



DOUGLAS SHIRE COUNCIL

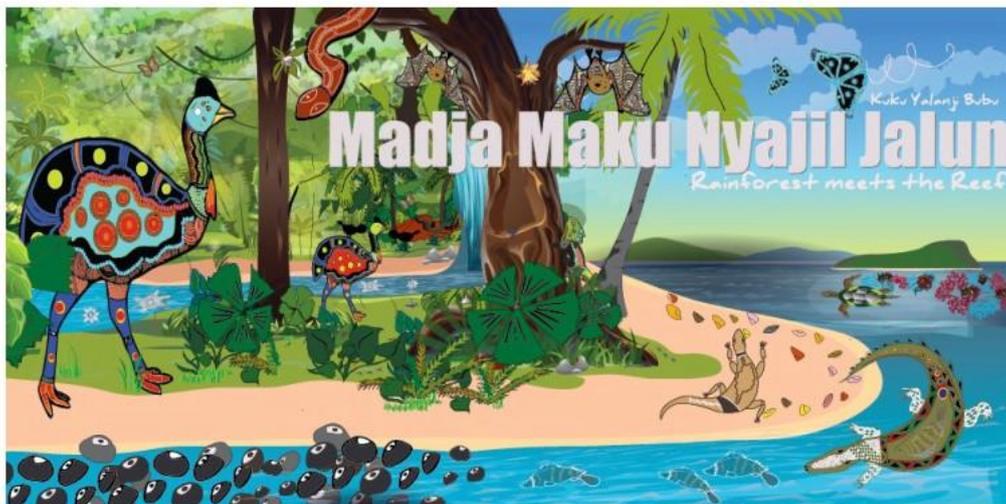
# ORDINARY COUNCIL MEETING

## MINUTES

Tuesday, 30 November 2021

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

**DOUGLAS**  
SHIRE COUNCIL



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, 30 NOVEMBER 2021 COMMENCING AT 10.00AM**

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Mayor Cr Kerr opened the Meeting by welcoming everyone to the Ordinary Meeting of the Douglas Shire Council being held on Tuesday, 30 November 201 at the Mossman Council Chambers.

Cr Kerr gave notice that, in accordance with *Section 277E of the Local Government Regulation 2012*, the Ordinary Meeting of Council will be restricted in numbers of public attendance because of health and safety reasons associated with the public health emergency involving COVID-19; and advised that this Ordinary Meeting of Council will be available to view via Live Stream on Council's Website and will be available for others to watch at a later time.

**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**

Juanita Warner (Acting Chief Executive Officer), Tara Killeen (Chief Financial Officer), Paul Hoyer (Manager Environment and Planning), Scott Hahne (Manager Project Office), Natasha Murray (Manager Infrastructure), Lisa Golding (Manager People and Community Services), Peter Logan (Coordinator Public Spaces), Pauline Thomas (Grants Officer), Robert Donovan (Team Leader Property Services), Renee Ker (Acting Team Leader Community and Economic Development), Jeremy Lebeuf (Team Leader Tourist Park), Tom Volling (Senior Media and Communications Officer), Nicole Barton (Mayor and Councillors Support Officer) and Brenda Jang (Executive Assistant).

**2. CONFLICT OF INTEREST**

**2.1 CONFLICT OF INTEREST – CR NOLI**

Cr. Abigail Noli stated that she has a prescribed Conflict of Interest for item 5.3 *Council Grants Program Major Grant Round 2021-22* as Cr Noli is a Board member for one of the applicants, being the Mossman Community Centre.

Cr Noli will be dealing with the prescribed Conflict of Interest by leaving the meeting whilst the matter is discussed and voted on.

## **2.2 CONFLICT OF INTEREST – CR MCKEOWN**

Cr McKeown declared a prescribed Conflict of Interest for Item 5.3 *Council Grants Program Major Grant Round 2021-22* as he is a Board member of one of the applicants, being Mossman Community Centre.

Cr McKeown will be dealing with the prescribed Conflict of Interest by leaving the meeting whilst the matter is discussed and voted on.

## **3. DEPUTATION**

Acting Chief Executive Officer Juanita Warner escorted Mr Rod Davis into the meeting at 10.03am.

### **3.1 KEEP PD FREE COMMUNITY GROUP**

Juanita Warner, Acting Chief Executive Officer

Deputation received from Keep PD FREE Community Group:

*The community of Port Douglas and surrounds seeks to know if Douglas Shire Council opposes discrimination that harms both employers and employees, and which segregates and divides our community over medical choice. There is considerable personal and economic stress, which is causing division and concern in the community and the delegation seeks Councils leadership on this issue, by way of delegation.*

Rod Davis and Vanessa Breden, on behalf of Keep PD Free Community Group, addressed the Meeting.

The Chair, Cr Kerr, thanked Mr Davis and Ms Breden for their Deputation to Council.

