



I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Wednesday, 23 January 2019
Time: 9.00 am
Location: Administration Centre
10 Furneaux Street
Cooktown

AGENDA AND BUSINESS PAPERS

Ordinary Council Meeting

23 January 2019

Linda Cardew
Chief Executive Officer

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1 AGENDA CONTENTS

2 ATTENDANCE

3 MEETING OPENED

4 APOLOGIES

5 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges the Traditional Owners of the land on which we meet today and pay respect to Elders past, present and emerging.

6 DECLARATIONS OF INTEREST

7 MAYORAL MINUTE

Nil

8 NOTICE OF BEREAVEMENT

9 CONFIRMATION OF MINUTES

Ordinary Meeting - 11 December 2018

10 BUSINESS ARISING

11 NOTIFIED MOTIONS

Nil

12 COUNCILLORS' REPORTS

12.1 COUNCILLORS MONTHLY REPORT

File Number:	D18/25551
Author:	Executive Assistant
Authoriser:	Linda Cardew, Chief Executive Officer
Attachments:	<ol style="list-style-type: none">1 Cr Scott (Mayor)2 Cr Holmes (Deputy Mayor)3 Cr Dessmann4 Cr Giese5 Cr Hale6 Cr Price7 Cr Wilson

PRECIS

Councillor monthly activity reports.

BACKGROUND/HISTORY

Each month Councillors report on their activities relating to their portfolios. An endorsement of the report is an endorsement of the attended and future activities. Not all activities will be listed in advance due to timing.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 3: Develop a clear communication plan to inform the workforce, community and elected members in order to achieve greater understanding of council decision making processes, policies, legislation and compliance requirements.

Objective 3c: The community is kept informed and is generally well satisfied with the overall leadership and strategic direction undertaken by Council.

CONSULTATION

Various groups as per individual reports.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil.

POLICY IMPLICATIONS

Expense Reimbursement Policy (Councillor).

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Operational Budget.

RECOMMENDATION

That the activities contained in the individual Councillors' monthly reports and travel requirements be endorsed by Council.

12.2 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

File Number: D18/25552
Author: Chief Executive Officer
Authoriser: Linda Cardew, Chief Executive Officer
Attachments: 1 Chief Executive Officer's Monthly Report

PRECIS

Chief Executive Officer's monthly report.

BACKGROUND/HISTORY

Each month the Chief Executive Officer reports on her activities. An endorsement of the report is an endorsement of the attended and future activities. Not all activities will be listed in advance due to timing.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 3: Develop a clear communication plan to inform the workforce, community and elected members in order to achieve greater understanding of council decision making processes, policies, legislation and compliance requirements.

Objective 3c: The community is kept informed and is generally well satisfied with the overall leadership and strategic direction undertaken by Council.

CONSULTATION

Various groups and community members as indicated in the attached.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Expense Reimbursement Policy.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Operational Budget.

RECOMMENDATION

That the activities contained in the Chief Executive Officer's monthly report and travel requirements be endorsed by Council.

13 EXECUTIVE SERVICES - REPORTS

13.1 COUNCILLOR REMUNERATION - LOCAL GOVERNMENT REMUNERATION AND DISCIPLINE REPORT 2018

File Number: D18/24881

Author: Executive Assistant

Authoriser: Eric Brown , Director Organisational Business Services

Attachments: 1 Local Government Remuneration and Discipline Tribunal Report 2018

PRECIS

On 30 November 2018, the Local Government Remuneration and Discipline Tribunal concluded its review of remuneration for mayors, deputy mayors and councillors of Local Governments as required by Chapter 8, Part 1, Division 1 of the *Local Government Regulation 2012*. The determination made by the Tribunal was to increase remuneration by 2.1%.

This report recommends that Council adopt this remuneration increase for the Mayor, Deputy Mayor and Councillors of the Cook Shire Council for the 2019/20 financial year.

BACKGROUND/HISTORY

The Local Government Remuneration and Discipline Tribunal was established under section 183 of the *Local Government Act 2009* (LGA) and is responsible for deciding the maximum amount of remuneration payable to councillors in each local government category.

The tribunal must, before 1 December of each year, and for each category of local government, decide the maximum amount of remuneration payable from 1 July of the following year to a mayor, deputy mayor or councillor of a local government in each category as per the *Local Government Regulation 2012* (LGR) section 244.

Council is required to decide before 1 July of each year, the remuneration payable to Councillors in the following year, if the Council does not wish to adopt the recommendation of the Tribunal.

In November 2018, the Tribunal released the 2018 report, which provided for remuneration for Councillors for the 2019/20 financial year. The report confirmed that the Cook Shire Council is a category 1 Council and recommended an increase in remuneration of 2.1%. The Tribunal's report is attached hereto.

