



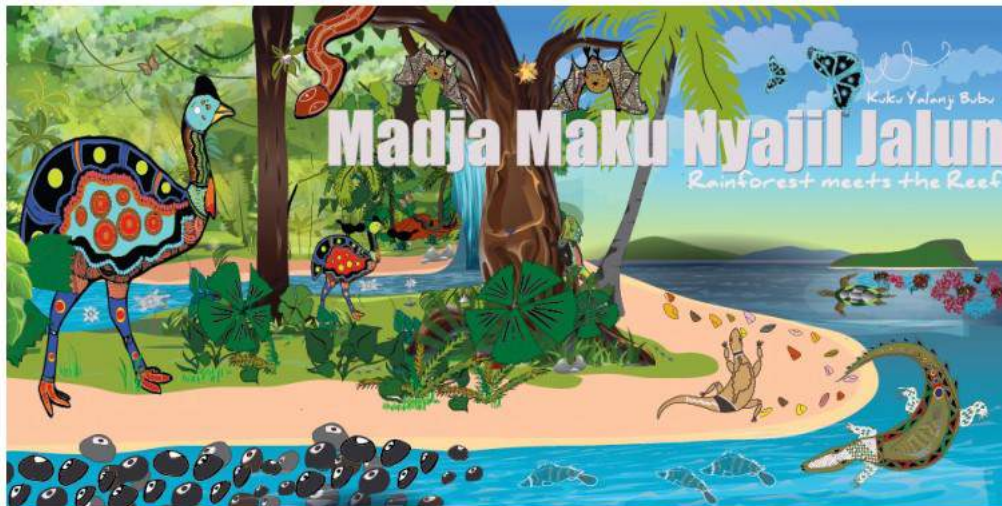
DOUGLAS SHIRE COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

Tuesday 28 August 2018

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



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, 28 AUGUST 2018 COMMENCING AT 10.00AM**

1. PRESENT

Cr Julia Leu (Mayor), Cr Abigail Noli (Deputy Mayor), Cr David Carey, Cr Michael Kerr, Cr Roy Zammataro, Darryl Crees (Acting Chief Executive Officer), Michael Kriedemann (Acting General Manager Operations), John Rehn (Acting General Manager Corporate Services); Tracey Crouch (Acting Manager Governance), Nicole Barton (Mayoral and Councillor Support Officer) and Brenda Jang (Executive Assistant).

Part Meeting:

Sara Roberts (Team Leader – Local Laws); Jenny Elphinstone (Senior Planning Officer); Lloyd Nunns (Chief Procurement Officer); Scott Hahne (Principal Project Manager) and Paul Smyth (Events 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

Joanne Jacobson (Acting General Manager Corporate Services)

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Nil

3. MAYORAL MINUTE

Moved: Cr Leu

“That Council amend the date of the Ordinary Meeting scheduled for Tuesday, 16 October 2018 to Tuesday, 23 October 2018 commencing at 10.00am.”

BACKGROUND INFORMATION

The amendment to Council Meeting dates and times is an operational matter. The amendment can be advertised through all usual media utilised by Council to convey information to the communities.

Carried unanimously

4. CONFIRMATION OF MINUTES OF COUNCIL MEETING HELD TUESDAY,
7 AUGUST 2018

Moved Cr Carey

Seconded Cr Noli

“That the Minutes of the Ordinary Meeting held on Tuesday, 7 August 2018 be confirmed.”

Carried unanimously

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 28 AUGUST 2018 COMMENCING AT 10.00AM**

5. AGENDA ITEMS

5.1. DRAFT NEW LOCAL LAWS

Sara Roberts, Team Leader – Local Laws

Moved Cr Carey

Seconded Cr Noli

“That Council resolves to:

1. *endorse the draft Local Laws to proceed with the next stages of the Local Law Review; and*
2. *delegates authority, in accordance with section 257 of the Local Government Act 2009, to the Chief Executive Officer to undertake community consultation and State Interest Checks on the approved draft Local Laws.”*

Carried unanimously

5.2. VEHICLES ON BEACHES GENERAL POLICY

Sara Roberts, Team Leader – Local Laws

Moved Cr Noli

Seconded Cr Zammataro

“That Council resolves:

1. *to endorse the draft Vehicles on Beaches General Policy for public consultation; and*
2. *to delegate authority, in accordance with section 257 of the Local Government Act 2009, to the Chief Executive Officer to undertake community consultation on the approved draft policy, including notifying the Department of Environment and Science of the draft policy and requesting feedback.”*

Carried unanimously

5.3. FINANCIAL REPORT FOR THE PERIOD ENDED 31 JULY 2018

John Rehn, Manager Finance & IT

Moved Cr Leu

Seconded Cr Kerr

“That Council notes the Financial Report for the period ended 31 July 2018.”

