



# **MINUTES**

**Ordinary Council Meeting**

**19 June 2019**

**MINUTES OF COOK SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN  
ON WEDNESDAY, 19 JUNE 2019 AT 9.00AM**

**1 AGENDA CONTENTS**

**2 ATTENDANCE**

**Cr Peter Scott (Mayor), Cr Robyn Holmes (Deputy Mayor), Cr John Dessmann, Cr John Giese, Cr Larissa Hale, Cr Kaz Price, Cr Alan Wilson, Linda Cardew (Chief Executive Officer), Eric Brown (Director Organisational Business Services), Lawrence Booth (Director Community, Economy and Innovation), David Klye (Director Infrastructure)**

**3 MEETING OPENED**

9.00am

**4 APOLOGIES**

Nil

**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

### 6.1 DECLARATION OF INTEREST - CR PETER SCOTT (MAYOR)

Cr Peter Scott (Mayor) declared a conflict of interest in Item [ 14.7], Rate Based Financial Assistance for Charitable Organisations Policy (as defined by *Local Government Act 2009*, section 175D) as follows.

I am Chairman of Cooktown Community Housing Association Inc. which is a charitable organisation.

I have determined that I will best perform my responsibility of serving the overall public interest of the whole of Council's area by not participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must now determine, pursuant to sections 175E (4) of the *Local Government Act 2009*:-

- a) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- b) if so whether :-
  - i) I must leave the meeting while this matter is discussed and voted on; or
  - ii) I may participate in the meeting in relation to the matter, including voting on the matter

### RESOLUTION 2019/109

Moved: Cr John Giese

Seconded: Cr Alan Wilson

Cr Peter Scott (Mayor) has a real or perceived conflict of interest in the matter and accordingly must leave the meeting room, including any place set aside for the public and stay away while this matter is discussed and voted on.

**CARRIED**

### 6.2 DECLARATION OF INTEREST - CR LARISSA HALE

Cr Larissa Hale declared a conflict of interest in Item [ 14.7], Rate Based Financial Assistance for Charitable Organisations Policy (as defined by *Local Government Act 2009*, section 175D) as follows.

I am Director of Yuku Baja Miluku Junior Rangers which is a Not for Profit charitable organisation.

I have determined that I will best perform my responsibility of serving the overall public interest of the whole of Council's area by not participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must now determine, pursuant to sections 175E (4) of the *Local Government Act 2009*:-

- c) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- d) if so whether :-
  - i) I must leave the meeting while this matter is discussed and voted on; or
  - ii) I may participate in the meeting in relation to the matter, including voting on the matter

**RESOLUTION 2019/110**

Moved: Cr John Giese

Seconded: Cr John Dessmann

Cr Larissa Hale has a real or perceived conflict of interest in the matter and accordingly must leave the meeting room, including any place set aside for the public and stay away while this matter is discussed and voted on.

**CARRIED**

**6.3 DECLARATION OF INTEREST - CR KAZ PRICE**

Cr Kaz Price declared a conflict of interest in Item [ 14.7], Rate Based Financial Assistance for Charitable Organisations Policy (as defined by *Local Government Act 2009*, section 175D) as follows.

I am Manager of Cooktown District Community Centre which is a Not for Profit charitable organisation.

I have determined that I will best perform my responsibility of serving the overall public interest of the whole of Council's area by not participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must now determine, pursuant to sections 175E (4) of the *Local Government Act 2009*:-

- e) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- f) if so whether :-
  - i) I must leave the meeting while this matter is discussed and voted on; or
  - ii) I may participate in the meeting in relation to the matter, including voting on the matter.

**RESOLUTION 2019/111**

Moved: Cr Alan Wilson

Seconded: Cr John Giese

Cr Kaz Price has a real or perceived conflict of interest in the matter and accordingly must leave the meeting room, including any place set aside for the public and stay away while this matter is discussed and voted on.

**CARRIED**

**6.4 DECLARATION OF INTEREST - CR JOHN GIESE**

Cr John Giese declared a conflict of interest in Item [ 14.14], John Street Oval - Works and Access Agreement (as defined by *Local Government Act 2009*, section 175D) as follows.

I am President of the Junior Rugby League Club which is a party to the agreement.

