurement General Policy for the 2017/18 financial year."

Carried unanimously

5.8. FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2017

John Rehn, manager Finance and IT

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Moved Cr Carey

Seconded Cr Zammataro

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

Carried unanimously

**9.1. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT
REGULATION 2012 - DEED OF ACCESS AND INDEMNITY - CONNOLLY
RD, MOWBRAY**

Susanna Andrews, Property Officer

Moved Cr Noli

Seconded Cr Kerr

"That Council:

- 1. enters into a Deed of Access and Indemnity with the registered owner of land described as Lot 38 on Crown Plan NR217, located at Connolly Road, Mowbray; and*
- 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 the Deed of Access and Indemnity over Lot 38 on Crown Plan NR217."*

Carried unanimously

**9.2. CONTRACTUAL MATTER S275(1)(E) LOCAL GOVERNMENT
REGULATION 2012 WASTE CONTRACT REPORT**

Paul Hoyer, Manager Sustainable Communities

Moved Cr Leu

Seconded Cr Carey

"That Council:

- 1. Resolves in accordance with section 50 of the Local Government (De-amalgamation Implementation) Regulation 2013 and clause 2.2.3 of Waste and Recycling Collection Contract No. 75292 to extend Waste and Recycling Collection Contract No. 75292 with Cleanaway Pty Ltd ABN: 79 000 164 938 for the period from 1 December 2017 to 30 November 2020; and*
- 2. Undertakes, in accordance with the provisions of Contract 75292, Novation of the contract and any variations to the contract to formalise the contractual arrangement between Douglas Shire Council and Cleanaway Pty Ltd for the period of extension from 1 December 2017 to 30 November 2020; and*
- 3. Delegates 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."*

Carried unanimously

**9.3. CONTRACTUAL MATTER S275(1)(E) LOCAL GOVERNMENT
REGULATIONS 2012 DOUGLAS SHIRE MOWING TENDERS**

Peter Logan, Coordinator Public Spaces

Moved Cr Noli

Seconded Cr Carey

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"That Council:

1. *Enter into contract 2017 – 014 Mowing Contract Mossman with Douglas Shire Mowing;*
2. *Enter into contract 2017 – 015 Mowing Contract Port Douglas with Gary's Mowing & Slashing;*
3. *Enter into contract 2017 – 016 Mowing Contract Daintree with Douglas Shire Mowing; and*
4. *Delegates authority to the Mayor and Chief Executive Officer (under Section 257 of the Local Government Act 2009) to negotiate, finalise and execute any and all matters associated with the contracts.*

Carried unanimously

**9.4. PREJUDICIAL MATTER S275(1)(H) LOCAL GOVERNMENT
REGULATION 2012 - FUNDING OF COUNCIL'S CONTRIBUTION TO THE
CONSTRUCTION OF THE PORT DOUGLAS RESERVOIR**

Darryl Crees, General Manager Corporate Services

Moved Cr Leu

Seconded Cr Noli

"That Council:

1. *resolves to provide its financial contribution of 12.90% of the construction costs of the Port Douglas Reservoir Project through*
 - a. *selling by auction at the predetermined reserve price, two properties being Lot RP 715288 and Lot 405 C2251; and*
 - b. *A release of the required amount of investment funds currently held to satisfy Council's total financial contribution to complete the project; and*
2. *delegates authority to the Chief Executive Officer under Section 257 of the Queensland Local Government Act 2009 to determine and finalise all matters associated with this financial contribution including the authority to negotiate the sale price of properties to be sold following the auction if the reserve price is not attained.*

Carried unanimously

CLOSURE OF MEETING

The meeting closed at 11.04am

CONFIRMED THIS 20 DAY OF June 2017


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MAYOR/CHAIR