On page four of the Tribunal's report, the Tribunal identified the information it considered in making its decision, quoted as follows: "

- *Increases in the Consumer Price Index (CPI) for the financial year ended 30 June 2018, as follows:*
 - *Weighted average of the eight capital cities +2.1 per cent*
 - *Brisbane +1.7 per cent (ABS June 2018)*
- *Increase to the Wage Price Index (WPI) for Australia over the year to March 2018 of 2.1 per cent (Fair Work Commission Annual Wage Review 2017-18, p 19);*
- *Increase in WPI for Qld of 2.25 per cent in 2017-18 and the forecast for 2018-19 is 2.5 per cent (Queensland Government Mid-Year Fiscal and Economic Review 2017-18);*

- *Decision of the Councillor Remuneration Tribunal (CRT) of the Brisbane City Council in November 2017 to recommend an increase of 2 per cent effective as of 1 July 2018;*
- *Recent decisions of the NSW Local Government Remuneration Tribunal Determination and Annual Report dated 17 April 2018 (a 2.5 per cent increase) , the Salaries and Allowances Tribunal of Western Australia determination dated 10 April 2018 (no increase) and the Victorian Government (2.0 per cent increase)”*

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 3: Develop a clear communication plan to inform the workforce, community and elected members in order to achieve greater understanding of council decision making processes, policies, legislation and compliance requirements.

Objective 3c: The community is kept informed and is generally well satisfied with the overall leadership and strategic direction undertaken by Council.

CONSULTATION

Payroll and Finance Teams.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Under section 247 of the *Local Government Act 2012 (QLD)*, a Local Government must pay remuneration to each councillor of the local government. Further, under section 247 (2) of the Act, the maximum amount of remuneration payable to a councillor under the remuneration schedule must be paid to the councillor, unless the local government, by resolution, decides the maximum amount is not payable to the councillor. In a resolution made under subsection (2), the local government must also decide the amount of remuneration payable to the councillor. The amount of remuneration decided under subsection (3) for each councillor must not be more than the maximum amount of remuneration payable to the councillor under the remuneration schedule. The amount of remuneration for each councillor, other than a mayor or deputy mayor, must be the same. The local government must make a resolution under subsection (2), for the remuneration payable from 1 July of a particular year, before 1 July of that year.

THE RECOMMENDATION BELOW IS IN LINE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 2012 (QLD). POLICY IMPLICATIONS

The proposed recommendation is in accordance with the Cook Shire Council, Councillor Remuneration and Expenses Reimbursement Policy which was adopted in July 2016.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

The new remuneration level determined by the Tribunal from 1 July 2019 is as follows:

Council Position	(\$ per annum)
Mayor	106,100
Deputy Mayor	61,211
Councillor	53,049

This amount will be incorporated in the new operational budget for the 2019/20 financial year.

RECOMMENDATION

That Council resolves to adopt the 2.1% increase in remuneration for the Mayor, Deputy Mayor and Councillors for the 2019/20 financial year as determined by the Local Government Remuneration and Discipline Tribunal.

13.2 REVIEW OF OPERATIONAL PLAN FOR 2018-2019 FINANCIAL YEAR - FIRST AND SECOND QUARTERS

File Number: D19/26
Author: Chief Executive Officer
Authoriser: Linda Cardew, Chief Executive Officer
Attachments: 1 Operational Plan 2018/2019

PRECIS

Review of progress for the 2018-2019 financial year Operational Plan.

BACKGROUND/HISTORY

Section 174 of the *Local Government Regulation 2012* requires that the Chief Executive Officer must present a written assessment of Council's progress towards implementing the annual operational plan at meetings of Council at regular intervals of not more than three months.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 1: Develop an achievable long term financial, resource and infrastructure plan to ensure ongoing capacity to fund operations and capital works programs that underpin council's long-term strategy to achieve financial sustainability.

Objective 1a: Council's long-term financial plan is compiled and linked to Council's Corporate and Operational Plans.

CONSULTATION

Executive Leadership Team.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Local Government Regulation 2012

POLICY IMPLICATIONS

Progression of the Operational Plan initiatives is in line with Council's strategic direction as detailed in the Cook Shire Council Corporate Plan 2017-2022.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Operational Plan must be consistent with Council's 2017-2018 Budget.

RECOMMENDATION

That Council note the assessment and review of the progress towards the implementation of the 2017-2018 Operational Plan as at January 2019.

13.3 DRAFT COMPETITIVE NEUTRALITY COMPLAINT MANAGEMENT POLICY

File Number: D19/108
Author: Acting Governance and Risk Manager
Authoriser: Eric Brown , Director Organisational Business Services
Attachments: 1 Draft competitive neutrality complaint management policy

PRECIS

Section 48 of the *Local Government Act* 2009 (the Act) requires a local government to adopt a process for resolving competitive neutrality complaints. A competitive neutrality complaint is a complaint that relates to the failure of a local government to conduct a business activity in accordance with the competitive neutrality principle. The complaint must be made by an affected person. An affected person is someone who competes with local government in relation to a business activity and is adversely affected by a competitive advantage enjoyed by the local government.