### **3.2 MAYORAL MINUTE**

**Moved** Cr Kerr

*That:*

1. Douglas Shire Council notes Queensland Health's recommendation that residents seek to be vaccinated for their protection and that of their community.
2. Douglas Shire Council is committed, and obligated, to follow any health direction made by the Queensland Government under advice from the Chief Health Officer.
3. Councillors have considered those community concerns regarding the impacts and confusion over the roll out of the vaccination mandates.
4. The health, safety and wellbeing of this community is Council's highest priority, and Council will continue to work with the appropriate agencies to assist our community in navigating a way forward.
5. Douglas Shire Council writes to the State Government and respectfully request that they acknowledge the concerns received from the business community, give clarity to the businesses regarding the health directive, and when implementing "Public Health and Social Measures Linked to Vaccination Status", they consider appropriate steps necessary to mitigate the risks for businesses when it comes to compliance and enforcement of this mandate.

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It is extremely disappointing that this topic is creating a division in our community, with what is entirely a State Government health decision and directive no different to those made for limited trading, limited customers, border closures and the like. Council opinions and letters going against a state health order made for the benefit of the majority of the state does not sit well. Cr Kerr stated that he thought it is also appalling to compare these health mandates which have been made to protect people with the hideous history of the apartheid, there is no comparison. Then also watering down of the absolute pain and suffering that actual discrimination in all forms has given so many is heartbreaking when compared.

Whilst Cr Kerr respected there is a personal choice, the Douglas Shire Council has always been pro-vaccination and will continue to support the State Government and the Cairns Hinterland Hospital and Health Service in encouraging residents to get vaccinated in order to protect themselves and their families.

Cr Kerr, however, is concerned about those within our community who claim that there is a lack of clarity and detail from the State Government regarding how the new COVID measures and restrictions will be enforced from December 17. Their website has plenty of detail on what the mandates are and what the benefits will be to those businesses that are currently trading with Covid restrictions. For those unsure <http://www.covid19.qld.gov.au> and click on 'Queensland's COVID-19 vaccine plans'.

Cr Kerr most certainly has sympathy for those businesses, particularly small businesses in the region, who currently believe that these restrictions will have serious effects on their trade and staffing. Cr Kerr categorically understands and appreciates their concerns around staffing and also being required to enforce the Government restrictions that have been publicised. Cr Kerr had written directly to the Premier on the day these mandates were released regarding the enforcement issue and her office advised the following:-

*“Businesses are expected to take reasonable steps to enforce the restrictions. This means businesses should display the vaccination rules at the business premises and businesses may ask for evidence of vaccination from customers at the time of check-in. If a customer cannot, or refuses to, provide evidence, businesses can ask the person to leave the premises. If the person refuses to leave the premises, businesses can call the police. In these cases, police responses to calls for service will be prioritised according to the circumstances reported to police. For example, where there is a threat to life or property, these calls for service will be categorised as high priority and police will respond accordingly. The Queensland Police Service and the Office of Liquor and Gaming Regulation will support businesses to enforce the public health measures after Queensland reaches the 80 per cent fully vaccinated milestone. Police will work closely with local businesses and the community to educate business operators and patrons, on their obligations under the new public health measures and promote compliance, as well as high-visibility policing and compliance checking of individuals, attending restricted businesses and vulnerable settings to which the public health measures apply.”*

Whilst these constraints may burden our businesses in the short term, Cr Kerr believes that the advice of the Chief Health Officer is in the long term the right way forward for the health and safety of the majority of our community. Between Cairns and Douglas as of last Monday there were over 24,000 people who have not received any form of vaccination. Not if, but when Covid arrives in this region, the potential effect of this on the hospital system will be critical. If you look at what occurred in NSW around 12 -14% of those unvaccinated that came in contact with the virus needed some form of hospital care. Of those 3000 odd people, if this is the case, a possible 1000 could then well need ICU assistance if the same percentages follow through. We have 18 ICU beds in this region. The maths is pretty simple. The mortality rate is currently around 1% which means 240 people could potentially be in danger of losing their life.

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This also doesn't take into account those more vulnerable in our communities that have had the full vaccination. A vaccinated person will still contract Covid and can become ill. The vaccine only lets the body know what it is so it can fight it faster and hopefully before a person becomes extremely sick. Evidence also suggests that vaccinated people who might be infected with the coronavirus are less likely to spread it to others in comparison with a non-vaccinated person who it is believed would have a higher viral load.

The health directive that has been publicly advised will commence on 17 December and only limits those who they believe have a higher opportunity of transmission (those unvaccinated) from entering social areas that would not be considered a necessity or where close proximity and high transmission can occur. Shopping and other essential services are fully available even though the risk is considered high. Cr Kerr recommended those who are vulnerable or have low immune systems consider wearing masks in these areas and continue using hand sanitiser where possible.