Carried unanimously

5.4. ECO FASHION WEEK AUSTRALIA

Gary Kerr, Executive Officer

Moved Cr Leu

Seconded Cr Kerr

“That Council approves the re-allocation of event funding from Taste Port Douglas to Eco Fashion Week Australia which is to be used directly by Council in supporting the marketing and promotion of the event .”

Carried unanimously

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 28 AUGUST 2018 COMMENCING AT 10.00AM**

6. NOTICES OF MOTION

Nil.

7. URGENT BUSINESS

Nil.

8. PETITIONS

Nil.

9. CLOSED SESSION

Moved Cr Kerr

Seconded Cr Carey

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

- 9.1. *Prejudicial Matter S275 (1) (F) (G) Local Government Regulations 2012 - Planning And Environment Court Appeal 152 of 2017 59R Crees Road*
- 9.2. *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 - Resource Assistance for Mossman Canegrowers*
- 9.3. *Contractual Matter S275 (1) (E) Local Government Regulation 2012 - Purchase of UF Filter Cartridges*
- 9.4. *Contractual Matter S275 (1) (E) Local Government Regulation 2012 – for Contract Mossman Whyanbeel Water Scheme Interconnector - Stage 2*
- 9.5. *Contractual Matter S275 (1) (E) Local Government Regulation 2012 - for Contract Noah Creek Bridge Replacement*

Carried unanimously

OUT OF CLOSED SESSION

Moved Cr Carey

Seconded Cr Kerr

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

Carried unanimously

- 9.1. PREJUDICIAL MATTER S275 (1) (F) (G) LOCAL GOVERNMENT REGULATIONS 2012 - PLANNING AND ENVIRONMENT COURT APPEAL 152 OF 2017 59R CREES ROAD
Jenny Elphinstone, Senior Planning Officer

Moved Cr Carey

Seconded Cr Kerr

“That Council:

1. *receives and notes the content of the report; and*

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 28 AUGUST 2018 COMMENCING AT 10.00AM**

2. *delegates authority to the Chief Executive Officer pursuant to the Local Government Act 2009 to progress and finalise any and all matters in relation to Planning and Environment Court Appeal 152 of 2017 (Cairns)."*

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

Against: Cr Zammataro

Carried

- 9.2. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT REGULATION 2012 - RESOURCE ASSISTANCE FOR MOSSMAN CANEGROWERS

Joanne Jacobson, Acting General Manager Corporate Services

Moved Cr Leu

Seconded Cr Zammataro

"That Council delegates authority to the Chief Executive Officer under S.257 of the Local Government Act 2009 to approve the payment of up to \$250,000 to Far Northern Milling Pty Ltd on production of invoices for expenses incurred in the environmental, financial, and legal due diligence process for the transition of the Mossman Mill from Mackay Sugar to Far Northern Milling Pty Ltd."

Carried Unanimously

- 9.3. CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT REGULATION 2012 - PURCHASE OF UF FILTER CARTRIDGES

Lloyd Nunns, Chief Procurement Officer.

Moved Cr Noli

Seconded Cr Carey

"That Council:

1. *resolves in accordance with section 235 of the Local Government Regulation 2012 to accept a single source quotation from Akvotek Pty Ltd (ABN: 60 609 331 008) for an amount of A\$492,690 excluding GST for the purchase of 104 Koch Cartridges (Targa 11 HF8-72-35-PMPW); and*
2. *delegates authority to the Chief Executive Officer in accordance with Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to this contractual arrangement."*

Carried Unanimously

- 9.4. CONTRACTUAL MATTER S275 (1) (E) LOCAL GOVERNMENT REGULATION 2012 - CONTRACT FOR MOSSMAN WHYANBEEL WATER SCHEME INTERCONNECTOR - STAGE 2

Lloyd Nunns, Chief Procurement Officer and Scott Hahne, Principal Project Manager

Moved Cr Noli

Seconded Cr Carey

"That Council resolves to:

1. *award Contract Number DSC2019-031 Mossman-Whyanbeel Water Scheme Interconnector – Stage 2 to HEH Civil Pty Ltd for an adjusted amount of \$348,381.05 exclusive of GST; and*

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2. *delegates authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to this contract."*

Carried Unanimously

**9.5. CONTRACTUAL MATTER S275 (1) (E) LG REGULATION 2012 - FOR
CONTRACT NOAH CREEK BRIDGE REPLACEMENT**

Lloyd Nunns, Chief Procurement Officer

Moved Cr Leu

Seconded Cr Zammataro

"That Council resolves to:


1. *award Contract Number DSC2018-103 Noah Creek Bridge Replacement to N.Q. Civil Contractors Pty Ltd for an amount of \$1,794,075.00 exclusive of GST; and*
2. *delegates authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to this contract."*

Carried Unanimously

CLOSURE OF MEETING

The meeting closed at 10.57am

CONFIRMED THIS 25th DAY OF SEPTEMBER 2018


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MAYOR/CHAIR