This report recommends adopting the attached draft competitive neutrality complaint management policy in order to comply with Section 48 of the Act.

BACKGROUND/HISTORY

Cook Shire Council recognises that an effective complaints management system is integral to delivering good customer service. The objective of the attached draft policy is to ensure that Council has a pro-active approach to dealing with complaints and that Council is compliant with Section 48 of the Act by adhering to the competitive neutrality principle.

The competitive neutrality principle is used when Council applies the Code of Competitive Conduct (Section 47 of the Act) to its business activity. Council must remove any competitive advantage or disadvantage where ever possible and promote efficient use of resources to ensure markets are not unnecessarily distorted. A Council business activity should compete with a private business on an equal footing and should not benefit from any net advantage due to being a local government.

Competitive neutrality 'net advantage or disadvantage' includes the areas of:

- Financial: where local government has an exemption from paying tax or is charged a different rate of interest.
- Regulatory: where local government has an exemption from complying with a requirement that is a regulation.
- Procedural: where a local government business does not have to supply the same information for a government approval process as a private sector business.

An affected person is a person who competes with the local government in relation to a business activity and claims to be adversely affected by a competitive advantage enjoyed by the local government, or a person who wishes to compete with the local government in a business activity and claims to be hindered from doing so by a competitive advantage enjoyed by local government.

Section 47 – Code of Competitive Conduct:

The Code of Competitive Conduct is prescribed and lists the business activities the code applies to. For example, 'roads activity' is a business activity that involves constructing or maintaining State roads. Council is required to apply the Code of Competitive Conduct when submitting a competitive tender for this business activity.

Complaints:

The attached draft policy outlines the process for an affected person to make a complaint about an alleged breach of competitive neutrality. Council will deal with the complaint as per Division 7, Part 2, Chapter 3 of the *Local Government Regulation 2012*. Council will adhere to an early resolution process and try to resolve the complaint made in writing by the affected person. If the complaint cannot be resolved Council will assist the Queensland Productivity Commission (QPC) to investigate and resolve the competitive neutrality complaint.

The Queensland Productivity Commission:

The QPC is the State Government independent economic review body established to review economic regulatory issues. The Commission can investigate a written complaint regarding competitive neutrality if it considers the complainant has made a genuine effort to resolve the complaint with the local government but the matter has not been resolved. The Commission will provide Council with an investigation report of its findings.

Council must allow any person to inspect the investigation report if requested to do so. Further, Council must keep a register of complaints and the outcome of any investigation.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 3: Develop a clear communication plan to inform the workforce, community and elected members in order to achieve greater understanding of council decision making processes, policies, legislation and compliance requirements.

Objective 3c: The community is kept informed and is generally well satisfied with the overall leadership and strategic direction undertaken by Council.

CONSULTATION

No consultation was required.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Council will be in breach of Section 48 of the Act if it does not adopt a competitive neutrality complaint management policy.

There is a degree of reputational risk to Council if the QPC produces an investigation report finding that Council has breached the requirement for competitive neutrality due to the report being a public document.

POLICY IMPLICATIONS

If adopted the attached draft policy would become Council policy.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

There are no financial implications in adopting a competitive neutrality complaint management policy.

RECOMMENDATION

That Council resolves to:

1. Adopt the attached draft competitive neutrality complaint management policy as Council's policy for dealing with competitive neutrality complaints as required by Section 48 of the *Local Government Act 2009*.

13.4 CODE OF CONDUCT FOR COUNCILLORS IN QUEENSLAND

File Number: D19/112
Author: Acting Governance and Risk Manager
Authoriser: Eric Brown , Director Organisational Business Services
Attachments: 1 Code of Conduct for Queensland Councillors

PRECIS

Under Section 150D of the *Local Government Act 2009* (the Act) the Minister for Local Government must make a Code of Conduct stating the standards of behaviour for Councillors in the performance of their responsibilities as Councillors. All Councillors are required to make a declaration of office under section 169 of the Act, and as part of that declaration Councillors must declare that they will abide by this Code of Conduct.

This report recommends that Council notes that the Code of Conduct for Queensland Councillors is the guiding document for Councillor behaviour and that Councillors are required by the Act to adhere to the behaviours set out in the Code.

BACKGROUND/HISTORY

Under recent changes to the *Local Government Act*, a new Mandatory Councillor Code of Conduct (the Code) was released, with the intention of enforcing higher standards of conduct in Local Government.

These reforms are intended to strengthen the transparency, accountability and the integrity of local government in Queensland.

