

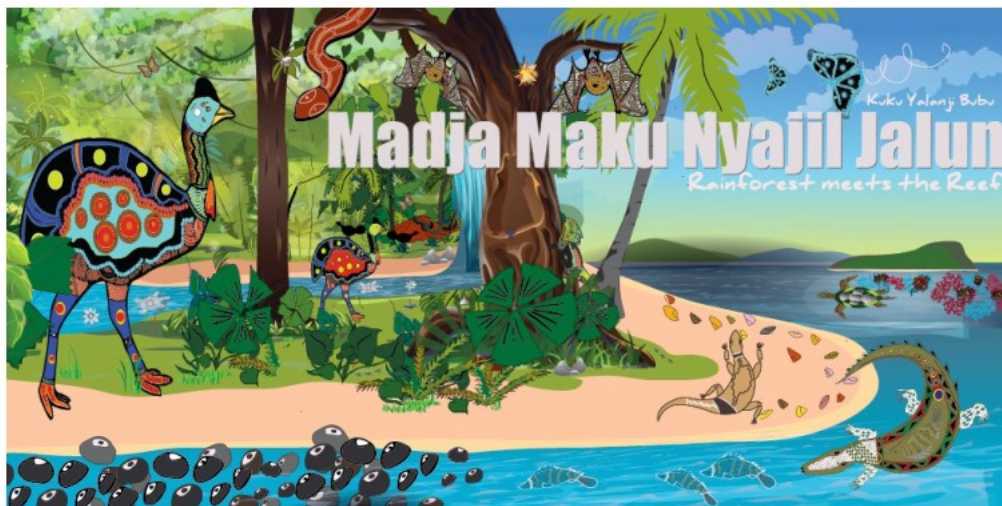
DOUGLAS SHIRE COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

Tuesday, 25 August 2020

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, 25 AUGUST 2020 COMMENCING AT 10.00AM**

Mayor Cr Kerr opened the Meeting by giving Notice that, in accordance with Section 277e of the Local Government Regulation 2012, the Ordinary Meeting of Council will be closed to the public because of health and safety reasons associated with the public health emergency involving COVID-19.

Mayor Cr Kerr advised that the Council Meeting can be viewed via live stream on Council's Website which will also be available to be watched at a later date; and that this Meeting is also being recorded and that the recordings will be posted onto Council's website along with the minutes.

ACKNOWLEDGEMENT OF COUNTRY

Cr Kerr acknowledged the Kuku Yalanji people who are the Traditional Custodians of the Land on which this meeting is being held and paid respect to their Elders past, present and emerging, and extended that respect to other Indigenous Australians who may be listening or watching this morning.

1. ATTENDANCE AND APOLOGIES

PRESENT

Cr Michael Kerr (Mayor), Cr Lisa Scomazzon (Deputy Mayor), Cr Peter McKeown, Cr Abigail Noli and Cr Roy Zammataro.

APOLOGIES

Nil

OFFICERS IN ATTENDANCE

Mark Stoermer (Chief Executive Officer), Terry Farrelly (Manager People and Community Services), Tara Killeen (Chief Financial Officer), Juanita Holden (Manager Governance), Peter Tonkes (Manager Water and Wastewater), Scott Hahne (Manager Project Office), Tom Volling (Senior Media and Communications Officer), Robert Donovan (Team Leader Property Services), Susan Lunn (Property Officer), Jamie Kleinhans (Disaster Management Officer), Paul Smyth (Events Officer), Gaye Scott (Community Liaison Officer), Colin Chalmers (Asset Management Officer), Amy Mail (Tourism and Economic Development Officer) and Brenda Jang (Executive Assistant).

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Nil

3. MAYORAL MINUTE

Moved Cr Kerr

That Council:

1. *resolves to install CCTV cameras at the Port Douglas Sporting Complex;*

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2. *notes that this will cost \$10,000 and this request is not within the existing capital works budget 2020/21 but will be included in the budget review in November 2020; and*
3. *delegates authority to the Chief Executive Officer in accordance with Section 257 of the Local Government Act 2009 to determine and finalise any and all matters associated with this matter.*

BACKGROUND

The Port Douglas Sporting Complex is the main sporting complex in Port Douglas that comprises of multiple users utilising the facility. The adjoining public amenities include walking areas and a skate park which is often used by the public.

The main playing field is used by AFL and Cricket. Rugby Union, Netball and Soccer also play within the facilities courts and fields that surround the main playing field.

Douglas Shire Council has received complaints recently of the condition of the grounds, including rocks that had been placed on the playing field.

To protect the playing surfaces and facilities Council proposes to install CCTV cameras in and around the facility to help deter anti-social behaviour. Due to growing frequency of complaints, there is an urgency to install the CCTV to help prevent further instances.

Building Facilities will coordinate the installation of the cameras and will be a critical asset to protect the grounds and facilities of the Port Douglas Sporting Complex.

