



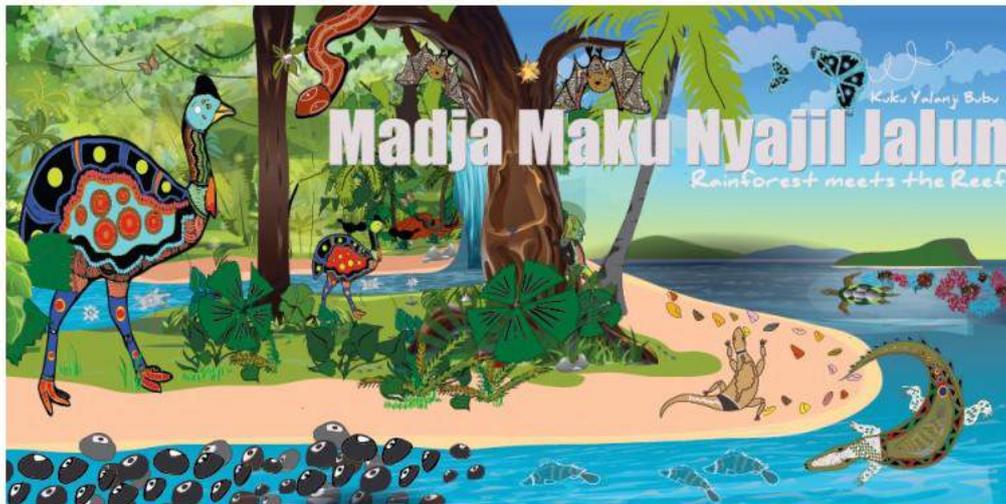
DOUGLAS SHIRE COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

Tuesday, 20 November 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, 20 NOVEMBER 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, Mark Stoermer (Chief Executive Officer), Darryl Crees (General Manager Corporate Services), Michael Kriedemann (Acting General Manager Operations), Joanne Jacobson (Manager Governance); Nicole Barton (Mayoral and Councillor Support Officer) and Brenda Jang (Executive Assistant).

Part Meeting:

Jenny Elphinstone (Senior Planning Officer); Paul Hoyer (Manager Sustainable Communities); John Rehn (Manager Finance and IT) and Graham Busby (Property 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.

MINUTE OF SILENCE

A minute of silence was observed in honour of Council employee, the late Terry Langtree.

APOLOGIES

No apologies.

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Mayor Cr Leu declared a real conflict of interest in regards to Item 9.1 due to being on the Management Committee of the Port Douglas Community Services Network Inc and proposed to exclude herself from the meeting whilst the matter was debated and the vote taken.

Cr Noli declared a real conflict of interest in regards to Item 5.1 and Item 9.1 due to being on the Board of the Mossman Support services and proposed to exclude herself from the meeting whilst the matter was debated and the vote taken.

Cr Kerr declared a real conflict of interest in regards to Closed Item 9.1.1 due to being the President of the Douglas Animal Welfare Group Inc applying for the funding and proposed to exclude himself from the meeting whilst the matter was debated and the vote taken.

3. MAYORAL MINUTE

Nil

4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

4.1 CONFIRMATION OF MINUTES OF COUNCIL MEETING HELD 6
NOVEMBER 2018

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 20 NOVEMBER 2018 COMMENCING AT 10.00AM**

Moved Cr Carey

Seconded Cr Noli

“That the Minutes of the Ordinary Meeting held on 6 November 2018, be confirmed.”

Carried unanimously

4.2 CONFIRMATION OF MINUTES OF SPECIAL MEETING HELD 13
NOVEMBER 2018

Moved Cr Zammataro

Seconded Cr Carey

“That the Minutes of the Special Meeting held on 13 November 2018, be confirmed.”

