

DOUGLAS SHIRE COUNCIL

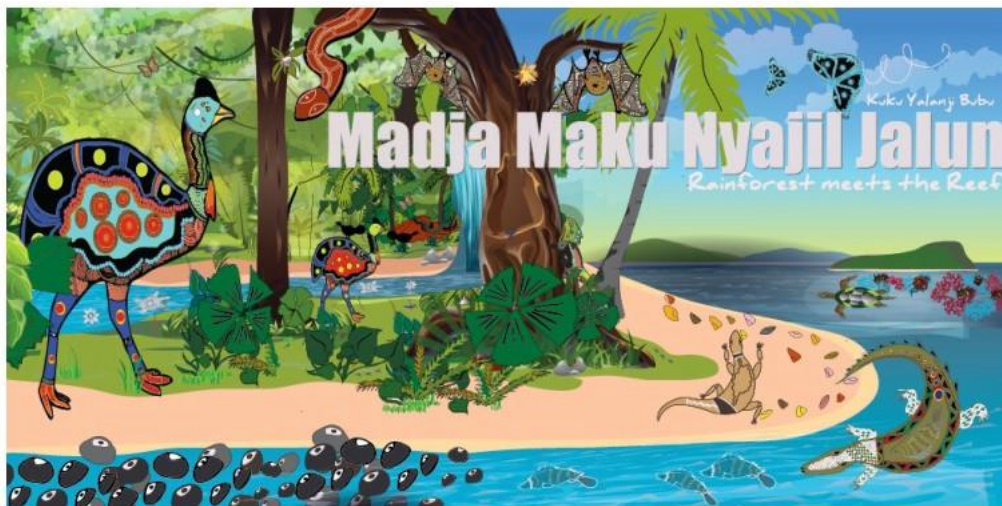
ORDINARY COUNCIL MEETING

MINUTES

Tuesday, 26 July 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, 26 JULY 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, 26 July 2022 at the Mossman Council Chambers.

This Ordinary Meeting of Council is being Live Streamed on Council's Website and will also 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 (via MS Teams).

APOLOGIES

Nil

OFFICERS IN ATTENDANCE

Rachel Brophy (Chief Executive Officer), Juanita Warner (Manager Governance), Tara Killeen (Chief Financial Officer), Paul Hoye (Manager Environment and Planning), Jonathan Ward (Manager Water and Wastewater), Scott Hahne (Manager Project Office), Natasha Murray (Manager Infrastructure), Lisa Golding (Manager People and Community Services), Robert Latham (Project Manager); Abbey Hastie (Technical Officer Resource Management), Pieter Kleinhans (Coordinator Civil Operations), Wayne Kristalyn (Project Manager), Tarren Woodhams (Digital Communications Officer), Kelly Dean (Mayor and Councillor Support Officer) and Brenda Jang (Executive Assistant).

2. CONFLICT OF INTEREST

2.1 CONFLICT OF INTEREST - CR ZAMMATARO

Cr Zammataro informed the meeting that he has a prescribed conflict of interest for Agenda Item 5.14 (Tender for Smart Water Meters – Phase 2) as Cr Zammataro's brother-in-law Robert Gusmeroli is at present employed by Council in assembling a stage of this project.

As a result of Cr Zammataro's Conflict of interest, Cr Zammataro will leave the meeting by logging out of MS Teams whilst the matter is considered and voted on.

3. MAYORAL MINUTE

Nil

4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 26 JULY 2022 COMMENCING AT 10.00AM

**4.1 CONFIRMATION OF MINUTES OF ORDINARY MEETING HELD TUESDAY,
28 JUNE 2022**

Moved Cr Scomazzon **Seconded** Cr McKeown

That the Minutes of the Ordinary Meeting held on Tuesday, 28 June 2022 be confirmed.

Carried Unanimously

**4.2 CONFIRMATION OF MINUTES OF SPECIAL MEETING HELD TUESDAY,
28 JUNE 2022**

Moved Cr Noli **Seconded** Cr McKeown

That the Minutes of the Special Meeting held on Tuesday, 28 June 2022 be confirmed.

