



DOUGLAS SHIRE COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

Tuesday 29 August 2023

ENSURING EXCELLENCE IN GOVERNANCE
ACCOUNTABLE AND TRANSPARENT DECISION-MAKING
INCLUSIVE ENGAGEMENT, PLANNING AND PARTNERSHIPS
CELEBRATING OUR COMMUNITIES



**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE
COUNCIL HELD ON TUESDAY 29 AUGUST 2023 COMMENCING AT 10:00A.M.**

Mayor Cr Kerr opened the meeting at 10:00am by welcoming everyone to the Ordinary Meeting of the Douglas Shire Council being held on 29 August 2023 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.

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.

**DOUGLAS SHIRE COUNCIL
ORDINARY MEETING
TUESDAY 29 AUGUST 2023
10:00AM
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1. ATTENDANCE & APOLOGIES

1.1. PRESENT

Cr Michael Kerr (Mayor), Cr Lisa Scmazzon (Deputy Mayor), Cr Peter McKeown (via video link), Cr Abigail Noli, Cr Roy Zammataro.

1.2. APOLOGIES

There were no apologies.

1.3. OFFICERS IN ATTENDANCE

Rachel Brophy (Chief Executive Officer), Lisa Golding (Manager People and Community Services), Tara Killeen (Chief Financial Officer), Paul Hoyer (Manager Environment and Planning), Peter White (Acting Manager Water and Wastewater), Pieter Kleinhans (Acting Manager Infrastructure), Maria Evans (Acting Manager Governance)(via video link), Natalie Crimmins (Senior Governance Officer), Kelly Dean (Mayoral and Councillor Support Officer), Marcus Wilson (Senior Media and Communications Officer), Tarren Woodhams (Digital Communications Officer), Sean O'Connor (Senior Procurement Officer), Brad Everett (Team Leader Biosecurity), Robert Latham (Project Manager).

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Cr Scmazzon informed the meeting that she has a declarable Conflict of Interest in Item 3.2 (Deputation – Douglas Chamber of Commerce 2023 New Management Committee) as Cr Scmazzon is a committee member of the Chamber of Commerce.

Although Cr Scmazzon has a declarable conflict of interest, Cr Scmazzon does not believe a reasonable person could have a perception of bias because it is a Deputation, and no decisions are made.

Carried Unanimously

Cr McKeown informed the meeting that he has a declarable Conflict of Interest in Item 3.2 (Deputation – Douglas Chamber of Commerce 2023 New Management Committee) as Cr McKeown has a direct family member who is on the Management Committee.

Although Cr McKeown has a declarable Conflict of Interest, Cr McKeown does not believe a reasonable person could have a perception of bias because it is a deputation only and no decisions are made and will leave this for the meeting to decide.

Carried Unanimously

Cr McKeown informed the meeting that he has a Declarable Conflict of Interest in Item 6.5 (Mowing Contracts – Port Douglas, Mossman, Daintree). A Director of Mossman Mowers Pty Ltd is a direct family member of Cr McKeown.

As a result of Cr McKeown's Conflict of Interest, Cr McKeown will leave the meeting while this matter is considered and voted on. As Cr McKeown is attending the meeting via video link, the video link will be muted.

3. DEPUTATIONS

3.1. DEPUTATION - CLIMATE PROJECTIONS BUREAU OF METEOROLOGY (BOM) FORECASTING WITH OUTLOOK OF APPROX 10-30YRS

The Bureau of Meteorology presented a climate briefing that focused on a regional forecast outlook for the next 10-30 years. The Bureau of Meteorology have utilised historical climate data for our region and trends and patterns to inform long term forecasting for our region.

Cr Kerr thanked the Bureau of Meteorology representatives for the presentation to Council.

3.2. DEPUTATION - DOUGLAS CHAMBER OF COMMERCE 2023 NEW MANAGEMENT COMMITTEE

Following the standing down of 8 committee members at their Annual General Meeting (AGM) in October 2022, the Douglas Chamber of Commerce committee has recently reformed with a new President and new committee members in place. The Douglas Chamber of Commerce committee wishes to present to Council their new committee members, direction and intentions.