Carried unanimously

5. AGENDA ITEMS

MEETING WITHDRAWAL

Cr Noli declared a real conflict of interest in regards to Item 5.1 due to being on the Board of the Mossman Support Services and excluded herself from the meeting whilst the matter was debated and the vote taken, and left the meeting at 10.05am

- 5.1. LAND OWNER'S CONSENT AND DELEGATION OF AUTHORITY FOR A MATERIAL CHANGE OF USE FOR A COMMUNITY CARE CENTRE AT 20-22 MILL STREET, MOSSMAN OWNER'S
Jenny Elphinstone, Senior Planning Officer

Moved Cr Leu

Seconded Cr Kerr

“That Council:

- A. *delegate authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to provide Owner's Consent with respect to 22 Mill Street, Mossman, described as Lot 5 on RP706271 and sign the DA Form 1 to enable the development application to be considered properly made in accordance with section 51 of the Planning Act 2016; and*
- B. *delegate authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 and section 60 of the Planning Act 2016 the ability to waive onsite car parking for the material change of use and the associated infrastructure charges for a Community Care Centre at 20-22 Mill Street, Mossman as per the application lodged with Council.”*

Carried unanimously

MEETING RE-ATTENDANCE

Cr Noli re-attended the meeting at 10.07am

- 5.2. DISASTER MANAGEMENT REPORT 2018
Paul Hoye, Manager Sustainable Communities

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 20 NOVEMBER 2018 COMMENCING AT 10.00AM**

Moved Cr Noli

Seconded Cr Carey

“That Council resolves:

1. *in accordance with section 80 (1)(b) of the Disaster Management Act 2003, approve the Local Disaster Management Plan October 2018;*
2. *in accordance with sections 33,34 and 35 of the Disaster Management Act 2003, appoint the following positions as members of the Local Disaster Management Group for the Douglas Shire Council area:*

<i>Position</i>	<i>Organisation</i>
<i>Chairperson - Mayor</i>	<i>Douglas Shire Council</i>
<i>Deputy Chairperson - Deputy Mayor</i>	<i>Douglas Shire Council</i>
<i>Local Disaster Coordinator - Manager Sustainable Communities</i>	<i>Douglas Shire Council</i>
<i>Chief Executive Officer</i>	<i>Douglas Shire Council</i>
<i>Deputy Local Disaster Coordinator -General Manager Corporate Services</i>	<i>Douglas Shire Council</i>
<i>Media Advisor - Communications and Events Officer</i>	<i>Douglas Shire Council</i>
<i>Manager Infrastructure</i>	<i>Douglas Shire Council</i>
<i>General Manager Operations</i>	<i>Douglas Shire Council</i>
<i>Community Support Officer - Community Development Officer</i>	<i>Douglas Shire Council</i>
<i>OIC Port Douglas Station</i>	<i>Queensland Police Service</i>
<i>Inspector, Far North Region</i>	<i>Queensland Fire & Emergency Services</i>
<i>Director of Nursing</i>	<i>Mossman Hospital</i>
<i>Local Controller</i>	<i>State Emergency Service</i>
<i>Emergency Management Coordinator, Far North Region</i>	<i>Queensland Fire & Emergency Services</i>
<i>Executive Officer</i>	<i>Tourism Port Douglas & Daintree</i>
<i>Officer In Charge, Mossman</i>	<i>Queensland Ambulance Service</i>
<i>Senior Advisor Community Recovery, Far North Qld Region</i>	<i>Department of Communities, Disability Services and Seniors</i>
<i>Emergency Services Coordinator</i>	<i>Australian Red Cross</i>

3. *note the measures that have been undertaken to ensure that Council has a disaster response capability; and*
4. *note the report on the 2018 disaster year.”*

Carried unanimously

- 5.3. SES MEMORANDUM OF UNDERSTANDING
Paul Hoyer, Manager Sustainable Communities

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 20 NOVEMBER 2018 COMMENCING AT 10.00AM**

Moved Cr Carey

Seconded Cr Zammataro

“That Council resolves to:-

- 1. enter into a Memorandum of Understanding with Queensland Fire and Emergency Services for the provision of State Emergency Service functions within the Douglas Shire Council local government area;*
- 2. review the content of the Memorandum of Understanding twelve (12) months from the commencement date; and*
- 3. delegates 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 Memorandum of Understanding.”*