I have determined that I will best perform my responsibility of serving the overall public interest of the whole of Council's area by not participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must now determine, pursuant to sections 175E (4) of the *Local Government Act 2009*:-

- g) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- h) if so whether :-

- i) I must leave the meeting while this matter is discussed and voted on; or
- ii) I may participate in the meeting in relation to the matter, including voting on the matter.

**RESOLUTION 2019/112**

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

Cr John Giese has a real conflict of interest in the matter and accordingly must leave the meeting room, including any place set aside for the public and stay away while this matter is discussed and voted on.

**CARRIED**

**7 MAYORAL MINUTE****7.1 MAYORAL MINUTE - REINTRODUCTION OF POLLING BOOTHS AT COOKTOWN AND COEN AS WELL AS PRE-POLL POSTAL VOTING.****RESOLUTION 2019/113**

Moved: Cr Peter Scott (Mayor)

That Council resolves to advise the Minister for Local Government Racing and Multicultural Affairs, and the Electoral Commission Queensland that Council requests the Cook Shire March 2020 elections be conducted on the hybrid model of both polling booths in Coen and Cooktown and postal voting, at a cost to Council of approximately \$26,000.

**CARRIED**

**8 NOTICE OF BEREAVEMENT**

A minute's silence was observed as a mark of respect for those residents who passed away during the previous month.

**9 CONFIRMATION OF MINUTES****RESOLUTION 2019/114**

Moved: Cr Alan Wilson

Seconded: Cr John Giese

That the Minutes of the Ordinary Meeting held on 22 May 2019 be confirmed.

**CARRIED**

**10 BUSINESS ARISING**

Nil

**11 NOTIFIED MOTIONS**

Nil

**12 COUNCILLORS' REPORTS****12.1 COUNCILLORS' MONTHLY REPORT****RESOLUTION 2019/115**

Moved: Cr John Dessmann

Seconded: Cr Robyn Holmes (Deputy Mayor)

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

**CARRIED**

At 10.25am Council adjourned the meeting.

At 10.45am Council resumed the meeting.

**13 EXECUTIVE SERVICES - REPORTS****13.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT****RESOLUTION 2019/116**

Moved: Cr John Dessmann

Seconded: Cr Robyn Holmes (Deputy Mayor)

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

**CARRIED**

**13.2 CHANGES TO JULY COUNCIL MEETING DATE****RESOLUTION 2019/117**

Moved: Cr Larissa Hale

Seconded: Cr Alan Wilson

That Council resolves to:

1. Postpone the 17 July Ordinary Council Meeting until Monday 22 July 2019 and advertise the date change as required under Section 258 of the *Local Government Regulation 2012*.

**CARRIED**

**13.3 SPECIAL HOLIDAY NOMINATION 2020****RESOLUTION 2019/118**

Moved: Cr Kaz Price

Seconded: Cr John Dessmann

That pursuant to s. 257 of the Local Government Act Council delegates authority to the Chief Executive Officer to endorse the special holiday nomination for Cook Shire, being the Cairns Show Day, Friday 17 July 2020.

**CARRIED**

**14 ORGANISATIONAL BUSINESS SERVICES - REPORTS****14.1 FINANCIAL STATEMENTS - MAY 2019****RESOLUTION 2019/119**

Moved: Cr Alan Wilson

Seconded: Cr John Giese

That Council resolves to:

1. Note the financial report as required under section 204 of the *Local Government Regulation 2012* (QLD) for May 2019.
2. Note the revenue and expenditure statement for May 2019.
3. Note the operational plan initiatives report for May 2019.
4. Note the capital works program for May 2019.

**CARRIED**

**14.2 REVENUE POLICY FOR THE FINANCIAL YEAR 2019/2020****RESOLUTION 2019/120**

Moved: Cr Kaz Price

Seconded: Cr John Giese

That Council adopt the Revenue Policy for the financial year 2019/2020 as presented.

**CARRIED**

**14.3 INVESTMENT POLICY FOR THE FINANCIAL YEAR 2019/2020****RESOLUTION 2019/121**

Moved: Cr Alan Wilson

Seconded: Cr Kaz Price

That Council adopt the Investment Policy as presented for the financial year 2019/2020.