Vaccinated people also have the lower potential of passing the virus on to nonvaccinated people in the close proximity venues, these mandates also have the intent of protecting those people who have voluntarily chosen not to have the vaccine from contracting the virus during the initial period when higher transmission rates are expected to occur.

The goal out of all these measures is to slow down the contact rate. The slower that people come into contact with the virus the better for our hospital systems and our businesses. We do not want the majority of our work force off sick at the same time, that would be even more detrimental to our businesses. We also should be able to be confident that our elderly and more vulnerable community members, who have done the right thing and been vaccinated, are able to visit their local café and know that as a community, we have their health consideration paramount.

Queensland is 76% double vaccinated; Victoria is currently 90% double vaccinated, NSW is 92% double vaccinated, Tasmania 85% double vaccinated, Northern Territory 86% double vaccinated, Western Australia 74% double vaccinated and South Australia 80% double vaccinated.

New South Wales currently has even tighter restrictions than what is proposed for Queensland with unvaccinated people unable to go to other outlets such as hairdressers, beauty salons and massage premises. There are even restrictions about visiting other people's houses. Victoria has far more stringent rules on employment with many businesses now mandated to only have employees who are vaccinated and have similar restrictions in place as New South Wales for venues that cannot be attended by unvaccinated patrons. Tasmania is following suit on 6 December; South Australia will follow suit at 90% vaccinated and Northern Territory have commenced mandatory vaccination for various employment activities that involve close contact. This is not a Queensland only initiative, it is coming from multiple State Governments and Chief Health Officers around the country in order to keep all our communities safe.

Our biggest tourism markets outside the international market are New South Wales and of course Victoria. The two states that have suffered the most from this virus and the two states that well and truly know what this virus is about. Cr Kerr believes that both of these markets would not only expect that they are being served by a vaccinated person for their protection, more than likely demand it. Businesses that flaunt this risk losing their current biggest markets of tourism, if this region goes pandemic, we risk losing the confidence in the market from our southern tourists which could take months to rebuild.

This is a very stressful time for all concerned, there is obvious fear of the unknown whether that be the virus or the vaccine, and so much misinformation is being peddled it is often hard to tell what is fact and what is a misleading opinion. What Cr Kerr does know is that the health of all the people in this community needs to come first. Whether you are vaccinated or not vaccinated there is a clear and present concern coming at us and we need to deal with it. There is no easy answer to the ongoing issues that this virus is bringing communities all over the world. We can and we

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will get through it and the more we work together as a community the easier that will be. The mandates are not optional, and they are about to be with us along with Covid.

Cr Kerr asked everyone to please take a step back, take a deep breath, stop and appreciate what we have here in this community. And remember that the person in front of you didn't create this issue, they are only attempting to be part of the solution... be kind, please...

Cr Kerr urged all Councillors to support this motion. This is not a time for political division nor is it a time to add more confusion to our community. This is an opportunity to show our Shire that we as a united council have the best interest of the entire region first and foremost.

**Moved** Cr McKeown that the Mayoral Minute to be amended to read as follows:

*That:*

1. Douglas Shire Council notes Queensland Health's recommendation that residents seek to be vaccinated for their protection and that of their community.
2. Douglas Shire Council is committed, and obligated, to follow any health direction made by the Queensland Government under advice from the Chief Health Officer.
3. Councillors have considered those community concerns regarding the impacts and confusion over the roll out of the vaccination mandates. That Council informs Queensland Premier Palaszczuk and the Queensland Government of the negative effects the impending vaccine mandate will have on many small businesses, employers, employees, and our community as a whole.
4. The health, safety and wellbeing of this community is Council's highest priority, and Council will continue to work with the appropriate agencies to assist our community in navigating a way forward. Council understands people's personal choices for vaccination.
5. Douglas Shire Council writes to the State Government and respectfully request that they acknowledge the concerns received from the business community, give clarity to the businesses regarding the health directive, and when implementing "Public Health and Social Measures Linked to Vaccination Status", they consider appropriate steps necessary to mitigate the risks for businesses when it comes to compliance and enforcement of this mandate.

The amendment to the motion was put to the vote:

**For:** Cr Kerr, Cr McKeown, Cr Noli, Cr Zammataro

**Against:** Cr Scomazzon

**Carried**

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

*That:*

1. *Douglas Shire Council notes Queensland Health's recommendation that residents seek to be vaccinated for their protection and that of their community.*
2. *Douglas Shire Council is committed, and obligated, to follow any health direction made by the Queensland Government under advice from the Chief Health Officer.*
3. *Councillors have considered those community concerns regarding the impacts and confusion over the roll out of the vaccination mandates. That Council informs Queensland*

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*Premier Palaszczuk and the Queensland Government of the negative effects the impending vaccine mandate will have on many small businesses, employers, employees, and our community as a whole.*