The key changes made include:

- A uniform mandatory Code of Conduct for Councillors in Queensland;
- Model meeting procedures for meeting behaviour;
- A Model Investigation Policy for dealing with complaints against Councillors;
- The development of Model Standing Orders;
- Amendment of the publicly available councillor conduct register;
- Creation of the Office of the Independent Assessor; and,
- New annual report requirements.

The Code of Conduct and the associated obligations for Councillors commenced on 3 December 2018. Previously the Act had no requirement for a mandatory code of conduct.

At its Ordinary Council meeting of 11 December 2018 Council resolved to adopt Model Meeting Procedures, Model Standing Orders and a Model Investigation Policy. These three documents were created by the Department of Local Government, Racing and Multicultural Affairs as part of

local government reform for Councillor behaviour. These documents represent best practice guides for Council to assist in adhering to the Code for Queensland Councillors.

The introduction of a new uniform Code of Conduct will assist in efficiently making all Councillors aware of their obligations when carrying out their roles, responsibilities and obligations as elected representatives of their community. The Code and supporting documents outline a series of penalties for breaches, including complaints that fall into the following categories:

- Unsuitable meeting conduct
- Inappropriate conduct
- Misconduct
- Corrupt conduct

The newly created Office of the Independent Assessor will assess and investigate Councillor conduct complaints. Previously, complaints about Councillor conduct were assessed by the Chief Executive Officer (CEO) of the Department of Local Government, Racing and Multicultural Affairs or the CEO of the local government entity.

Code of Conduct:

By adhering to the behaviours set out in the Code Councillors will increase community confidence in Local Government and decisions made by Council. The Code provides a set of values that describe the types of conduct Councillors should demonstrate when performing their role as an elected representative, these are:

- Making decisions in the public interest
- Ensure effective and economical delivery of services
- Meaningfully representing the community
- Exercising good governance
- Meeting community expectations

The recently adopted Model Meeting Procedures, Model Standing Orders and Model Investigation Policy underpin these values by providing a prescriptive framework for Councillors to work within.

Consequences for failing to comply with the Code:

Failure to comply with the standards of behaviour prescribed in the Code may give rise to a complaint regarding a Councillor's conduct and possible disciplinary action under the Act. Potential corrupt conduct is defined by, and dealt with, under the *Crime and Corruption Act 2001*. This act provides for the criminal prosecution for the corrupt behaviour of Councillors.

Further information:

The Department of Local Government, Racing and Multicultural Affairs provides training for Councillors to assist them to develop an understanding of their roles and responsibilities as they relate to the Code of Conduct. Training can be arranged via the Acting Manager of Governance and Risk.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 3: Develop a clear communication plan to inform the workforce, community and elected members in order to achieve greater understanding of council decision making processes, policies, legislation and compliance requirements.

Objective 3c: The community is kept informed and is generally well satisfied with the overall leadership and strategic direction undertaken by Council.

CONSULTATION

No consultation was required.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Councillors are required as part of their declaration of office under section 169 of the Act to abide by the attached Code of Conduct.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

There are no financial implications.

RECOMMENDATION

That Council resolves to:

1. Note the Code of Conduct for Queensland Councillors, which came into effect on 3 December 2018 as part of recent amendments to the *Local Government Act 2012 (QLD)*.

14 CORPORATE AND COMMUNITY SERVICES - REPORTS**14.1 INVASIVE PLANTS AND ANIMALS ADVISORY COMMITTEE - DECEMBER 2018 MEETING AND PROPOSED CHANGES TO TERMS OF REFERENCE****File Number:** D19/276**Author:** Biosecurity Manager**Authoriser:** Eric Brown , Director Organisational Business Services**Attachments:** 1 Draft Minutes - Invasive Plants and Animals Advisory Committee Meeting - 05-12-2018_draft**PRECIS**

The Invasive Plants and Animals Advisory Committee (IPAAC) met on the 5th of December 2018. The minutes of this meeting are attached for noting by Council. Discussion and feedback after this meeting resulted in staff, in conjunction with the Chair of the Committee Councillor Wilson assessing the effectiveness of the current IPAAC structure, in particular the frequency, timing and location of meetings.

This review has resulted in a recommendation within this report for Council to consider proposing to the various attendees to amend the Terms of Reference of the committee to reflect this review.

BACKGROUND/HISTORY***Summary of meeting***

The 8th meeting of the Invasive Plants and Animals Advisory Committee (IPAAC) was held on the 5th of December 2018 at the Exchange Hotel, Coen. The meeting was chaired by Cr. Alan Wilson with the following attendees:

Name	Property/Organisation	Name	Property/Organisation
Alan Wilson	Chair/CSC Councillor	David Port	Lochinvar, Coen
Darryn Higgins	CSC Biosecurity Services	Katelyn Greaves	CSC Biosecurity Officer
Andrew Hartwig	CY Landcare/CYNRM		
Paddy Shephard	Lochinvar, Coen		
Nicola Ambrose	DNRME, Atherton		
Abby Ernst	CYNRM		

The following matters discussed at the meeting can be summarised as follows:

- The outcomes of actions raised at the previous meeting relating to weed spread by Department of Transport and Main Roads (TMR) contractors were presented. It is apparent that while TMR places several requirements on contractors to ensure weed hygiene no auditing or compliance activities are conducted to enforce these requirements. This initiated further discussion resulting in an action requiring both TMR and Ergon would be approached to request that random auditing of contractors be undertaken.
- Weed spread by Cook Shire Council contractors was also raised and it was determined to discuss this with the Shire Overseer.