Carried Unanimously

4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

4.1 CONFIRMATION OF MINUTES OF ORDINARY MEETING HELD TUESDAY,
28 JULY 2020

Moved Cr Scomazzon

Seconded Cr Zammataro

That the Minutes of the Ordinary Meeting held on Tuesday, 28 July 2020 be confirmed.

Carried Unanimously

4.2 CONFIRMATION OF MINUTES OF SPECIAL MEETING HELD ON
MONDAY, 10 AUGUST 2020

Moved Cr Kerr

Seconded Cr Scomazzon

That the Minutes of the Special Meeting held on Monday, 10 August 2020 be confirmed.

Carried Unanimously

5. AGENDA ITEMS

- 5.1. PERMANENT ROAD CLOSURES - 65 KARNAK ROAD, WHYANBEEL
Susan Lunn, Property Officer

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Moved Cr Noli

Seconded Cr McKeown

That Council:

1. *advise the applicants that Council supports the execution of a Form Part C for permanent road closures on Lot 2 SP190474 being 65 Karnak Road, Whyanbeel on the condition that agreement is provided to convert the existing easement A and B into a formal road reserve at nil land cost for Council and;*
2. *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 application.*

Carried Unanimously

- 5.2. MOSSMAN SEWERAGE TREATMENT PLANT - TENURE
Susan Lunn, Property Officer

Moved Cr Scomazzon

Seconded Cr Zammataro

That Council:

1. *proceeds with the previously lodged application for a permanent road closure of road reserve on part of Junction Road, Mossman;*
2. *applies to DNRME for a Term Lease over the road reserve on part of Junction Road, Mossman to formalise tenure of the land:*
 - a) *the Lease rental to be calculated by DNRME as 6% of the land value; and*
 - b) *Council being responsible for all costs associated with the matter, including but not limited to, Survey Plan and legal fees;*
3. *approves the capital works required to provide access to Lots 165-167 on N157119 for the Traditional Owners to access the land that they own; and*
4. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to determine and finalise at Council's cost any and all matters associated with the permanent road closure and Term Lease and to execute any agreements, deeds and survey plans.*

Carried Unanimously

- 5.3. 40 DAYS IN 40 WAYS
Jamie Kleinmans, Disaster Management Officer

Moved Cr Kerr

Seconded Cr Scomazzon

That Council notes the attached report on the 40 Days in 40 Ways campaign that ran from 10 April 2020 to 19 May 2020 and that the Douglas Recovery Group pivoted successfully to support the community of Douglas Shire in fortifying their resilience, mental health and wellbeing.

Carried Unanimously

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- 5.4. CALL OF THE RUNNING TIDE RESOURCE & PERFORMANCE AGREEMENT
Paul Smyth, Events Officer

Moved Cr Scomazzon

Seconded Cr McKeown

That Council:

1. *enters into a three (3) year Resource and Performance Agreement with Port Douglas Artists Inc for Call of the Running Tide with \$15,000 (GST Exc) cash in Years One and Three; and \$10,000 (GST Exc) in Year Two; with in-kind support including use of Port Douglas Community Hall, Mossman Shire Hall and parks during the event and for pre-event workshops; and*
2. *delegates authority to the Chief Executive Officer under Section 257 of the Local Government Act 2009 to administer matters associated with the above.*

Carried Unanimously

- 5.5. **IN-KIND ASSISTANCE POST COVID 19 EVENTS STRATEGY**
Paul Smyth, Events officer

Moved Cr Noli

Seconded Cr Scomazzon

That Council:

1. *provide in-kind support for use of venues and waive application fees for events, as part of a post COVID-19 economic and event recovery strategy, to the amount of:*
 - *\$8,216 for Knockout Events - Wonderland Under the Stars*
 - *\$2,508 + \$1,500 security bond for Festival Amusements - Mini Fun Fair; and*
2. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise any minor amendments in relation to these applications.*

Carried Unanimously

- 5.6. FUNDING SUPPORT FOR THE BETTER TOGETHER CONFERENCE 2022
Paul Smyth, Events Officer

Moved Cr Kerr

Seconded Cr Scomazzon

That Council resolves to:

1. *provide one off funding of \$10,000 cash and In-Kind assistance of waiving of venue hire fees for Sugar Wharf for the Better Together Conference to be held in February 2022; and*
2. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise any minor amendments in relation to the funding and In-kind support for the Better Together conference.*

Carried Unanimously

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5.7. NAMING OF UNNAMED ROAD OFF CAPTAIN COOK HIGHWAY,
KILLALOE
Gaye Scott, Community Liaison Officer

Moved Cr McKeown

Seconded Cr Scomazzon

That Council resolves to name the road off Captain Cook Highway, leading to Gold Coast Marine Aquaculture, Noel Herbst Road.