4. *The health, safety and wellbeing of this community is Council's highest priority, and Council will continue to work with the appropriate agencies to assist our community in navigating a way forward. Council understands people's personal choices for vaccination*
5. *Douglas Shire Council writes to the State Government and respectfully request that they acknowledge the concerns received from the business community, give clarity to the businesses regarding the health directive, and when implementing "Public Health and Social Measures Linked to Vaccination Status", they consider appropriate steps necessary to mitigate the risks for businesses when it comes to compliance and enforcement of this mandate.*

**For:** Cr Kerr, Cr McKeown, Cr Noli, Cr Zammataro

**Against:** Cr Scomazzon

**Carried**

**MEETING WITHDRAWAL AND RE-ATTENDANCE**

Acting Chief Executive Officer Juanita Warner withdrew and re-attended the meeting at 10.24am.

**4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS**

**4.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING HELD TUESDAY, 19 OCTOBER 2021**

**Moved** Cr McKeown

**Seconded** Cr Zammataro

*That the Minutes of the Ordinary Meeting held on Tuesday, 19 October 2021 be confirmed.*

**Carried** Unanimously

**4.2 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING HELD MONDAY, 15 NOVEMBER 2021**

**Moved** Cr Scomazzon

**Seconded** Cr Kerr

*That the Minutes of the Special Council Meeting held on Monday, 15 November 2021 be confirmed.*

**Carried** Unanimously

**5. AGENDA ITEMS**

**5.1. APPLICATION FOR PERMANENT ROAD CLOSURE ADJOINING LOT 204 ON SP264765 CAPTAIN COOK HIGHWAY, KILLALOE**

Property Services

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**Moved** Cr Noli

**Seconded** Cr McKeown

*That Council:*

1. *Advises the Department of Resources (DOR) that it has no objection to the proposed application for permanent road closure over part of Old Ferry Road adjoining Lot 204 on SP264765 (identified by drawing CNS 21/058) Captain Cook Highway Killaloe, subject to the following condition:*
  - *The applicant must provide the necessary easements to accommodate access to the aircraft beacon and stormwater discharge where necessary.*
2. *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

**5.2. THAT COUNCIL RESOLVES TO ADOPT THE GLYPHOSATE REDUCTION STRATEGY 2021.**

Peter Logan, Coordinator Public Spaces

**Moved** Cr McKeown

**Seconded** Cr Scomazzon

*That Council resolves to adopt the Glyphosate Reduction Strategy 2021.*

**Carried** unanimously

**5.3. COUNCIL GRANTS PROGRAM MAJOR GRANT ROUND 2021-22**

Pauline Thomas, Grants Officer

**Recommendation**

*That Council approves \$52,000.00 for the Council Major Grants round 2021/2022 to fully or part fund the grant applications as listed below per the Grants Assessment Panel and Council Officers recommendation.*

Organisation	Project	Funding Requested (GST excl)	Funding Recommendation (GST excl)
Alexandra Bay Sports Club	Tai Chi for Health Program	\$10,000	\$10,000 Providing that participants pay a contribution of \$5.50 per session to ensure program sustainability and equity with other Council funded exercise programs.
Daintree Life	Stage 2 Beach Restoration Planting Myall Beach North, Cape Tribulation	\$10,000	\$10,000
Douglas Historical Society	Five Additional Historic Photoposts in Port Douglas	\$6,650	\$6,650

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Organisation	Project	Funding Requested (GST excl)	Funding Recommendation (GST excl)
Douglas Hockey Association	Beach Hockey Player and Spectator Sun Shade Marquee	\$2,000	\$2,000
QLD-Youth Orchestra	Summer Swing and Cool Jazz: QYO Big Band interactive performances and workshops	\$10,000	\$7,200
Mossman Botanic Garden	"Many Voices" video project for the Mossman Botanic Garden launch	\$9,900	\$5,000
Mossman Community Centre	Mossman Support Services – She Shed	\$10,000	\$8,500
Rainforest Rescue	Regenerating our World Heritage Daintree Rainforest Project	\$10,000	\$2,650

Cr Kerr proposed an amendment to the motion for Item 5.3 *Council Grants Program Major Grant Round 2021-22* that the motion be split into two separate motions to enable Cr McKeown and Cr Noli to vote on the majority of applicants as both Cr McKeown and Cr Noli had declared prescribed Conflict of Interests due to being a Board members of the applicant (Mossman Community Centre), which will become Alternative motion two.

**For:** Cr Kerr, Cr Scmazzon, Cr Zammataro  
Cr McKeown and Cr Noli did not vote due to their prescribed Conflict of Interests.