- Several Coen specific issues were also raised including a reported *Sporobolus* spp. infestation at the cemetery depot, the emergence of grader grass at the truck stop south of Coen and the maiming and killing of cattle by both wild and domestic dogs at Lochinvar Station. Actions were developed to address each of these issues.
- Activities undertaken since the previous meeting were tabled and included an aerial shooting program undertaken by Cape York Weeds and Feral Animals Inc. targeting feral pigs and wild horses across several northern stations, conclusion of Council's vertebrate baiting program for 2018 and ongoing rubber vine management by the Department of Natural Resources, Mines and Energy.

Proposed changes to format of IPAAC

IPAAC was formed in 2017 to serve a variety of functions however its primary objective is to inform the development, implementation and annual review of the *Cook Shire Local Area Biosecurity Plan 2017-2021*.

It was initially envisaged that IPAAC would provide an opportunity for all stakeholders to contribute to this process however it has become apparent over the life of the committee that attendance is dominated by government employees. Private stakeholders, responsible for freehold and leasehold land parcels covering close to 75% of the Cook Shire's land mass, are poorly represented at these meetings and have historically made up less than 10% of attendees.

Proposed methods for improving engagement with landholders:

With regard to the objective of maximising the contributions received from non-government stakeholders it is perhaps necessary to recognise the size of the Cook Shire local government area, our low population density and the value of meetings such as IPAAC to various individuals. It is quite possible that many stakeholders would like to provide input but that this desire does not outweigh the costs, both opportunity and financial, of travelling to attend a meeting of limited value to them.

For this reason, the following suggestions have been made by which to improve engagement:

Use of surveys

One means of obtaining input while eliminating the burden of travel is the use of surveys. These can be despatched via email, made available on Council's website or provided in person by Biosecurity staff when attending properties. Stakeholders are able to complete the surveys in their own time and the option of contacting Biosecurity Services and providing more substantive feedback can be actively encouraged. This method was used in the original development of the *Cook Shire Local Area Biosecurity Plan 2017-2021*, could be readily adapted to suit annual reviews and is therefore recommended as a component of future engagement.

The purpose of these annual surveys will be to gather meaningful input to advise review of the *Cook Shire Local Area Biosecurity Plan 2017-2021* and develop future objectives. As the information gathered will be assessed by IPAAC it is clear that the committee should be involved in the development of these surveys. Thus, an additional recommendation is to include survey development and approval as a function of the committee within the Terms of Reference.

Biosecurity staff attendance at events such as Agforce

In order to complement the input received at IPAAC meetings and from surveys Biosecurity Services will maintain a presence at field days held within the local government area. Events such as the Agforce multi-topic field day held in Laura attract landholders from across Cape York Peninsula and provide an additional platform to promote awareness of, and seek feedback on, the

Cook Shire Local Area Biosecurity Plan 2017-2021. It is intended Biosecurity staff attending such events will serve a dual purpose by representing both Council and engaging on behalf of IPAAC.

Reducing the number of IPAAC meetings

Should the mechanisms by which stakeholder input is gathered be expanded the requirement for quarterly IPAAC meetings would be reduced. The number of meetings could be decreased relieving the burden on attendees while reducing the cost to Council and those that must allocate time to travel and attend. Further, if past trends in survey returns continue, feedback and input would be simultaneously increased enhancing the legitimacy of decisions made by the committee. At this point in time it will be proposed to reduce the frequency of meetings from quarterly to biannually. To provide context, neighbouring Councils such as Mareeba Shire Council and Douglas Shire Council hold one meeting annually to fulfil functions analogous to those undertaken by IPAAC.

Choosing locations for the IPAAC meetings

A move to biannual meetings requires a decision as to where the two remaining events will be held. Based on population density, accessibility and, most critically, past attendance it is proposed that Cooktown and Lakeland are selected to host future meetings. While this decision will result in both meetings being held in a relatively small pocket of Cook Shire's greater area, neither Coen nor Laura have traditionally attracted local attendees. It is intended that stakeholders unable to attend biannual meetings will be able to engage in decision making and provide feedback using the alternatives discussed above.

