

DOUGLAS SHIRE COUNCIL

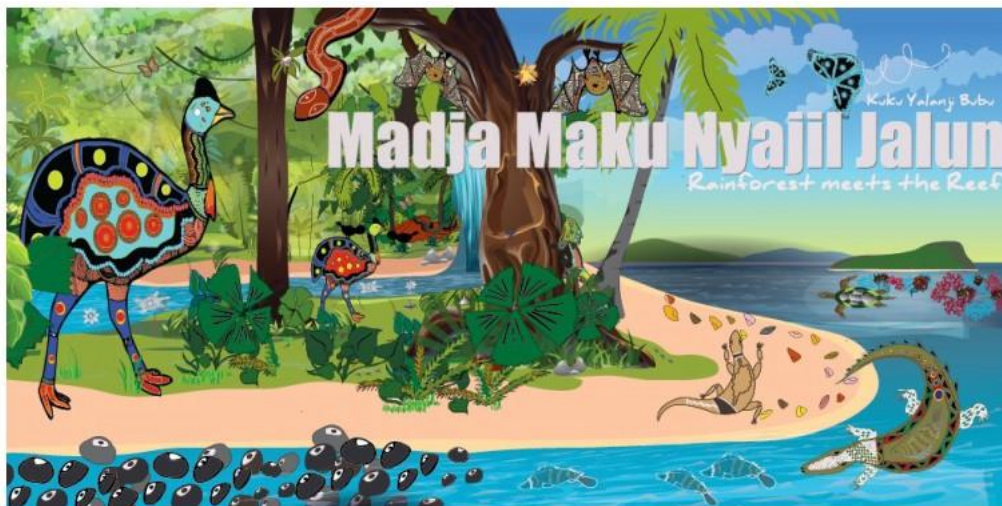
ORDINARY COUNCIL MEETING

MINUTES

Tuesday, 22 February 2022

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, 22 FEBRUARY 2022 COMMENCING AT 10.00AM**

Mayor Cr Kerr opened the Meeting by welcoming everyone to the Ordinary Meeting of the Douglas Shire Council being held on Tuesday, 22 February 2022 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 (participating via MS Teams), Cr Abigail Noli and Cr Roy Zammataro.

APOLOGIES

Nil

OFFICERS IN ATTENDANCE

Rachel Brophy (Chief Executive Officer), Juanita Warner (Manager Governance), Tara Killeen (Chief Financial Officer), Paul Hoyer (Manager Environment and Planning), Peter White (Acting Manager Water and Wastewater), Scott Hahne (Manager Project Office), Natasha Murray (Manager Infrastructure), Lisa Golding (Manager People and Community Services), Tom Volling (Senior Media and Communications Officer) and Brenda Jang (Executive Assistant).

VOTE OF THANKS

Mayor Cr Kerr moved a vote of thanks to Juanita Warner, Manager of Governance for her role as Acting Chief Executive Officer until the appointment and commencement of Chief Executive Officer Rachel Brophy.

2. CONFLICT OF INTEREST

Nil

3. MAYORAL MINUTE

Nil

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
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4. CONFIRMATION OF MINUTES OF COUNCIL MEETING HELD TUESDAY, 25 JANUARY 2022

Moved Cr Scomazzon

Seconded Cr Noli

That the Minutes of the Ordinary Meeting held on Tuesday, 25 January 2022 be confirmed.

Carried Unanimously

5. AGENDA ITEMS

5.1. APPLICATION FOR MATERIAL CHANGE OF USE (AIR SERVICES AND CARETAKERS ACCOMMODATION) 35-39 PORT STREET, PORT DOUGLAS

Daniel Lamond, Planning Officer

Moved Cr Kerr

Seconded Cr Scomazzon

That Item 5.1 Application for Material Change of Use (Air Services and Caretaker's Accommodation) 35-39 Port Street, Port Douglas be deferred to the next Ordinary Meeting of Council.

Carried Unanimously

5.2. AMENDMENT DECLARATION OF SEWER AND WATER SERVICE AREAS WITHIN DOUGLAS SHIRE - FEB 2022

Peter White, Acting Manager Water and Wastewater

Moved Cr Scomazzon

Seconded Cr Noli

That Council resolves to:

- 1. declare that Douglas Shire Council is the service provider for the provision of reticulated water and sewerage services within Douglas Shire; and*
- 2. declare the revised maps attached indicate the service areas within the coloured boundary (relevant area) for reticulated water and sewerage within Douglas Shire.*

Carried Unanimously

5.3. WATER AND WASTEWATER QUARTERLY REPORT FOR THE PERIOD ENDING 31 DECEMBER 2021

Peter White, Acting Manager Water and Wastewater

Moved Cr Scomazzon

Seconded Cr Noli

That Council receives and notes the progress of the Quarterly Report of the Water and Wastewater department for the period ending December 2021.

Carried Unanimously

5.4. FINANCIAL REPORT JANUARY 2022

Tara Killeen, Chief Financial Officer

Moved Cr Kerr

Seconded Cr Scomazzon

That Council notes the Financial Report for January 2022.

Carried Unanimously

6. NOTICES OF MOTION

Nil

7. URGENT BUSINESS

Nil

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 *Confidential 254J 3 G Local Government Regulation 2012 – Road Encroachment Lot 1
RP748285 Whiteley Road, Miallo*

Carried Unanimously

(The Meeting moved into Closed Session at 10.10am)

OUT OF CLOSED SESSION

Moved Cr Scomazzon

Seconded Cr Noli

That Council resolves to move out of Closed Session.

Carried Unanimously

(The Meeting moved out of Closed Session at 10.14am)

**9.1. CONFIDENTIAL 254J 3 G LOCAL GOVERNMENT REGULATION 2012 -
ROAD ENCROACHMENT LOT 1 RP748285 WHITELEY ROAD, MIALLO**

Property Services

(For notation: It was noted during the Closed Session that the reporting Officer advised Council that the numbering of landowners' properties in the Proposal of the Closed Report had been transposed incorrectly where 17 Whiteley Road should have been 15 Whiteley Road and vice versa which did not alter the Officer's recommendation.)

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Moved Cr Scomazzon

Seconded Cr Noli

That Council:

1. rescinds resolution 9.2 of the Ordinary Council Meeting of its ordinary meeting on 19 October 2021, which resolved:

"That Council advise the applicant of 15 Whiteley Road and the owner of 17 Whiteley Road that Council intends to relocate the road in accordance with Main Roads specifications.";
2. acquires either by private agreement or by agreement under section 15 of the Acquisition of Land Act 1967 approximately 47m2 of land being part of Lot 1 on RP748285 and approximately 47m2 of land being part of lot 1 on RP749731, Whiteley Road Miallo, subject but not limited to:
 - a. the purchase price to be determined by way of market value as determined by a registered valuer or as negotiated by the Chief Executive Officer, noting the contents of this report; and
 - b. Council being responsible for all costs associated with the matter including but not limited to survey, valuation, stamp duty and transfer registration fees;
3. delegates authority in accordance with section 257 of the Local Government Act 2009 to the Chief Executive Officer all matters associated with the purchase of the land; and
4. acknowledges report/attachments to be deemed a confidential document and be treated as such with section 171 and 200 of the Local Government Act 2009 and that the document remains confidential unless Council decides otherwise.

Carried Unanimously

CLOSURE OF MEETING

The meeting closed at 10.15am.

CONFIRMED THIS 29TH DAY OF MARCH 2022


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MAYOR/CHAIR