**Carried**

**ALTERNATIVE MOTION 1**

**Moved** Cr Kerr

**Seconded** Cr Noli

*That Council approves \$43,500.00 for the Major Grants round 2021/2022 to fully or part fund grant applications as listed below per the Grants Assessment Pane and Council Officers recommendations.*

Organisation	Project	Funding Requested (GST excl)	Funding Recommendation (GST excl)
Alexandra Bay Sports Club	Tai Chi for Health Program	\$10,000	\$10,000 Providing that participants pay a contribution of \$5.50 per session to ensure program sustainability and equity with other Council funded exercise programs.
Daintree Life	Stage 2 Beach Restoration Planting Myall Beach North, Cape Tribulation	\$10,000	\$10,000

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Organisation	Project	Funding Requested (GST excl)	Funding Recommendation (GST excl)
Douglas Historical Society	Five Additional Historic Photoposts in Port Douglas	\$6,650	\$6,650
Douglas Hockey Association	Beach Hockey Player and Spectator Sun Shade Marquee	\$2,000	\$2,000
QLD-Youth Orchestra	Summer Swing and Cool Jazz: QYO Big Band interactive performances and workshops	\$10,000	\$7,200
Mossman Botanic Garden	"Many Voices" video project for the Mossman Botanic Garden launch	\$9,900	\$5,000
Rainforest Rescue	Regenerating our World Heritage Daintree Rainforest Project	\$10,000	\$2,650

**Carried** Unanimously

**ALTERNATIVE MOTION 2**

**MEETING WITHDRAWAL**

Cr McKeown had declared a prescribed Conflict of Interest for Item 5.3 *Council Grants Program Major Grant Round 2021-22* as he is a Board member of one of the applicants, being Mossman Community Centre and will be dealing with the prescribed Conflict of Interest by leaving the meeting whilst the matter is discussed and voted on and left the meeting at 11.15am.

Cr Noli had declared a prescribed Conflict of Interest for Item 5.3 *Council Grants Program Major Grant Round 2021-22* as he is a Board member of one of the applicants, being Mossman Community Centre, and will be dealing with the prescribed Conflict of Interest by leaving the meeting whilst the matter is discussed and voted on and left the meeting at 11.15am

**Moved** Cr Scomazzon

**Seconded** Cr Kerr

*That Council approves \$8,500.00 for the Major Grants round 2021/2022 to fully or part fund grant applications as listed below per the Grants Assessment Pane and Council Officers recommendations.*

Organisation	Project	Funding Requested (GST excl)	Funding Recommendation (GST excl)
Mossman Community Centre	Mossman Support Services – She Shed	\$10,000	\$8,500

**Carried** Unanimously

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**MEETING WITHDRAWAL**

Cr Zammataro withdrew from the meeting at 11.15am.

**MEETING RE-ATTENDANCE**

Cr McKeown re-attended the meeting at 11.15am.  
Cr Noli re-attended the meeting at 11.15am.  
Cr Zammataro re-attended the meeting at 11.18am.

**5.4. AMENDMENT TO FEES AND CHARGES - MOSSMAN POOL AND CARAVAN PARK AND ACTIVE8 SUBSIDISED FITNESS**

Renee Ker, Acting Team Leader Community and Economic Development

**Moved** Cr Kerr

**Seconded** Cr McKeown

*That Council:*

1. *Adopts the amended sections of the Schedule of Fees and Charges for the 2021/2022 financial year for Caravan Parks and Campgrounds to include overnight vehicle fee for storage.*
2. *Adopts the amended sections of the Schedule of Fees and Charges for the 2021/2022 financial year for Active8 Fitness Classes to include a fee per class.*

**Carried** Unanimously

**5.5. TOURISM PORT DOUGLAS AND DAINTREE ANNUAL REPORT**

Community and Economic Development

**Moved** Cr Noli

**Seconded** Cr Zammataro

*That Council:*

*Receives and notes the Tourism Port Douglas and Daintree Annual Report 2020/21, submitted in accordance with the Resource and Performance Agreement between Tourism Port Douglas and Daintree and Douglas Shire Council.*

**Carried** Unanimously

**5.6. CAPITAL WORKS PROGRESS REPORT FOR FIRST QUARTER 2021/22**

Scott Hahne, Manager Project Office

**Moved** Cr Noli

**Seconded** Cr Kerr

*That Council receives and notes the progress of the Capital Works Program to 30 September 2021 for the 2021/22 financial year.*

**Carried** Unanimously

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**5.7. EXTRAORDINARY DECISION – REVISED UTILITY CHARGES AND ASSOCIATED RATING MATTERS 2021-2022**

Tara Killeen, Chief Financial Officer

**Moved** Cr Kerr

**Seconded** Cr Scomazzon

1. *Revised Utility Charges and Associated Rating Matters 2021-2022:*
- A. *Pursuant to section 94B(1) of the Local Government Act 2009, that Council make an extraordinary decision to make and levy cleansing utility charges, with effect from 1 January 2022 and ending on 30 June 2022, for the supply of waste management services by the Council, as follows: -*