Improving the timing of IPAAC meetings

With regards to the timing of biannual meetings, as weed management is a core topic considered by IPAAC and this activity is at a peak during the wet season, it is recommended that meetings be scheduled before and after this period. The most appropriate timing for the meetings would fall in early November, when upcoming projects could be discussed, and late May when outcomes could be assessed. Review of the *Cook Shire Local Area Biosecurity Plan 2017-2021*, currently required by the Terms of Reference to be conducted in February, would best be suited to May under the new arrangements. As the facilities best suited to undertaking the annual review are located in Cooktown it is suggested that the May meeting be held at this location.

With regards to attracting additional stakeholders, it is possible that a reduction in the number of meetings may result in increased attendance as the pool of potential attendees would be concentrated at fewer events. In considering additional changes that may increase attendance it should be noted that many stakeholders are involved in private enterprise and unable to allocate time during business hours. To accommodate individuals in this circumstance it is suggested that the Lakeland IPAAC meeting be scheduled after hours to assess the effectiveness of evening meetings in expanding stakeholder participation.

In summary, it is proposed that the IPAAC Terms of Reference be amended at the next meeting to schedule two meetings annually, the first held during business hours in Cooktown in May at which the annual review of the *Cook Shire Local Area Biosecurity Plan 2017-2021* be conducted and the second after hours in Lakeland in November. It is further proposed that annual surveys be undertaken to obtain stakeholder input and that the development and approval of these surveys be included as a function of the committee.

LINK TO CORPORATE PLAN

Environmental Wellbeing:

Key Strategic Priority: Environment - Respect for the unique natural environment of the Cape, its history and the provision of sustainable, safe access for the enjoyment of the Cape's communities and visitors.

Strategy 4: Develop strategies to ensure a coordinated approach to the management and control of pest, weeds and feral and other biosecurity threats.

Objective 4a: Biosecurity Plan goals and objectives/plan priorities are resourced and implemented by investigation of all available options.

CONSULTATION

The proposed changes to the IPAAC Terms of Reference were initially considered following concerns raised by Cr Wilson with the Manager Biosecurity Services in December 2018. The proposals contained within the body of the report were developed using input by Cr Wilson and were further discussed by the Director of Organisational Business Services and the Manager Biosecurity Services. Feedback on the changes was also sought from the Regional Agricultural Landcare Facilitator, Andrew Hartwig, a long term IPAAC committee member.

It is intended that the proposed amendments to the IPAAC Terms of Reference be tabled for consideration and approval at the next IPAAC meeting to be held on the 28th February 2019.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

The *Cook Shire Local Area Biosecurity Plan 2017-2021* is a document mandated by the *Biosecurity Act 2014*. The purpose of IPAAC is to regularly review the *Cook Shire Local Area Biosecurity Plan 2017-2021* to ensure its content remains relevant and assess the various projects and programs contained therein.

POLICY IMPLICATIONS

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

If adopted the proposals will result in a modest reduction in expenditure by Biosecurity Services.

RECOMMENDATION

That Council resolve to:

1. Note the minutes of the Invasive Plants and Animals Advisory Committee (IPAAC) meeting held on the 5th of December 2018.
2. Support a recommendation being made to the next Invasive Plants and Animals Advisory Committee to amend the Terms of Reference of this committee to:
 - (a) Reduce the number of annual meetings from four (4) to two (2);
 - (b) Hold future IPAAC meetings in Cooktown and Lakeland;
 - (c) Schedule the Cooktown meeting during business hours in May;
 - (d) Schedule the Lakeland meeting after business hours in November;
 - (e) Move the annual review of the *Cook Shire Local Area Biosecurity Plan 2017-2021* from February to May; and,
 - (f) Include the development and approval of an annual survey as a function of the committee.

14.2 FINANCIAL STATEMENTS - DECEMBER 2018

File Number:	D18/25553
Author:	Director Organisational Business Services
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Attachments:	1 Statement of Comprehensive Income - December 2018
	2 Statement of Financial Position - December 2018
	3 Statement of Changes in Equity - December 2018
	4 Statement of Cash Flows - December 2018
	5 Capital Works Program - December 2018
	6 Operational Plan Initiatives - December 2018
	7 Revenue and Expenditure - December 2018

Precis

Presentation of the financial statements, revenue and expenditure, operational plan initiatives and capital works program for December 2018 as required under section 204 of the *Local Government Regulation 2012* (QLD). The report is presented for noting and indicates that Council is progressing satisfactorily against its current budget.

BACKGROUND/HISTORY

Each month, Council staff present a report on the overall position of Council through the financial statements, revenue and expenditure report, operational plan initiatives report and capital works program for the preceding month. The reports provide a summary of progress against the budget (or Operational Plan) for the financial year.