Carried Unanimously

5. AGENDA ITEMS

5.1. AUDIT COMMITTEE MEETING MINUTES

Juanita Warner, Governance Manager

Moved Cr Noli **Seconded** Cr Scomazzon

That Council note the confirmed minutes of the Audit Committee Meetings held on 30 September 2021 and 4 April 2022.

Carried Unanimously

5.2. INTERIM FINANCIAL REPORT JUNE 2022

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon **Seconded** Cr McKeown

That Council notes the Interim Financial Report June 2022 and the Estimated Financial Position for the 2021-22 financial year.

Carried Unanimously

5.3. DAINTREE FERRY CROSSING SOLUTION

Robert Lathan, Project Manager

Moved Cr Kerr **Seconded** Cr McKeown

That Council resolves to replace the existing Daintree Ferry, with a single ferry capable of four lanes of road vehicles and dual road vehicle loading capability and associated landside infrastructure upgrades on both riverbanks.

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 26 JULY 2022 COMMENCING AT 10.00AM

Moved Cr Zammataro

Seconded Cr Scomazzon

That Item 5.3 Daintree Ferry Crossing Solution be deferred to the next Ordinary Meeting of Council.

For: Cr Scomazzon, Cr Noli, Cr Zammataro

Against: Cr Kerr; Cr McKeown

CARRIED

5.4. APPLICATION FOR PERMANENT ROAD CLOSURE OVER UNNAMED ROAD RESERVE, ADJACENT TO LOT 129 ON SR454 TOLL GATE ROAD, OAK BEACH

Property Services

Moved

Seconded

That Council:

advises the Department of Resources (DOR) that it objects to the application for permanent road closure over unnamed road reserve adjoining Lot 129 on SR454, Toll Gate Road, Oak Beach, indicated as Lot C on drawing CNS22/032P. The reasons for this objection are as follows:

the development as proposed seeks the extension of the residential use into a naturally vegetated gully area that is included in a Conservation Zone. The applicant has not identified how they would achieve the appropriate setbacks from the top of the waterway bank or protect the riparian vegetation;

the Planning Scheme identifies the adjacent Captain Cook Highway as an Iconic Recreation Route and a Scenic Route Buffer/View Corridor. Concern is held with the size of the new lot and whether this gives rise to possible further subdivision and the resultant impact on viewsheds and pedestrian access in the area;

the intent of the land acquisition is unclear, as no formal pre-lodgment enquiry was made. The applicant has not provided sufficient information to enable the request to be supported from a Town Planning perspective; and

delegates authority to the Chief Executive Officer in accordance with s 257 of the Local Government Act 2009, to finalise any and all matters associated with the application.

Moved Cr Kerr

Seconded Cr McKeown

That Item 5.4 Application for Permanent Road Closure Over Unnamed Road Reserve, Adjacent to Lott 129 on SR454 Toll gate Road, Oak Beach be deferred to the next Ordinary Meeting of Council.

Carried Unanimously

5.5. OPERATIONAL PLAN PROGRESS REPORT FOR APRIL TO JUNE 2022

Rachel Brophy, Chief Executive Officer

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 26 JULY 2022 COMMENCING AT 10.00AM

Moved Cr Noli

Seconded Cr Scomazzon

That Council notes the progress of the implementation of the Operational Plan 2021-2022.

Carried Unanimously

5.6. REPORT FROM THE CHIEF EXECUTIVE OFFICER FOR PERIOD APRIL TO JUNE 2022

Rachel Brophy, Chief Executive Officer

Moved Cr Scomazzon

Seconded Cr McKeown

That Council notes the Organisational Report Card and the Report from the Chief Executive Officer for the period April to June 2022.

Carried Unanimously

5.7. CAPITAL WORKS PROGRESS FOR LAST QUARTER 2021-2022

Scott Hahne, Manager Project Office

Moved Cr Noli

Seconded Cr McKeown

Council notes the progress report for the Capital Works Program for the 2021-2022 financial year.