Presentation points provided by the Chamber are as follows:

- New committee made up of 9 business owners/managers, plus Cr Lisa Scmazzon in an ex officio capacity – wish to understand if Council approval is required for this position.
- Membership now approx. 50 financial members following Extraordinary General Meeting (EGM) in June – looking to engage with members more frequently, e.g. with bi-monthly breakfast/lunch events with guest speakers – first one scheduled for 22 September 2023.
- Resource Performance Agreement (RPA) – no funds accessed since inception – expectations under the funding were not able to be delivered.
- Discussion around the RPA and refining the KPIs in order for the Chamber to access funding.
- Chamber direction – new committee looking to greater collaboration with Council (and Tourism Port Douglas Daintree) on matters of strategic importance to the Shire and advocacy.

Cr Kerr thanked the Douglas Chamber of Commerce representatives for the presentation to Council.

4. MAYORAL MINUTES

Nil

5. CONFIRMATION OF MINUTES OF COUNCIL MEETING

5.1. CONFIRM MINUTES - ORDINARY MEETING HELD 25 JULY 2023

Cr Kerr notes that an amendment be made in Item 7.1 Notice of Motion – Media Relations Policy. It states a Procedural Motion for a Point of Order occurred however it was an Out of Order Motion.

Moved Cr Noli

Seconded Cr Scomazzon

That the Minutes of the Ordinary Meeting held Tuesday 25 July 2023 be confirmed.

Carried Unanimously

6. OFFICERS REPORTS

6.1. FINANCIAL REPORTS JULY 2023

Moved Cr Scomazzon

Seconded Cr Noli

That Council notes the Statement of Comprehensive Income for July 2023.

Carried Unanimously

6.2. PROCUREMENT GENERAL POLICY REVIEW 2023-2024

Moved Cr Noli

Seconded Cr Scomazzon

That Council adopts the Procurement General Policy.

Carried Unanimously

6.3. QAO INTERIM AUDIT MANAGEMENT LETTER 2023

Moved Cr Kerr

Seconded Cr Scomazzon

That Council notes the observations contained within the Douglas Shire Council Interim Management Report to the Mayor (Observation Report) from the Queensland Audit Office for the 2022-2023 financial year.

Carried Unanimously

6.4. AMENDMENT TO FEES AND CHARGE SCHEDULE 2023-2024

Moved Cr Noli

Seconded Cr Scomazzon

That Council:

- 1. Adopts the proposed amendments to Schedule of Fees and Charges for the 2023-2024 financial year; and*
- 2. Delegates authority under s 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

MEETING WITHDRAWAL

Cr McKeown had declared a conflict of interest in Item 6.5 (Mowing Contracts – Port Douglas, Mossman, Daintree) and excluded himself from the meeting whilst the matter was being discussed and voted on. Cr McKeown's video link was muted at 10:35am

6.5. MOWING CONTRACTS - PORT DOUGLAS, MOSSMAN, DAINTREE

Moved Cr Zammataro

Seconded Cr Scmazzon

That Council resolves to:

- Award Contract 2024-006 – Port Douglas mowing area to Mossman Mowers Pty Ltd (ABN 17 637 496 685) for \$874,532.00 (GST exclusive)*
- Award Contract 2024-007 – Mossman mowing area to Douglas Shire Mowing Service (ABN 54 238 113 235) for \$338,960.00 (GST exclusive)*
- Award Contract 2024-008 – Daintree mowing area to Gary's Mowing and Slashing (ABN 15 842 161 995) for \$532,760.00 (GST exclusive)*
- 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 these contracts.*

Carried Unanimously

MEETING RE-ATTENDANCE

Cr McKeown's video link was un-muted and he re-attended the meeting at 10:37am.

6.6. TEMPORARY LABOUR HIRE LOCAL BUY REGISTER OF PRE-QUALIFIED SUPPLIERS LB273

Moved Cr Noli

Seconded Cr Zammataro

That Council:

1. *Resolves to procure temporary labour hire services via the Local Buy Register of Pre-Qualified Suppliers (RoPS) LGA Arrangement, LB273, for Temporary Labour Hire Services for the term 01 August 2023 – 30 June 2024.*
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 contractual arrangement.*

Carried Unanimously

6.7. 2024-011 FAR NORTH QUEENSLAND TRAFFIC CONTROL LOCAL BUY LGA ARRANGEMENT LB325

Moved Cr Scomazzon

Seconded Cr Noli

That Council:

1. *Resolves to enter into a Contract (#2024-011) with Far North Queensland Traffic Control for Traffic Management Services, under the Local Buy LGA Arrangement LB325.*
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 contractual arrangement.*