Statement of Comprehensive Income

The statement of comprehensive income identified that Council has received \$7.4M in recurrent revenue, out of a total recurrent revenue budget of \$23.5M. This is tracking behind expectations, due to the fact that a portion (\$5M) of the total financial assistance grant was received as an early payment and recognised as income in the 2017/2018 financial year. The 2018/2019 Budget assumes Council will again receive an early payment of the 2019/2020 grant in June 2019, but unfortunately this is something that is beyond Council's control. If this amount is not prepaid, this will result in a significant shortfall in grant revenue, which would be purely a timing issue.

The first rate levy has been raised and shows on the gross rates and charges line. The next levy is due in February 2019.

In respect of the recurrent expenses, Council has incurred \$14.2M out of the budget of \$31.9M; this is on track with expectations.

The sales revenue is mostly related to contract works performed on the Aurukun Road. Council holds a balance of \$1.2M for the Aurukun road works currently recognised as other liabilities which will move to sales revenue on completion of the works. This, combined with a further \$2.3million expected shortly, will bring sales revenue closer to the projected budget of \$4million.

Council's net operating result currently shows an operating deficit of \$6.8M.

The overall net result, which includes both capital revenue and expenses, shows a deficit of \$15.2M. This is attributed to:

- The Natural Disaster Relief and Recovery Arrangements (NDRRA) works commenced as represented in the capital expenses line, incurring \$23.6M in capital expenditure, which is offset by \$15.2M in capital revenue. The difference between these amounts relates to a \$6.3M prepayment of NDRRA in the 2017/2018 financial year. The timing of this prepayment will continue to affect the net result during the year.

Overall, due to the two unexpected prepayments in revenue listed above (the NDRRA and FAGS prepayments) Council is approximately \$11M worse off than what was expected at this point in the original budget for 2018-19. However, as indicated, this is a timing issue, due to a prepayment in revenue last financial year. Therefore, the revenue was received last year, meaning that Council is no worse off than expected, except for the fact that the revenue was recognised in last year. It is expected that a significant portion of this will be addressed with a further prepayment from FAGS towards the end of this financial year.

Statement of Financial Position

The increase in inventories (of \$1,686K) represents gravel that has not yet been issued. Once issued this will be treated as an expense.

Statement of Cash Flows

Council's cash position is showing at \$5.5M, which is a significant, but expected, reduction compared with the opening balance of \$22.1M. It is expected Council will expend cash on hand in the first half of the financial year as NDRRA works have commenced, and contractors are paid. There will be a time lag until Council is able to make progress claims.

Since this report has been generated QRA has made a payment of \$6.7 M for NDRRA works. This has not yet been reflected in these financial statements.

Council has a working capital facility of up to \$10M with Queensland Treasury to assist with cash flow demands of NDRRA works.

Revenue and expenditure

Overall Council's revenue and expenditure is tracking well against budget. There are some line items that require review and any concerns will be reported back to Council on an ongoing basis.

Operational plan Initiatives

Operational Plan initiatives may be grant funded or projects in addition to ordinary operational expenditure. They are included in the revenue and expenditure budget, but have been highlighted in a separate report so they can be more easily identified.

Capital Works Program

Council has a capital budget of \$14.271M, with \$7.6M expected to be grant funded; 32.87% of the capital budget was spent by the end of December. This expenditure includes outstanding commitments.

There are some capital items that have no budget. These works have been prioritised and it is expected that a budget will be reallocated from an existing capital budget. These unplanned

works would normally be approved by ELT or Council, as appropriate, prior to commencement. These items will be closely monitored and reported to Managers.

A column has been added to show the amended budget as a result of these discussions. We expect this will be the same as the original budget figure. At the moment the amended budget is \$54,449 higher than the original budget, but this will be funded from the maintenance budget. This related to expenditure incurred on plastic pipes that were burnt in the fires in the North of the Shire.

The Capital Works Program will be continually assessed to ensure the expenditure is able to be offset against other works.

For example the Asset Data Collection of Bridges, Major Culverts, Causeways will now be completed in-house with existing resources, therefore the \$100,000 set aside for this project will be able to be reallocated to unplanned works.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 1: Develop an achievable long term financial, resource and infrastructure plan to ensure ongoing capacity to fund operations and capital works programs that underpin council's long-term strategy to achieve financial sustainability.

Objective 1a: Council's long-term financial plan is compiled and linked to Council's Corporate and Operational Plans.

CONSULTATION

Executive Leadership Team, Managers, Relevant Operational Staff.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Local Government Regulation 2012 (QLD) in particular section 204, which states:

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report—
 - (a) if the local government meets less frequently than monthly—at each meeting of the local government; or
 - (b) otherwise — at a meeting of the local government once a month.
- (3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

Local Government Act 2009

POLICY IMPLICATIONS

There are no current policy implications that need to be considered within this report, the report is for noting. However, the following Council policies are relevant:

Investment Policy

Debt Policy

Revenue Policy

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

The report above identifies how Council is tracking against the adopted operational and capital budgets for the 2018-19 financial year. The report identifies that Council is tracking satisfactorily against the adopted budget at present; however, some budget items do require a review. The main concern highlighted in the report relates to the current cash position, due to the timing of funding receipts and expenditure related to the NDRRA works. However, it is noted that this concern is manageable, given the availability of a working capital facility through the Queensland Treasury Corporation.

