



MINUTES

Ordinary Council Meeting

9 June 2020

**MINUTES OF COOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON TUESDAY, 9 JUNE 2020 AT 9.00AM**

1 AGENDA CONTENTS

2 ATTENDANCE

Cr Peter Scott (Mayor), Cr Robyn Holmes (Deputy Mayor), Cr Peter Burns, Cr John Dessmann, Cr Larissa Hale, Cr Ross Logan, Cr Marilyn Morris, Ms Linda Cardew (Chief Executive Officer), Mr Lawrence Booth (Director Community, Economy and Innovation), Ms Heather Kelly (Director Organisational Business Services), Mr David Klye (Director Infrastructure)

3 MEETING OPENED

9.00am

4 APOLOGIES

Nil and Requests for Leave of Absence

5 ACKNOWLEDGEMENT OF COUNTRY

On behalf of all Councillors, the Mayor acknowledged the Waymburr Warra people, Traditional Custodians of the land on which we meet today, and paid respects to their Elders past, present and emerging.

6 DECLARATIONS OF INTEREST

Nil

7 MAYORAL MINUTE

Nil

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 PREVIOUS MINUTES

RESOLUTION 2020/127

Moved: Cr Larissa Hale

Seconded: Cr Peter Burns

That the minutes of the Ordinary Meeting held on 19 May 2020 be confirmed.

CARRIED

10 BUSINESS ARISING

Nil

11 NOTIFIED MOTIONS

Nil

12 COUNCILLORS' REPORTS**12.1 COUNCILLORS' MONTHLY REPORTS****RESOLUTION 2020/128**

Moved: Cr John Dessmann

Seconded: Cr Marilyn Morris

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

CARRIED

13 EXECUTIVE SERVICES - REPORTS**13.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT****RESOLUTION 2020/129**

Moved: Cr John Dessmann

Seconded: Cr Marilyn Morris

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

CARRIED

The Mayor requested that the substantial additional hours of work undertaken by the Executive Leadership Team as a result of Covid-19, be noted.

13.2 APPOINTMENT OF COUNCILLOR PORTFOLIOS**RESOLUTION 2020/130**

Moved: Cr John Dessmann

Seconded: Cr Ross Logan

1. That Council endorse the Councillor appointments to portfolio areas for the 2020-2024 term; and
2. The portfolios may from time to time be amended or reallocated by Council.

CARRIED

13.3 REVIEW OF COOK SHIRE DISASTER MANAGEMENT PLAN**RESOLUTION 2020/131**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Larissa Hale

That, in accordance with the Disaster Management Act 2003 Section 57 (1), Council endorses the Cook Shire Disaster Management Plan 2019-2020.

CARRIED

14 COMMUNITY, ECONOMY AND INNOVATION - REPORTS**14.1 REVIEW OF COMMUNITY ENGAGEMENT POLICY****RESOLUTION 2020/132**

Moved: Cr John Dessmann

Seconded: Cr Robyn Holmes (Deputy Mayor)

That the revised Community Engagement Policy dated June 2020 be adopted by Council.

CARRIED

14.2 COOKTOWN EXPO 2020 - PROPOSED DATES AND NAME FOR 2021**RESOLUTION 2020/133**

Moved: Cr Marilyn Morris

Seconded: Cr Larissa Hale

It is recommended:

1. That Council approve the renaming of the postponed event to "Cooktown and Cape York Expo 2021 – The Rising Tide"; and
2. That Council approve the new dates of the event being 11 June to 20 June 2021.

CARRIED

15 ORGANISATIONAL BUSINESS SERVICES - REPORTS**15.1 REVENUE POLICY FOR THE FINANCIAL YEAR 2020/2021****RESOLUTION 2020/134**

Moved: Cr Peter Burns

Seconded: Cr Ross Logan

That Council adopt the Revenue Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.2 INVESTMENT POLICY FOR THE FINANCIAL YEAR 2020/2021**RESOLUTION 2020/135**

Moved: Cr John Dessmann

Seconded: Cr Larissa Hale

That Council adopt the Investment Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.3 DEBT RECOVERY POLICY FOR THE FINANCIAL YEAR 2020/2021**RESOLUTION 2020/136**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Larissa Hale