**CARRIED**

**14.4 DEBT RECOVERY POLICY FOR THE FINANCIAL YEAR 2019/2020****RESOLUTION 2019/122**

Moved: Cr John Dessmann

Seconded: Cr Kaz Price

That Council adopt the Debt Recovery Policy for the financial year 2019/2020.

**CARRIED**

**14.5 DEBT POLICY FOR THE FINANCIAL YEAR 2019/2020****RESOLUTION 2019/123**

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

That Council adopt the attached Debt Policy for the financial year 2019/2020.

**CARRIED**

**14.6 COUNCIL PENSIONER REMISSION SUBSIDY SCHEME POLICY FOR THE FINANCIAL YEAR 2019/2020****RESOLUTION 2019/124**

Moved: Cr Larissa Hale

Seconded: Cr John Giese

That Council adopt the attached Council Pensioner Remission Subsidy Scheme Policy for the financial year 2019/2020.

**CARRIED**

Cr Peter Scott (Mayor) delegated Cr Robyn Holmes (Deputy Mayor) as Chair.

At 11:55 am, Cr Peter Scott (Mayor) left the meeting.

At 11:55 am, Cr Larissa Hale left the meeting.

At 11:55 am, Cr Kaz Price left the meeting.

**14.7 RATE BASED FINANCIAL ASSISTANCE FOR CHARITABLE ORGANISATIONS POLICY****RESOLUTION 2019/125**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr John Dessmann

That Council adopt the Rate Based Financial Assistance Policy for the financial year 2019/2020.

**CARRIED**

At 12:06 pm Cr Peter Scott (Mayor) returned to the meeting.

At 12:06 pm Cr Larissa Hale returned to the meeting.

At 12:06 pm Cr Kaz Price returned to the meeting.

Cr Peter Scott (Mayor) resumed as Chair.

**14.8 FINANCIAL HARDSHIP POLICY FOR THE FINANCIAL YEAR 2019/2020****RESOLUTION 2019/126**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Alan Wilson

That Council adopt the Financial Hardship Policy for the financial year 2019/2020.

**CARRIED**



**14.9 CONCESSION FOR CONCEALED LEAKS POLICY FOR THE FINANCIAL YEAR 2019/2020****RESOLUTION 2019/127**

Moved: Cr John Giese

Seconded: Cr Alan Wilson

That Council adopt the Concession for Concealed Leaks Policy for the financial year 2019/2020.

**CARRIED****14.10 DISCOUNT ON LATE PAYMENT OF RATES POLICY FOR THE FINANCIAL YEAR 2019/2020****RESOLUTION 2019/128**

Moved: Cr John Giese

Seconded: Cr Alan Wilson

That Council adopt the Discount on Late Payment of Rates Policy for the financial year 2019/2020.

**CARRIED****14.11 HOME DIALYSIS CONCESSION POLICY****RESOLUTION 2019/129**

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Council adopt the Home Dialysis Concession Policy for the financial year 2019/2020.

**CARRIED****14.12 REQUEST FOR AN EXTENSION TO THE CURRENCY PERIOD FOR DEVELOPMENT PERMIT DA/3458 - MAKING A MATERIAL CHANGE OF USE FOR A SHOP (HARDWARE) AND RECONFIGURING A LOT (1 INTO 6 LOTS) AT 48 CHARLOTTE STREET COOKTOWN - LOT 201 ON C17915****RESOLUTION 2019/130**

Moved: Cr Larissa Hale

Seconded: Cr John Giese

That Council grant a four (4) year extension to the currency period for Development Permit DA/3458, until 23 September 2023.

**CARRIED****14.13 ENDORSEMENT OF AUDIT AND RISK COMMITTEE MINUTES****RESOLUTION 2019/131**

Moved: Cr Kaz Price

Seconded: Cr John Dessmann

That Council notes the Minutes of the Audit and Risk Committee Meeting of 3 June 2019.

**CARRIED**

At 12:26 pm Cr John Giese left the meeting.

**14.14 JOHN STREET OVAL - WORKS AND ACCESS AGREEMENT****RESOLUTION 2019/132**

Moved: Cr Alan Wilson

Seconded: Cr Kaz Price

That Council resolve to:

1. Enter into a Deed of Agreement for Works and Access with the State of Queensland acting through the Department of Housing and Public Works (Sport and Recreation) in the form attached at Annexure 1.
2. Delegate authority to the Chief Executive Officer pursuant to s257 of the *Local Government Act* to progress the proceedings in the Council's interests, including making any minor amendments to the Deed of Agreement and by returning the required documentation.