Carried Unanimously

6.8. COMMUNITY GRANTS POLICY AND FUNDING STREAMS

Moved Cr Noli

Seconded Cr Zammataro

That Council:

1. *Revokes Community Support Policy No. 5,*
2. *Revokes Grants, Donations and Sponsorship Policy No. 16,*
3. *Adopts the Community Grants and Support Policy No. 94,*
4. *Implements two new Community Grant Funding Streams – Community Facilities Grant and Community Activities and Events Grant to replace the current Major Grant Funding Stream, and*
5. *Delegates authority to the Chief Executive Officer under s 257 of the Local Government Act 2009, to finalise all associated matters.*

Carried Unanimously

6.9. ADOPTION OF TENURE POLICY

Moved Cr Scomazzon

Seconded Cr Kerr

That Council adopts the Tenure Policy.

Carried Unanimously

6.10. COUNCIL TO CEO DELEGATION UPDATE - LAND TITLE ACT 1994

Moved Cr Scomazzon

Seconded Cr Noli

That:

- 1. Council resolves to delegate, under s 257 of the Local Government Act 2009, the exercise of the powers contained in the attached Delegations Register – Council to the Chief Executive Officer, with such powers to be exercised subject to any limitations and conditions; and*
- 2. Any prior delegations of power relating to the same matters are revoked.*

Carried Unanimously

7. NOTICES OF MOTION

7.1. NOTICE OF MOTION - COOYA BEACH CRICKET PITCH

Moved Cr Kerr

Seconded Cr Noli

Cr Kerr gave notice of his intention to move the following motion at the Council meeting scheduled for Tuesday 29 August 2023.

“That Council commits to installing the practice cricket pitch nets at Cooya Beach.”

Moved Cr Kerr

Seconded Cr Zammataro

That Council investigates the installation of the practice cricket pitch nets at Cooya Beach and comes back to Council with full cost and location.

The proposed amendment to the motion was withdrawn by the Chair and the original motion was put to the vote.

Carried Unanimously

7.2. NOTICE OF MOTION - MEDIA RELATIONS POLICY AUGUST 2023

Moved Cr Noli

Seconded Cr Scomazzon

Cr Noli gave notice of her intention to move the following motion at the Council meeting scheduled for Tuesday 29 August 2023.

“That Council adopt the attached Media Relations Policy.”

PROCEDURAL MOTION

Moved Cr McKeown

Seconded Cr Kerr

That Item 7.2 Notice of Motion – Media Relations Policy August 2023 be deferred to the next Council meeting and be workshopped prior.

For Cr McKeown, Cr Kerr

Against Cr Zammataro, Cr Noli, Cr Scomazzon

Motion Lost

The original motion became the substantive motion and was put to the vote.

Moved Cr Noli

Seconded Cr Scomazzon

That Council adopt the attached Media Relations Policy.

For Cr Zammataro, Cr Noli, Cr Scomazzon

Against Cr Kerr, Cr McKeown

Carried

7.3. MOTION WITHOUT NOTICE – UPDATES TO COUNCILLORS FROM MAYOR

Tabled at the meeting by Cr Scomazzon

Cr Kerr deemed the motion out of order and won't be heard today.

Moved

Seconded

That the Mayor:

- 1. Updates Councillors weekly on all information/issues relating to the Shire,*
- 2. Inform Councillors prior of all travel outside of the shire which relates to Council business,*
- 3. The purpose of travel outside of the Shire,*
- 4. Include Councillors in the preparation of meetings that pertain to the Shire and allow any input from Councillors that they feel will be beneficial,*
- 5. Provides an update at each monthly Ordinary Council Meeting (OCM) to the public on what achievements have been made during this period.*

8. URGENT BUSINESS

Cr Scomazzon raised an urgent business item.

PROCEDURAL MOTION

Moved Cr Scmazzon

Seconded Cr Noli

As Deputy Mayor, Cr Scmazzon moved a Procedural Motion of a vote of no-confidence in the ability of the Chair to adequately chair the meetings.

For Cr Zammataro, Cr Noli, Cr Scmazzon

Against Cr Kerr, Cr McKeown

Carried

9. PETITIONS

Nil

10. CLOSED SESSION

Nil

11. MEETING CLOSURE

The meeting closed at 11:18am

CONFIRMED THIS 26TH DAY OF SEPTEMBER 2023.


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MAYOR/CHAIR