(a) **DOMESTIC**

- (i) *A Domestic Cleansing Charge, for the purpose of removal and disposal of refuse for the 2021/22 financial year be set at an amount of \$521.32 per service per annum and applied in accordance with the following schedule:-*

Type of Improvement	No. of Services
Residence	1
Flats (each domicile)	1
Strata Title Units	1
Boarding House/Guest House/Hostel for each four (4) persons able to be accommodated or part thereof	1

- (ii) *A minimum charge of one service to apply on all improved properties for refuse removal and disposal and that a minimum of one annual charge of one service be made and levied on each separate occupancy (whether occupied or vacant) within the Council solid waste area of coverage and that such charge shall apply whether or not a service is rendered, save and except that where land is for the first time built on during the year the charge shall be made from the date the structure is ready for occupancy, calculated proportionately for the unexpired part of the year.*
- (iii) *Ratepayers may apply for an additional cleansing service and each additional service approved will attract the standard domestic cleansing charge.*
- (iv) *Ratepayers may apply for an additional recycling only cleansing service and each additional recycling only service approved will attract half of the standard domestic cleansing charge. Each additional recycling only cleansing service will entitle the property to an additional recycling bin for fortnightly servicing, or equivalent.*
- (v) *That for the purpose of calculating utility charges, the term "Strata Title Unit" is deemed to be each lot created pursuant to the provisions of the Body Corporate and Community Management Act 1997.*

(b) **COMMERCIAL (North of Forest Creek to Cape Tribulation)**

*A Commercial Cleansing Charge, for the purpose of removal and disposal of refuse for the 2021/22 financial year be set as specified below:-*

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*This charge will be applied to all land north of Forest Creek to Cape Tribulation in the service area that has approved safe access to the roadway on which the collection vehicle travels in the course of carrying out refuse collection on behalf of Council.*

*The service area includes the following localities: Cow Bay, Diwan, Thornton Beach and Cape Tribulation.*

*The basis of assessing such charges whether such land is rateable or not shall be as follows:-*

- (i) In the area where the services are provided by Council's day labour force/contractor, a charge of \$404.00 per annum for a weekly refuse removal service for each separate occupancy is to apply.*
- (ii) In the area where the services are provided by Council's day labour force/contractor, a charge of \$404.00 per unit per annum, for a weekly refuse removal service. The charge is to be levied in accordance with the improvement schedule(s) below.*
- (iii) Commercial properties may apply for additional refuse only cleansing unit(s). Each additional refuse only cleansing unit will entitle the property to an additional refuse bin for weekly servicing, or equivalent at a charge of \$404.00 per unit.*
- (iv) Commercial properties may be provided with special access to the following Transfer Stations for disposal of excess waste and recycling:*
  - 1. Cow Bay Transfer Station*
  - 2. Daintree Transfer Station*
  - 3. Killaloe Transfer Station*
  - 4. Ayton Transfer Station*

**IMPROVEMENT SCHEDULE FOR 1/7/2021-31/12/21**

	Type of Improvement	Unit
1.	Hotels	10
2.	Cafes/Restaurants	5
3.	Take Away Food Outlets	2
4.	General store/shop	2
5.	School/kindergarten/childcare facility	1
6.	Residential dwelling, including Caretaker residence	1
7.	Caravan Park/camping Ground	
	i. for every 5 sites or part thereof	1
8.	Motel/Resort Accommodation	
	i. for each unit with facilities to enable the preparation and/or cooking of food. (Examples of these facilities, which are not necessarily exhaustive, would be a combination of two or more of a sink, hotplates, microwave oven, oven etc.)	1
	ii. without facilities to enable the preparation and/or cooking of food - for every three units or part thereof	1

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	Type of Improvement	Unit
9.	Holiday Cabins i. for every three cabins or part thereof	1
10.	Industrial/Commercial Premises (includes professional offices and industrial/commercial premises not otherwise specified in this schedule) for each shop office	1

*IMPROVEMENT SCHEDULE FOR 1/1/2022-30/6/22*

	Type of Improvement	Unit
1.	Hotels	10
2.	Cafes/Restaurants	3
3.	Take Away Food Outlets	2
4.	General store/shop	2
5.	School/kindergarten/childcare facility	1
6.	Residential dwelling, including Caretaker residence	1
7.	Caravan Park/camping Ground ii. for every 5 sites or part thereof	1
8.	Motel/Resort Accommodation i. with facilities to enable the preparation and/or cooking of food. (Examples of these facilities, which are not necessarily exhaustive, would be a combination of two or more of a sink, hotplates, microwave oven, oven etc.) - for every three units or part thereof	1
	ii. without facilities to enable the preparation and/or cooking of food - for every five units or part thereof	1
9.	Holiday Cabins i. with facilities to enable the preparation and/or cooking of food (Examples of these facilities, which are not necessarily exhaustive, would be a combination of two or more of a sink, hotplates, microwave oven, oven etc.) - for every three cabins or part thereof	1
	ii. without facilities to enable the preparation and/or cooking of food - for every five cabins or part thereof	1
10.	Industrial/Commercial Premises (includes professional offices and industrial/commercial premises not otherwise specified in this schedule) for each shop office	1