That Council adopt the Debt Recovery Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.4 DEBT POLICY FOR THE FINANCIAL YEAR 2020/2021**RESOLUTION 2020/137**

Moved: Cr Marilyn Morris

Seconded: Cr Ross Logan

That Council adopt the attached Debt Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.5 STATE AND COUNCIL PENSIONER REMISSION SUBSIDY SCHEME POLICY FOR THE FINANCIAL YEAR 2020/2021**RESOLUTION 2020/138**

Moved: Cr Larissa Hale

Seconded: Cr John Dessmann

That Council adopt the Council Pensioner Remission Subsidy Scheme Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.6 RATES RELIEF FOR CHARITABLE ORGANISATIONS POLICY 2020/2021**RESOLUTION 2020/139**

Moved: Cr Marilyn Morris

Seconded: Cr Peter Burns

That Council adopt the Rates Relief for Charitable Organisations Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.7 RATES RELIEF FOR RESIDENTIAL RATEPAYERS POLICY FOR THE FINANCIAL YEAR 2020/2021**RESOLUTION 2020/140**

Moved: Cr Ross Logan

Seconded: Cr Marilyn Morris

That Council adopt the Rates Relief for Residential Ratepayers Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.8 CONCESSION FOR CONCEALED LEAKS POLICY FOR THE FINANCIAL YEAR 2020/2021**RESOLUTION 2020/141**

Moved: Cr Marilyn Morris

Seconded: Cr Larissa Hale

That Council adopt the Concession for Concealed Leaks Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.9 ALLOWING DISCOUNT ON LATE PAYMENT OF RATES POLICY FOR THE FINANCIAL YEAR 2020/2021**RESOLUTION 2020/142**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Marilyn Morris

That Council adopt the Discount on Late Payment of Rates Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.10 HOME DIALYSIS CONCESSION POLICY 2020/2021**RESOLUTION 2020/143**

Moved: Cr Larissa Hale

Seconded: Cr Marilyn Morris

That Council adopt the Home Dialysis Concession Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.11 ENVIRONMENTAL LEVY POLICY 2020/2021**RESOLUTION 2020/144**

Moved: Cr Ross Logan

Seconded: Cr Larissa Hale

That Council adopt the Environmental Levy Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

15.12 PROCUREMENT POLICY**RESOLUTION 2020/145**

Moved: Cr John Dessmann

Seconded: Cr Peter Burns

That Council adopts the Procurement Policy dated 9 June 2020, for the financial year 2020/2021.

CARRIED

The Mayor suspended standing orders at 10.09am.

The Mayor resumed standing orders at 10.30am.

15.13 FINANCIAL STATEMENTS - MAY 2020**RESOLUTION 2020/146**

Moved: Cr Peter Burns

Seconded: Cr Ross Logan

That Council resolves to:

Note the financial report as required under section 204 of the *Local Government Regulation 2012* (QLD) for May 2020.

CARRIED

16 INFRASTRUCTURE - REPORTS**16.1 WAIVER OF APPLICABLE FEE FOR MULCH LOCATED AT MT TULLY****RESOLUTION 2020/147**

Moved: Cr Peter Burns

Seconded: Cr Marilyn Morris

That Council;

1. Waives the applicable fee for mulch from the current Mt Tully Stockpile, making it free of charge for hand-loading by residents effective immediately; and
2. Approves the limited provision of a Council owned machine and operator to load mulch from the current Mt Tully Stockpile on to residents vehicles at no cost to the residents.

CARRIED

17 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:

17.1 Tender PSA T9819 - Preferred Supplier Arrangement for the Transportation and Disposal of Bulk Waste

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.

17.2 Road Closure & Opening - Poison Creek Road

This matter is considered to be confidential under Section 275(e) and (g) 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 any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

17.3 Cameron Creek Electrification Scheme

This matter is considered to be confidential under Section 275(c) and (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 the local government budget and starting or defending legal proceedings involving Cook Shire Council.

RESOLUTION 2020/148

Moved: Cr Marilyn Morris

Seconded: Cr John Dessmann

That Council moves into Closed Session.