**CARRIED**

At 12:27 pm Cr John Giese returned to the meeting.

**14.15 COOKTOWN 2020 ADVISORY COMMITTEE MEETING MINUTES APRIL AND MAY 2019****RESOLUTION 2019/133**

Moved: Cr Larissa Hale

Seconded: Cr Kaz Price

That the Minutes from the Cooktown 2020 Advisory Committee meetings on 1<sup>st</sup> of April and 13<sup>th</sup> of May 2019 be noted.

**CARRIED**

At 12:30 pm Cr John Dessmann left the meeting.

At 12:32 pm Cr John Dessmann returned to the meeting.

At 12:35 pm Council adjourned the meeting.

At 1:15 pm Council resumed the meeting.

**15 INFRASTRUCTURE - REPORTS****15.1 ASSET MANAGEMENT STRATEGY AND PLANS****RESOLUTION 2019/134**

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

That Council:

1. Adopts the draft Asset Management Strategy and Asset Management Plans for Transport, Buildings, Water and Sewerage dated June 2019 attached; and
2. Delegates authority to the Chief Executive Officer pursuant to s.257 of the Local Government Act to approve any minor changes or adjustments that may be required to the Asset Management Strategy and the Asset Management Plans in order to finalise the documents.

**CARRIED**

**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 Quote Q4818 - Supply and delivery of office supplies and consumables**

This matter is considered to be confidential under Section 275(e) 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.

**16.2 Quote Q4118 - Supply & Delivery of Safety Products**

This matter is considered to be confidential under Section 275(e) 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.

**16.3 Q6018 - Management Agreement - Cooktown Long Term Day Care**

This matter is considered to be confidential under Section 275(e) 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.

**RESOLUTION 2019/135**

Moved: Cr John Dessmann

Seconded: Cr Alan Wilson

That Council moves into Closed Council.

**CARRIED**

At 1:47 pm Cr John Giese left the meeting.

At 1:48 pm Cr John Giese returned to the meeting.

**RESOLUTION 2019/136**

Moved: Cr John Giese

Seconded: Cr Alan Wilson

That Council moves out of Closed Council into Open Council.

**CARRIED**

**16.1 QUOTE Q4818 - SUPPLY AND DELIVERY OF OFFICE SUPPLIES AND CONSUMABLES****RESOLUTION 2019/137**

Moved: Cr Kaz Price

Seconded: Cr John Dessmann

That Council approve the award of a Preferred Supplier Arrangement to Far North Office Choice for the supply and delivery of office supplies and consumables for a period of twelve (12) months with a possible extension of a further twelve (12) months subject to satisfactory performance and continued need.

**CARRIED**

**16.2 QUOTE Q4118 - SUPPLY & DELIVERY OF SAFETY PRODUCTS****RESOLUTION 2019/138**

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

That Council delegate authority to the Chief Executive Officer pursuant to section 257 of the *Local Government Act 2009*, to approve the award of a preferred supplier arrangement to **TOTALLY WORKWEAR CAIRNS** for the supply and delivery of safety products for a period of twelve (12) months, followed by a further period of twelve (12) months, subject to continued need and satisfactory performance.

**CARRIED**

**16.3 Q6018 - MANAGEMENT AGREEMENT - COOKTOWN LONG TERM DAY CARE****RESOLUTION 2019/139**

Moved: Cr Alan Wilson

Seconded: Cr John Dessmann

That Council resolves:

1. It is satisfied that **Lady Gowrie Queensland** is the only supplier reasonably available to provide services to the required standard within the timeframe available to ensure continuity of service to the community and it would be impractical and disadvantageous to invite tenders for the interim period; and
2. In accordance with s.257 of the Local Government Act 2009, authority be delegated to Council's Chief Executive Officer to negotiate and execute an Agreement with Lady Gowrie Queensland on behalf of Council.

**CARRIED**

**The Meeting closed at 2:20 pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting to be held on 22 July 2019.**

.....  
**CHAIRPERSON**