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(c) **COMMERCIAL (Other)**

*A Commercial Cleansing Charge, for the purpose of removal and disposal of refuse for the 2021/22 financial year be set as specified below:-*

*This charge will be applied to all land (other than land north of Forest Creek to Cape Tribulation), that has approved safe access to the roadway on which the collection vehicle travels in the course of carrying out refuse/recycling collection on behalf of Council. The basis of assessing such charges whether such land is rateable or not shall be as follows:-*

- (i) *In the area where the services are provided by Council's day labour force/contractor and whether or not a recycling service has been introduced, a charge of \$521.32 per annum for a weekly refuse removal service for each separate occupancy is to apply.*
- (ii) *In the area where the services are provided by Council's day labour force/contractor and whether or not a recycling service has been introduced, a charge of \$521.32 per unit per annum, for a weekly refuse removal service. The charge is to be levied in accordance with the improvement schedule below.*
- (iii) *Commercial properties may apply for an additional recycling only cleansing service and each additional recycling only service approved will attract half of the standard commercial cleansing charge. Each additional recycling only cleansing service will entitle the property to an additional recycling bin for fortnightly servicing, or equivalent.*
- (iv) *Eligible commercial properties may apply for an additional refuse only cleansing unit(s). Each cleansing unit will entitle the property to an additional refuse bin for weekly servicing, or equivalent at a charge of \$404.00 per unit and will apply where a private commercial service is not available or the costs of providing the private commercial service are considered excessive due to the location of the property.*

Type of Improvement		Minimum Number of Cleansing Service Units
1.	Caretakers/Managers Accommodation Each	1
2.	Schools/Pre-Schools	
	- Mossman State High School	30
	- Mossman State Primary School	15
	- Mossman State Pre-School	5
	- Daintree State School	1
	- Miallo State School	1
	- Port Douglas State School	4
	- St Augustine's School	6
- Wonga State School	6	
3.	Industrial/Commercial Premises each shop office (Includes professional offices and industrial/commercial premises not otherwise specified in this schedule)	1
4.	Hotels	10
5.	Cafes/Restaurants	2
6.	Take Away Food Outlets	2



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*2021, to make and levy cleansing utility charges, for the supply of waste management services is inconsistent with this extraordinary decision, Council's 15 June 2021 budget meeting decision to make and levy cleansing utility charges, for the supply of waste management services, will cease to have effect from (and including) 1 January 2022.*

**Carried** Unanimously

**5.8. REVISED BUDGET 2021-2022**

Tara Killeen, Chief Financial Officer

**Moved** Cr Scomazzon

**Seconded** Cr Kerr

*That Council resolve to adopt, pursuant to Sections 169 and 170 of the Local Government Regulation 2012 and Section 94B of the Local Government Act 2009, the Revised Budget for the financial year 2021-2022 and the Long-Term Financial Forecast for the financial years 2021-2022 to 2030-2031 as contained in the document titled 2021/2022 Revised Annual Budget and set out in the pages contained therein:*

1. *Budgeted Statement of Income and Expenditure*
2. *Budgeted Statement of Financial Position*
3. *Budgeted Statement of Cash Flow*
4. *Budgeted Statement of Changes in Equity*
5. *Long Term Financial Forecast*
6. *Measures of Financial Sustainability*
7. *Budgeted sources and application of Capital Funding*
8. *Budgeted movement in Reserves*
9. *Budgeted Rates and Utilities Charges*
10. *Total Value of change in the rates and charges expressed as a percentage*
11. *Capital Works Program*
12. *The Revenue Policy (adopted by Council resolution on 27 April 2021), as tabled*
13. *The Revenue Statement (adopted by Council resolution on 15 June 2021), as tabled*

**Carried** Unanimously

**5.9. QAO FINAL MANAGEMENT REPORT 2020-2021**

Tara Killeen, Chief Financial Officer

**Moved** Cr McKeown

**Seconded** Cr Scomazzon

*That Council notes the observations contained within the Final Management Report (Observation Report) from the Queensland Audit Office for the 2020-2021 financial year.*

**Carried** Unanimously

**5.10. FINANCIAL REPORT OCTOBER 2021**

Tara Killeen, Chief Financial Officer

**Moved** Cr Scomazzon

**Seconded** Cr Zammataro

*That Council notes the Financial Report for October 2021.*

**Carried** Unanimously

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**5.11. AUDIT COMMITTEE MEETING MINUTES**

Juanita Warner, Chief Executive Officer

**Moved** Cr McKeown

**Seconded** Cr Scomazzon

*That Council receive and note the unconfirmed minutes of the Audit Committee Meetings held on 21 June 2021 and 23 August 2021.*

**Carried** Unanimously

**6. NOTICES OF MOTION**

**6.1 COVID-19 RESTRICTIONS - WITHDRAWN BY CR MCKEOWN**

Cr McKeown advised the meeting that he withdraws this Notice of Motion as it was considered in the Mayoral Minute.

