

5.9. RENEWAL OF TRUSTEE PERMIT - AUSTRALIAN VOLUNTEER COAST GUARD ASSOCIATION LOT 51 SP288958

REPORT AUTHOR(S) GENERAL MANAGER	Robert Donovan, Senior Property Officer Joanne Jacobson, A/General Manager Corporate Services
DEPARTMENT	Governance

RECOMMENDATION

That Council resolves to:

1. Offer a further trustee permit to the Australian Volunteer Coast Guard Association Inc. over land sited at Lot 51 SP288958 Wharf Street Port Douglas, for the purpose of operational and social congregation purposes in pursuit of the objects for which the Trustee Permit is constituted and for which the premises are suitable including continuous service in monitoring radio frequencies and conducting maritime search and rescue operations for all vessels in the Ellis Beach to Hope Islands and storage of flares and associated flammable materials:
 - a. for a term of 8 months commencing from 1 November 2017 and expiring on 30 June 2018
 - b. utilising the terms and conditions in Council's Standard Terms Document for Trustee Leases, registered under dealing numbers 71193233 & 713488911
2. Delegate authority to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* to finalise any matters associated with the execution of the Trustee Permit.

EXECUTIVE SUMMARY

Council has a Trustee Permit in place with the Australian Volunteer Coast Guard Association Inc. (AVCGA) for the provision of coast guard services based in Port Douglas and servicing an area from Ellis Beach to Hope Islands. This Permit expires on 31 October 2017.

Officers propose that Council enters into a new Trustee Permit with AVCGA effective from 1 November 2017 to 30 June 2018.

BACKGROUND

There has been an ongoing dispute between the volunteers of Flotilla QF10 (QF10) and its parent body, the AVCGA. Owing to the dispute, QF10 volunteers wish to join another affiliated organization that can provide the search and rescue functions, however AVCGA owns the assets of the search rescue service.

Council officers have been waiting on a direction from the Minister for Police, Fire and Emergency Services and Minister for Corrective Services regarding who is authorised to provide coast guard services in the Port Douglas area and who will provide these services in the future.

The Mayor has received correspondence from the Minister (attached) advising that he remains hopeful that the dispute can be resolved and a successful and an enduring solution achieved between both parties.

COMMENT

The proposed Permit will ensure the continuity of this essential service to the community while the dispute is unresolved. Once the dispute is resolved the Permit will be rescinded and a lease will be established.

PROPOSAL

To offer AVCGA a trustee permit commencing 1 November 2017 and expiring on 30 June 2018 or until such time as the dispute between QF10 and AVCGA is resolved, whichever is sooner.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Failure to issue a Permit could result in the discontinuation of this essential community service.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2014-2019 Initiatives:

Theme 2 - Building a Sustainable Economic Base

2.1.1 - Develop management plans for all Council assets and adequately resource their implementation.

Operational Plan 2017-2018 Actions:

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Asset-Owner	Meeting the responsibilities associated with owning or being the custodian of assets such as infrastructure.
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CONSULTATION

Internal:	A/General Manager Corporate Services & A/Chief Executive Officer
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External:	Nil
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COMMUNITY ENGAGEMENT

Nil

ATTACHMENTS

1. Letter from Minister Ryan re Coast Guard C 6124 04728-2017 **[5.9.1]**



Minister for Police, Fire and Emergency Services and Minister for Corrective Services

File No: QFS/14269
Ref No: 04728-2017
Your Ref: 822054 JFL:nb

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16 OCT 2017

Councillor Julia Leu
Mayor
Douglas Shire Council
Julia.Leu@douglas.qld.gov.au

Dear Mayor *Julia*

Thank you for your email of 20 July 2017 outlining concerns around the disruption to Coast Guard operations in the Douglas Shire.

I appreciate your concerns and asked Queensland Fire and Emergency Services (QFES) to contact you so that I can be better informed about the issues you have raised.

I understand that Regional Director Wayne Coutts and Assistant Commissioner (AC) Peter Jeffrey, State Emergency Service (SES) have been in contact with you on several occasions with regard to progress on this issue.

It was unfortunate that the Australian Volunteer Coast Guard Association (AVCGA) could not independently resolve the dispute with their local member but QFES was obliged under the Service Agreement to allow reasonable time for AVCGA to do so. I regret any delay.

I have been informed that you and AC Jeffrey participated in a meeting that was held in Port Douglas on 20 September 2017 and that the outcome of this meeting was to progress a plan with the aim of resolving the dispute between the volunteers of Flotilla QF10 and its parent body, the AVCGA. I remain hopeful that the plan can be successful and an enduring solution can be achieved. Nevertheless, I am pleased that a volunteer marine rescue service is once again available to the community of Port Douglas and surrounds.

I wish to thank you and your councillors for your participation and support during this period and especially during the meeting of 20 September 2017. AC Jeffrey has advised that your representation of the community's needs was key to achieving a way forward.

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Should you wish to discuss this matter in more detail, please contact AC Jeffrey, State Emergency Service, QFES on telephone 0417 893 948.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mark Ryan', with a long horizontal flourish extending to the right.

The Honourable Mark Ryan MP
**Minister for Police, Fire and Emergency Services and
Minister for Corrective Services**