RECOMMENDATION

That Council resolves to:

1. Note the financial report as required under section 204 of the *Local Government Regulation 2012* (QLD) for December 2018.
2. Note the revenue and expenditure statement for December 2018.
3. Note the operational plan initiatives report for December 2018.
4. Note the capital works program for December 2018.

14.3 COOKTOWN 2020 ADVISORY COMMITTEE DECEMBER 2018 MEETING**File Number: D19/328****Author: Administration Events Officer****Authoriser: Sally Eales, Manager Tourism****Attachments: 1 Cooktown 2020 Advisory Committee Meeting Minutes December 2018****PRECIS**

The Cooktown 2020 Advisory Committee is an advisory board, providing input to the development and creation of the proposed Cooktown 2020 Festival. The purpose of this Report is to table the Minutes and associated recommendations from the meeting held on the 3rd of December 2018.

BACKGROUND/HISTORY

The Cooktown 2020 Advisory Committee was established in 2014 to develop and coordinate the Cooktown 2020 celebrations and program of events. The committee is made up of a number of community key stakeholders, Traditional Owners and Cook Shire Council staff. The Advisory Committee is governed by the "Terms of Reference: *Cooktown 2020 Advisory Committee*, version 11." adopted by Cook Shire Council in November 2018.

Items covered at the meeting included:

- Mayor Peter Scott has been in communication with Damien Walker (Director-General of the Department of Innovation, Tourism, Industry Development and the Commonwealth Games), who has requested more information regarding Indigenous representation during the festival.
- At the time of the meeting, Merryn Hughes was preparing to meet with State Government representatives, including all Senior Director Generals, in the aim to secure festival specific funding for 2020, pitching the festival as not only a local Cooktown Festival but as a state event.
- The National Library wishes to continue to share and collaborate more as both Cook Shire, and the National Library plan for the upcoming 250th commemorations through the sharing of resources and cross promotion.
- Last year the National Trust of Australia (Queensland) had begun investigating the application process to heritage list the Reconciliation Rocks Precinct. Concerns were raised on its potential impact to the development of the site, should the heritage listing go ahead. That National Trust has promised to provide an update on this by the next meeting.
- Loretta Sullivan invited all committee members to Grassy Hill on Sunday the 9th of December at 5pm to share a toast to the Endeavour replica as it celebrates its 25th birthday, at 5.23pm.

LINK TO CORPORATE PLAN

*Key Strategic Priority: **Community*** - A sense of common purpose, whilst retaining local diversity, with goals and aspirations of individual communities reflected in local strategy and planning.

Strategy 2: Develop and build on community engagement measures to encourage inclusiveness and partnerships within communities

Objective 2a: Community engagement measures are developed and implemented

Strategy 4: Encourage vibrant and active community participation in arts, culture and natural heritage activities to enrich lifestyle and encourage tourism

Objective 4a: Visitors and locals are attracted to arts, cultural and heritage destinations within the Shire

Key Strategic Priority: Economy – Locality specific economic growth, appropriate to each community and the Shire as a whole.

Strategy 2: In partnership with local business, industry groups, economic and regional development organisations and neighbouring local governments continue to develop strategies to assist, strengthen, develop and promote existing and new businesses and industries.

Objective 2c: Tourist and visitor number

CONSULTATION

There has been consultation with the Cooktown 2020 Advisory Committee at its meeting on 3rd of December 2018.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

An allocation for festival related expenses was approved by Council in its 2018/19 budget.

RECOMMENDATION

1. That the minutes of the Cooktown 2020 Advisory Committee meeting held on 3rd December 2018 be noted.

15 INFRASTRUCTURE SERVICES - REPORTS

Nil

16 CONFIDENTIAL REPORTS

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Regulation 2012:

16.1 Amendment to Resolution 2018/240 - Exemption of Kerbside Collection Charges

This matter is considered to be confidential under Section 275(d) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

16.2 Tender T1218 - Supply and Delivery of Bulk Fuel (Aviation, Diesel and Unleaded)

This matter is considered to be confidential under Section 275(e) and (h) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by Cook Shire Council and business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

16.3 Request for input into the Racecourse Reserve (R109) Trusteeship and other matters

This matter is considered to be confidential under Section 275(g) and (h) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act and business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

16.4 Coastal Hazards Adaption Program (Qcoast2100) - Procurement approval for stages 3 to 8

This matter is considered to be confidential under Section 275(e) and (h) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by Cook Shire Council and business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

16.5 Legal Matter Update

This matter is considered to be confidential under Section 275(f) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with starting or defending legal proceedings involving Cook Shire Council.