Carried unanimously

- 5.4. APPLICATION FOR PERMANENT ROAD CLOSURE OVER PART OF UNNAMED ROAD ADJOINING LOT 2 ON RP865072 CASSOWARY ROAD, CASSOWARY
Graham Busby, Property Officer

Moved Cr Zammataro

Seconded Cr Noli

“That Council:

- 1. delegates authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009, to execute a Form Part C as Road Manager, advising the Department of Natural Resources Mines & Energy (DNRME) that Council cannot authorise a proposed permanent road closure over part of unnamed road reserve adjoining lot 2 on RP865072 (identified by the sketch plan attached to this report) Cassowary Road, Cassowary, however it requests DNRME to consider an application under the Land Act in relation to this matter.*
- 2. advises DNRME that it has no objection to the proposed application for permanent road closure over unnamed road reserve adjoining Lot 2 on RP865072 Cassowary Road Cassowary, subject to the following condition:*
 - the applicant must amalgamate the proposed road closure area into the adjoining lot 2; and*
- 3. delegates authority to the Chief Executive Officer in accordance with section 257 of the Local Government Act 2009 to finalise any and all matters associated with the application.”*

Carried unanimously

- 5.5. FINANCIAL REPORT FOR THE PERIOD ENDED 31 OCTOBER 2018
John Rehn, Manager Finance and IT

Moved Cr Leu

Seconded Cr Carey

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

Carried unanimously

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 20 NOVEMBER 2018 COMMENCING AT 10.00AM**

5.6. MODEL MEETING PROCEDURES AND STANDING ORDERS

Joanne Jacobson, Manager Governance

Moved Cr Noli

Seconded Cr Zammataro

“That, effective 3 December 2018, Councillors resolve to adopt the updated Standing Orders for Council Meetings General Policy.”

Carried unanimously

6. NOTICES OF MOTION

Nil.

7. URGENT BUSINESS

Nil.

8. PETITIONS

Nil.

9. CLOSED SESSION

Moved Cr Carey

Seconded Cr Kerr

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

9.1 *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 – **Council Grants Program;***

No discussions were held for Item 9.1.

9.2 *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 – **Wangetti Trail – Building Better Regions Application;** and*

9.3 *Prejudicial Matter S275 (1) (B) Local Government Regulation 2012- **Industrial Matters Affecting Employees***

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. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT
REGULATION 2012 – COUNCIL GRANTS PROGRAMS

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 20 NOVEMBER 2018 COMMENCING AT 10.00AM**

MEETING WITHDRAWAL

Cr Kerr declared a real conflict of interest in regards to Item 9.1.1 due to being the President of the Douglas Animal Welfare Group Inc which is applying for the funding and excluded himself from the meeting whilst the matter was being voted upon, and left the meeting at 10.54am.

9.1.1 Application EFP1 for \$10,000 (GST Exc) under the 2018 - 2019 Event Funding Program.

Moved Cr Carey

Seconded Cr Leu

"That Council approves application EFP1 for \$10,000 (GST Exc) under the 2018 - 2019 Event Funding Program."

Carried unanimously

MEETING RE-ATTENDANCE

Cr Kerr re-attended the meeting at 10.55am

9.1.2 Application CSP1 for \$3,960 (GST Exc) subject to conditions under the 2018 - 2019 Community Support Program.

Moved Cr Zammataro

Seconded Cr Noli

"That Council approves application CSP1 for \$3,960 (GST Exc) subject to conditions under the 2018 - 2019 Community Support Program."

Carried unanimously

9.1.3 Application CSP2 for \$5,000 (GST Exc) under the 2018 - 2019 Community Support Program.

Moved Cr Carey

Seconded Cr Kerr

"That Council approves application CSP2 for \$5,000 (GST Exc) under the 2018 - 2019 Community Support Program."

Carried unanimously

MEETING WITHDRAWAL

Cr Noli declared a real conflict of interest in regards to Closed Item 9.1.4 due to being on the Board of the Mossman Support services and proposed to exclude herself from the meeting whilst the matter was being voted upon, and left the meeting at 10.56am.