CARRIED

At 11.04am, Cr Robyn Holmes (Deputy Mayor) left the meeting, prior to the discussion of Item 17.2, stating that she intended to declare a conflict of interest when Council moved back into Open Session.

At 11.06am, Cr Robyn Holmes (Deputy Mayor) returned to the meeting.

At 11.06am, Mr David Klye (Director Infrastructure) left the meeting.

At 11.16am, Mr David Klye (Director Infrastructure) returned to the meeting.

RESOLUTION 2020/149

Moved: Cr John Dessmann

Seconded: Cr Larissa Hale

That Council moves out of Closed Session into Open Session.

CARRIED

17.1 TENDER PSA T9819 - PREFERRED SUPPLIER ARRANGEMENT FOR THE TRANSPORTATION AND DISPOSAL OF BULK WASTE**RESOLUTION 2020/150**

Moved: Cr Ross Logan

Seconded: Cr Peter Burns

That Council:

1. Approve the award of a preferred supplier arrangement for the transportation and disposal of bulk waste to **SPRINGMOUNT WASTE MANAGEMENT FACILITY** for a period of five (5) years with effect from July 1, 2020 at an annual cost of **\$352,560.00 excluding GST**; and
2. Delegate authority to the Chief Executive Officer, in accordance with section 257 of the *Local Government Act 2009 (QLD)*, the ability to execute the contract, negotiate and finalise minor administrative or financial amendments and approve any variations, if required.

CARRIED

DECLARATION OF INTEREST

I, Cr Robyn Holmes declare a conflict of interest in Item 17.2, (as defined by Local Government Act 2009, section 175D) as follows:

I am the owner of a property that is neighbouring the properties referred to in this matter.

I will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on.”

RESOLUTION 2020/151

Moved: Cr Larissa Hale

Seconded: Cr John Dessmann

That Councillors support Cr Holmes’ decision to declare a conflict of interest in this matter and leave the meeting while this matter is discussed and voted upon.

CARRIED

At 11.18am, Cr Robyn Holmes (Deputy Mayor) left the meeting.

17.2 ROAD CLOSURE & OPENING - POISON CREEK ROAD**RESOLUTION 2020/152**

Moved: Cr Larissa Hale

Seconded: Cr Peter Burns

That Council resolve to:

1. Formalise the proposed agreement between Council and the Landowner of Lot 12C153419 and Lot 13C153419 for Council to reimburse the DNRME road closure fees and to arrange and fund all survey costs of the road closure and opening in exchange for the Landowner gifting the land required to widen the Poison Creek Road Corridor; and
2. Agree to accept responsibility as road manager for the additional road reserve area on Poison Creek Road adjacent to Lot 12C153419; and
3. In accordance with section 257 of the Local Government Act 2009, authorise the Chief Executive Officer, to execute all documents and survey plans necessary to effect the agreement.

CARRIED

At 11.20am, Cr Robyn Holmes (Deputy Mayor) returned to the meeting.

At 11.20am, Mr David Klye (Director Infrastructure) left the meeting.

17.3 CAMERON CREEK ELECTRIFICATION SCHEME**RESOLUTION 2020/153**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr John Dessmann

That Council resolve the following:

1. Amend the Benefited Area to include Lot 39 C15716 from 1 July 2020.
2. Remove the exemption for Lot 1 SP1948464 and Lot 2 SP1948464 from 1 July 2020.
3. Council absorb the cost of the levy credit and refunds for Lot 1, and 2 and those amounts be credited to the loan balance.
4. Council absorb the uncollected levies which would have been collected were it not for the incorrect exemption for Lot 1 SP1948464 and Lot 2 SP1948464 and those amounts be credited to the loan balance.
5. The total cost of the Cameron Creek Electrification Scheme be recalculated to deduct the GST component.

CARRIED

At 11.23am, Mr David Klye (Director Infrastructure) returned to the meeting.

Prior to the closure of the meeting, Mr Klye advised Council of a correction to the cost of mulch provided verbally in relation to agenda Item 16.1.

The meeting closed at 11.24am.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 14 July 2020.

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CHAIRPERSON