Moved Cr Zammataro

Seconded Cr Kerr

That Council defers the Naming of Unnamed Road off Captain Cook Highway, Killaloe to allow for further information to be presented for discussion, and that the matter be re-presented to a future Council Meeting.

The amended motion became the substantive motion and was put to the vote:

Carried Unanimously

5.8. DAINTREE RIVER CROSSING ROUND TWO PUBLIC CONSULTATION
PLAN
Gaye Scott, Community Liaison Officer

Moved Cr Kerr

Seconded Cr Scomazzon

That Council:

- *endorses the community public consultation plan for the Daintree River Ferry Crossing; and*
- *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise all matters associated with this plan.*

Moved: Cr Noli

Seconded: Cr Zammataro

That Council defer the Daintree River Crossing Round Two Public Consultation Plan so that the Community Consultation Plan and Closed Item 9.1 (Daintree River Crossing Options Report) be merged into one document to be re-presented to a future Council Meeting.

For: Cr Noli and Cr Zammataro

Against: Cr Kerr, Cr Scomazzon and Cr McKeown

Lost

The proposed amendment to the motion was lost and the original motion was put to the vote.

For: Cr Kerr, Cr Scomazzon and Cr McKeown

Against: Cr Noli and Cr Zammataro

Carried

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- 5.9. PROPOSED AMENDED SCHEDULE OF FEES AND CHARGES 2020/21
Katie Wilkinson, Asset Accountant

Moved Cr Scomazzon

Seconded Cr McKeown

That Council:

1. *adopts the amended sections of the Schedule of Fees and Charges for the 2020/21 financial year for Cemetery Services, Caravan Parks and Campgrounds and Flagstaff Hill; and*
2. *delegates authority under Section 257 of the Local Government Act 2009 to the Chief Executive Officer to negotiate fees and charges where circumstances warrant and to make minor administrative amendments to the Schedule.*

Carried Unanimously

- 5.10. FINANCIAL REPORT JULY 2020
Tara Killeen, Chief Financial Officer

Moved Cr Kerr

Seconded Cr Scomazzon

That Council notes the Financial Report for the period ended 31 July 2020.

Carried Unanimously

- 5.11. 2020/2021 INTERNAL AUDIT PLAN
Juanita Holden, Manager Governance

Moved Cr Noli

Seconded Cr Zammataro

That Council endorse the Strategic Internal Audit Plan FY 2020-2022 and the Annual Internal Audit Plan for FY2021 as presented.

Carried Unanimously

- 5.12. OPERATIONAL PLAN PROGRESS REPORT FOR PERIOD APRIL TO JUNE
2020
Mark Stoermer, Chief Executive Officer

Moved Cr Scomazzon

Seconded Cr McKeown

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

Carried Unanimously

6. NOTICES OF MOTION

Nil

7. URGENT BUSINESS

Nil

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8. PETITIONS

Nil

9. CLOSED SESSION

Moved Cr Zammataro

Seconded Cr Scomazzon

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

9.1 *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 – **Daintree River Crossing Options Report**; and*

9.2 *Prejudicial Matter S275 (1) (H) Local Government Regulation 2012 – **Fee Waiving Request Filming Production**.*

Carried Unanimously

(Meeting moved into Closed Session at 10.49am)

MEETING WITHDRAWAL

10.50am Cr Scomazzon withdrew from the meeting.

MEETING RE-ATTENDANCE

10.52am Cr Scomazzon re-attended the meeting.

OUT OF CLOSED SESSION

Moved Cr Scomazzon

Seconded Cr McKeown

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

Carried Unanimously

(Meeting moved out of Closed Session at 11.09am)

9.1. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT
REGULATION 2012 - DAINTREE RIVER CROSSING OPTIONS REPORT
Colin Chalmers, Asset Management Officer

Moved Cr Scomazzon

Seconded Cr McKeown

That Council agrees to:

1. *release the Daintree River Crossing Options Assessment Report for community information; and*
2. *delegates authority under Section S257 of the Local Government Act 2009 to the Chief Executive Officer to determine and finalise any and all matters associated with this report.*

For: Cr Kerr, Cr Scomazzon and Cr McKeown

Against: Cr Noli and Cr Zammataro

Carried

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**9.2. PREJUDICIAL MATTER S275 (1) (H) LOCAL GOVERNMENT
REGULATION 2012 - FEE WAIVING REQUEST FILMING PRODUCTION**

Amy Mail, Tourism and Economic Development Officer

Moved Cr Zammataro

Seconded Cr Scomazzon

That Council resolves to:

1. *waive the fees and charges associated with the half-hall hire of the Port Douglas Community Hall from 31 August 2020 to 20 December 2020 to support the local production of a Queensland-based feature series; and*
2. *delegate authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer, to determine and finalise all matters associated with this report.*

Carried Unanimously

CLOSURE OF MEETING

The meeting closed at 11.10am.

CONFIRMED THIS 29TH DAY OF SEPTEMBER 2020



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MAYOR/CHAIR