9.1.4 Application CSP3 for \$4,939 (GST Exc) under the 2018 - 2019 Community Support Program.

Moved Cr Kerr

Seconded Cr Carey

"That Council approves application CSP3 for \$4,939 (GST Exc) under the 2018 - 2019 Community Support Program."

Carried unanimously

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 20 NOVEMBER 2018 COMMENCING AT 10.00AM

MEETING RE-ATTENDANCE

Cr Noli re-attended the meeting at 10.57am.

MEETING WITHDRAWAL

Mayor, Cr Leu declared a real conflict of interest in regards to Item 9.1.4 due to being on the Management Committee of the Port Douglas Community Services Network Inc and excluded herself from the meeting whilst the matter was being voted upon, and left the meeting at 10.57am.

Deputy Mayor, Cr Noli took the Chair during the absence of the Mayor.

9.1.5 Application CSP4 for \$1,300 (GST Exc) under the 2018 - 2019 Community Support Program.

Moved Cr Kerr

Seconded Cr Carey

“That Council approves application CSP4 for \$1,300 (GST Exc) under the 2018 - 2019 Community Support Program.”

Carried unanimously

MEETING RE-ATTENDANCE

Cr Leu re-attended the meeting at 10.58am and resumed the Chair.

9.1.6 Application CSP5 for \$4,729 (GST Exc) subject to conditions under the 2018 - 2019 Community Support Program;

Moved Cr Leu

Seconded Cr Carey

“That Council approves application CSP5 for \$4,729 (GST Exc) subject to conditions under the 2018 - 2019 Community Support Program.”

Carried unanimously

9.1.7 Application CSP6 for \$3,350 (GST Exc) under the 2018 - 2019 Community Support Program.

Moved Cr Kerr

Seconded Cr Noli

“That Council approves application CSP6 for \$3,350 (GST Exc) under the 2018 - 2019 Community Support Program.”

Carried unanimously

9.1.8 Application CSP7 for \$5,000 (GST Exc) subject to conditions under the 2018 - 2019 Community Support Program.

Moved Cr Zammataro

Seconded Cr Carey

“That Council approves application CSP7 for \$5,000 (GST Exc) subject to conditions under the 2018 - 2019 Community Support Program.”

Carried unanimously

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 20 NOVEMBER 2018 COMMENCING AT 10.00AM

9.1.9 Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any and all matters associated with the above approvals in Clause 9.1.1.

Moved Cr Noli

Seconded Cr Kerr

“That Council delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any and all matters associated with the above approvals in Clause 9.1.1.”

Carried unanimously

9.2. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT REGULATION 2012 - WANGETTI TRAIL - BUILDING BETTER REGIONS APPLICATION
Paul Hoye, Manager Sustainable Communities

Moved Cr Leu

Seconded Cr Noli

“That Council resolves to:

- 1. endorse a funding application to the Federal Government’s Building Better Regions Fund for \$10 Million (GST exclusive) for the Wangetti Trail Project; and*
- 2. delegate authority to the Chief Executive Officer in accordance with Section 257 of the Local Government Act 2009 to finalise any and all matters associated with the grant application.”*

Carried unanimously

9.3. PREJUDICIAL MATTER S275(1) (B) LOCAL GOVERNMENT REGULATION 2012 - INDUSTRIAL MATTERS AFFECTING EMPLOYEES
Mark Stoermer, Chief Executive Officer

Moved Cr Carey

Seconded Cr Kerr

“That Council resolves to:

- adopt the new Organisational Structure as detailed in this report; and*
- delegate authority to the Chief Executive Officer, pursuant to Section 257 of the Local Government Act 2009, to finalise any and all matters associated with implementing the new Organisational Structure including publishing the new structure following discussing changes with relevant employees.”*

Carried unanimously

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 20 NOVEMBER 2018 COMMENCING AT 10.00AM

CLOSURE OF MEETING

The meeting closed at 11.00am

CONFIRMED THIS 18 DAY OF DECEMBER 2018


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MAYOR/CHAIR