*That the CEO lobby Queensland Premier Palaszczuk and The Queensland Government to advise them of the negative effects the impending vaccine mandate will have on many small businesses, employers, employees, and our community as a whole.*

**BACKGROUND:**

From the time of The Queensland Government announcing the restrictions as to venues allowed to be visited only if you are fully vaccinated, I have been contacted from scores of businesses and had many conversations with owners /operators in the Douglas Shire expressing concern about the ability to carry on business when these restrictions come into force.

This not a discussion on whether you should be vaccinated or not, that should be an individual's choice.

These restrictions will force many small businesses to close their doors or not be able to operate to a satisfactory manner due to lack of workforce. It is not only because some staff do not wish to get vaccinated so therefore will not be allowed in the workplace, but also for the reason that they do not want to be placed in the position of possible confrontation when checking/requesting personal information to enforce the mandate.

Those businesses that have been able to survive these last nineteen months have been waiting with bated breath for the release of the "roadmap" and for a date when we can accept our southern visitors back to our shire, but now have another hurdle to jump, maybe the biggest yet.

There are also conflicting comments on the legal position of employers who restrict employees entering the workplace or dismissing them because of the mandate.

I believe we are about to enter a very interesting period in this Shire.

**COVID-19 RESTRICTIONS – NOTICE OF ALTERNATIVE MOTION TO CR MCKEOWN**

As Cr McKeown advised the meeting that he withdraws his motion, this Alternative Motion by Cr Noli was concurrently withdrawn.

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*That:*

1. *Douglas Shire Council is committed and obligated to follow any health direction made by the Queensland Government under advice from the Chief Health Officer.*
2. *Douglas Shire Council notes and encourages Queensland Health's recommendation that residents are to be vaccinated for their protection and that of their community.*
3. *Council strongly encourages and actively participates in all appropriate actions for the safety of the community and urges all residents to seek advice from their healthcare professional to make their own informed decisions.*
4. *The safety and wellbeing of our community is our highest priority, and Council will continue to work with all agencies to navigate a workable path forward.*
5. *Write to the State Government to request that, when implementing the "Public Health and Social Measures Linked to Vaccination Status", the State Government take all steps necessary to remove and mitigate the risks for businesses when it comes to compliance and the onus is not placed on the businesses.*
6. *Council will have no active role in the enforcement of these mandates.*

**6.2 PORT DOUGLAS SPLASH PARK AND WATER PRECINCT**

Cr Abigail Noli gave Notice of her intention to move the following Motion at the Council meeting scheduled for Tuesday 30 November 2021:-

**Moved** Cr Noli

**Seconded** Cr Scomazzon

*That Council;*

1. *Consults with the community for the location of the Port Douglas Splash Park and Water Precinct.*
2. *The final location of the precinct is decided by council resolution.*
3. *A business case and cost benefit analysis are conducted on the proposed 50m lap pool and an alternative lagoon style pool.*
4. *The business case and cost benefit analysis, for both options, are brought to a council meeting to be publicly discussed and noted.*

**BACKGROUND:**

During the October Ordinary Council Meeting it was noted that the design of a pool, splash park and water precinct was in the final stages of tender.

The question was put by a Councillor as to when the public will have an opportunity to decide upon the location of such an important, costly and resource intensive infrastructure asset. The answer was taken on notice and subsequently was never answered.

It should be noted that in former councils, the community has always been given the opportunity to address their opinion as to the location of such an important decision.

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A few weeks ago, Council released a media statement saying that 'the location has been decided'. This declaration has had no input nor consultation from either the community or Councillors.

The second part of this Notice of Motion deals with the question of 50m pool or 'lagoon style' swimming area.

Research and community consultation for over 10 years demonstrates that the community wants, needs and this area deserves, a unique, tropical lagoon not a rectangular concrete pool which duplicates pools found anywhere in the world.

This decision is too important to get wrong as this will forever be an ongoing cost, probably an operational loss and if in the wrong location an eyesore and detriment to the amenity of Port Douglas.

**For:** Cr Noli, Cr Scomazzon, Cr Zammataro

**Against:** Cr Kerr, Cr McKeown

**Carried**

**7. URGENT BUSINESS**

Nil

**8. PETITIONS**

Nil

**CLOSURE OF MEETING**

The meeting closed at 11.53am.

**CONFIRMED THIS 14<sup>TH</sup> DAY OF DECEMBER 2021**

  
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MAYOR/CHAIR