Carried Unanimously

5.8. TOURISM PORT DOUGLAS DAINTREE STRATEGIC PLAN 2023

Community and Economic Development

Moved Cr Kerr

Seconded Cr McKeown

That Council receives and notes the Tourism Port Douglas Daintree Strategic Plan 2023 and Marketing Strategy 2023.

Carried Unanimously

5.9. WASTE REDUCTION AND RECYCLING PLAN

Abbey Hastie, Technical Officer Resource Management

Moved Cr Noli

Seconded Cr Scomazzon

That Council adopts the Douglas Shire's Waste Reduction and Recycling Plan 2022-2025 in accordance with the Waste Reduction and Recycling Act 2011

Carried Unanimously

5.10. UNREASONABLE COMPLAINANT CONDUCT POLICY

Juanita Warner, Manager Governance

Moved Cr Scomazzon

Seconded Cr Noli

That Council adopts the Unreasonable Complainant Conduct Policy.

Carried Unanimously

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 26 JULY 2022 COMMENCING AT 10.00AM

5.11. RATES REBATE - NOT FOR PROFIT ENTITIES POLICY - JULY 2022

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr McKeown

That Council adopts the Rates Rebate – Not-for-Profit Entities Policy

Carried Unanimously

**5.12. CONTRACT WO5644 - REEF PARK PORT DOUGLAS STREET LIGHTING
PHASE 2**

Pieter Kleinhans, Coordinator Civil Operations

Moved Cr Noli

Seconded Cr Scomazzon

That Council resolves to:

1. *adoption of contract WO5644 – Reef Park, Port Douglas Stage 2 Streetlighting with I-LEC Group Pty Ltd ABN 28 654 627 344 to the value of \$286,088.00 (GST exclusive); and*
2. *delegate authority under s 257 of the Local Government Act 2009, for the Chief Executive Officer to negotiate, finalise and execute all matters associated with the Contract.*

Carried Unanimously

**5.13. TENDER FOR MOSSMAN WATER TREATMENT PLANT
ULTRAFILTRATION SYSTEM UPGRADE**

Wayne Kristalyn, Project Manager

Moved Cr Scomazzon

Seconded Cr McKeown

That Council:

awards Contract WO5658-001 – Mossman Water Treatment Ultrafiltration System Replacement to AquaManage Environmental Pty Ltd (ABN 18 151 268 156) for \$1,834,988.00 (GST exclusive) in separable portions over three financial years; and

delegates authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer.

Carried Unanimously

MEETING WITHDRAWAL

Cr Zammataro had informed the meeting that he has a prescribed conflict of interest for Agenda Item 5.14 (Tender for Smart Water Meters – Phase 2) as Cr Zammataro's brother-in-law, Robert Gusmeroli, is at present employed by Council in assembling a stage of this project.

As a result of Cr Zammataro's Conflict of interest, Cr Zammataro will be logging out of the meeting/MS Teams whilst the matter is considered and voted on.

Chair, Mayor Cr Kerr requested that the camera and audio connecting Cr Zammataro via MS Teams be disengaged at 10.37am.

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 26 JULY 2022 COMMENCING AT 10.00AM

5.14. TENDER FOR SMART WATER METERS - PHASE 2

Wayne Kristalyn, Project Manager

Moved Cr Scomazzon

Seconded Cr Noli

That Council:

1. *resolves to award Variation DSC-001 to Contract 2020-023 – Smart Water Meters Phase 2 to Taggle Systems Pty Ltd (ABN 64 126 467 847) for \$1,078,634.88 (GST exclusive); and*
2. *delegates authority under s 257 of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise and execute any and all matters in relation to this contract.*

Carried Unanimously

MEETING RE-ATTENDANCE

MS Teams camera and audio was re-engaged to allow Cr Zammataro to re-attend the meeting at 10.39am

6. NOTICES OF MOTION

Nil

7. URGENT BUSINESS

Nil

8. PETITIONS

Nil

9. CLOSED SESSION

Nil

10. MEETING CLOSURE

The meeting closed at 10.39am.

CONFIRMED THIS 30th DAY OF AUGUST 2022


.....
MAYOR/CHAIR