

Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the Coen
Community Hall 28 Regent Street, Coen
19 October 2015

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1. ATTENDANCE

The Mayor, Cr PH Scott, Councillors, KG Price, GC Shephard, PL Johnson (by Teleconference), R Bowman, S Clark, Chief Executive Officer (T Cronin), Minute Officer (K Nicolaou).

MEETING OPENED

The Mayor, Cr PH Scott declared the meeting open at 1: 02pm on 2015.

APOLOGIES

Cr A Wilson

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Cr S Clark declared a possible conflict of interest in Item 5.11 as she is related to the persons and proposed to exclude herself from the meeting while the matter is debated and the vote is taken.

3. MAYORAL MINUTE

3.1	MAYORAL MINUTE - RADF ADVISORY COMMITTEE – APPOINTMENT OF NEW MEMBERS	
31097	<i>Report No. D15/19704 from Arts and Culture Officer</i>	

Mayor P Scott moved

That Council appoints Sarah Greaves, Joanne Ruben and Faewyn Eecen to the RADF Advisory committee and appoints Waratah Nicholls for a term of one year to the RADF Advisory Committee.

CARRIED

NOTICE OF BEREAVEMENT

Advice has been received of the passing of Milton Fiske, Robyn Veitch, William Baker and Ray Schilds,

As a mark of respect one minute silence was observed.

4. CONFIRMATION OF MINUTES

31098	CONFIRMATION OF MINUTES OF SPECIAL MEETING
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Cr Bowman moved; seconded Cr S Clark

That the minutes of the Special Meeting of 17 September 2015 be confirmed.

CARRIED

CONFIRMATION OF MINUTES

31099	CONFIRMATION OF MINUTES OF ORDINARY MEETING
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Cr R Bowman moved; seconded Cr S Clark

That the minutes of the Ordinary Meeting of 21-23 September 2015 be confirmed.

CARRIED

BUSINESS ARISING

Nil

COUNCILORS' REPORTS

Mayoral Activity Report – Cr Peter Scott

Date	Venue	Details	Outcome
17/9/15	Walker Bay	Restrictions onto private property	Owner to erect signs / barriers
21/9/15	Lions Park PCYC Chambers	Cardiac Challenge addresses Residents & ratepayers group	
23/9/15	Chambers	Food Sovereignty	Council strategy to promote
24/9/15	Chambers	Interagency Group	Crisis accommodation requirement
26/9/15	Home Rule	Open Wallaby Creek Festival	
28/9/15	Botanical Gardens	Milton Fiske funeral service	
29/9/15	Chambers	Crisis Accommodation project meeting	Letter to Premier
1/10/15	Chambers	Director Infrastructure Services interviews	
6/10/15	Waterfront	Advisory Comm. & inspection	
7/10/15	Lakeland Downs	Citizenship Ceremonies	9 new Aussies
8/10/15 – 10/10/15	Townsville	Economic Dev Mayoral Forum	Water, energy, transport, comms
12/10/15	Cairns	FNQROC & RRG	Appointed chair RRG
13/10/15	Cairns	CY Infrastructure Plan (PDR) District Disaster Mgmt Group	Priority works RFA alignment
15/10/15	Lions Hall Lakeland Roadhouse	Dept Local Govt Councillor info. ARENA & Conergy	15 attendees Solar project
16/10/15	Gungarde Hall	CY Family Centre graduates	Address

Upcoming Meetings

19/10/15	Coen	Community Council mtg
20/10/15	Musgrave & Pormpuraaw	
21/10/15	Kowanyama & Drumduff	
22/10/15	Western properties & Maytown	
25/10/15	PCYC	Get Ready
26/10/15	Walker Bay	Cleanup and road opening
27/10/15	Cairns	Cook Shire Community Renewables
30/10/15	Cairns	RDA FNQTS
5/11/15	Cairns	FNQ Economic Dev Summit
6/11/15	Hillcrest	QELA address
11/11/15	Cooktown	LDMG & Remembrance Day
17 /11/15	Ballarat	National Roads / transport conference

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**Cr Penny Johnson
Meetings**

Usual meetings with fellow Councilors and:

Date	Type / purpose	Who /where	Action
23-25	Ag production- food production in shire; availability and supply of local produce to local consumers; policy frameworks	Dr Nick Rose(Sustain – Australian Food Network); Kym Kruse(RegenAg); Councillopment & and EMT; Council Chambers	Future of food production and security, food trails & other opportunities in Cook Shire
23	Food network – structure and viability; Ag production- food production in shire; availability and supply of local produce to local consumers; viability for producers	Local Producers, Dr Nick Rose(Sustain – Australian Food Network); Kym Kruse(RegenAg); Gary Kerr(CSC Economic Development and Community Services Director; Beat & Sacha’s farm Endeavour Valley Road	Follow up reinvigoration of food network; supply and demand in local area; value adding; Farmers Market; food trail/ tourism opportunities
23	Cape York Local Marine Advisory Committee	Dr Nick Rose(Sustain – Australian Food Network); LMAC members and guests; The Italian Restaurant	Presentation to members on ag production practices and opportunities to contribute to improvements in health of the Great Barrier Reef through reduced sediment and nutrients reaching the GBR
24	Chamber breakfast meeting	Dr Nick Rose(Sustain – Australian Food Network); Kym Kruse(RegenAg), Chamber members	Opportunities in local Ag sector – supply locally, local economy
24	Finance reports- Northern Gulf	Review financial reports	Follow up on format for reporting to board

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25	Fair Food – the Documentary community film night Local Food- Local People – Regional sustainability	Dr Nick Rose(Sustain – Australian Food Network); Kym Kruse(RegenAg), community, councilors PCYC	Follow up – potential workshops and forums, workforce development/skills transfer, policy development, networks and pathways for supply of local produce
28	North Qld Local government Association executive meeting	Teleconference	Set date & location for 2016 annual conference; debrief 2015 conference hosted by Palm Island Aboriginal Shire Council
29	CSC Audit Committee meeting	Audit committee, CEO and CFO; Council Chambers	Review documents & financial statements; Set date for next meeting
1 October	Interview panel- Director Infrastructure Services	CEO, Mayor and self;	Successful candidate offered role- has not accepted; process to appoint Director to finalise asap(CEO)
6 /7	NGRMG	Governance committee	Follow up by phone
12	NRM plan review	NGRMG, Mareeba	Feedback to NRM planning officer;
12	ANGIC & NGMRG	Mareeba	Milestone progress update; IAS C&C submission discussion

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17/18	40 years of managing the GBR events; Local Marine Advisory Committee Chairs meeting Terms of reference; frequency and function of meetings; updates on state of the reef, plans of management, ongoing work by GBRMPA and other agencies	GBRMPA Directors & Chairs ;Mayors and VIPs Townsville (funded by GBRMPA)	Cape York LMAC Motion endorsed” to advise Federal Government of LMAC’s request to increase and expand support for innovative and sustainable agricultural practices”
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Constituent Representation/Meetings

Phone calls/ Discussions/ meeting	Letters/emails minutes	Action
Leanne Kruse, Workforce Development Officer(DAF)		Potential educational trip for local producers to Mareeba – site visits and information exchange; Work with CSC, Cape York NRM, RegenAg, AFSA(Dr Nick Rose)- Fair Food film, policy discussion, local food producers and broader community/ consumers
Barking Dogs- Harry Heath Close		Refer to ACO for action & information as to progress of complaint
Road Crossing near Rossville School- eroding and overgrown		Refer to works dept for adding to workplan
Letter of support- Lakeland Horse sports Assoc- grant application		Write and provide to President
IAS Culture and capability program		Information and Link sent for organization to follow up where appropriate
Show cause notice- local accommodation provider querying		Clarification from Waste Management Coordinator received and passed to business owner
Request for meeting with Mayor to discuss ILUA		Advise suitable date in November and venue

Other & future activities:

- Volunteered with Lakeland Horse Sports Assoc to run permitted bar at Wujal Wujal Rodeo; very successful community event.

Ongoing:

- Partial Shire drought declaration – liaising with DAF to effect this

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- Fair Food/ Ag production/ local supply and demand; future workshops/ activities/ initiatives
- Horse ride to raise awareness and funds for drought affected people/ communities which will be distributed through Gulf Horizons Foundation– potential support for Cook Shire and neighboring regions in the Gulf- date to be decided.
- Liaise with author of other LG’s Reconciliation Action Plan

October

3 Rodeo, Wujal Wujal
9-11 Working Equitation State Championships – Wondecla
17/18 Local Marine Advisory Committee Chairs meeting Townsville
19 Meeting with Shadow Minister for Health, Mark McArdle
19 Meeting with National Trust, Musuem and Reenactment Assoc
20-23 LGAQ Annual Conference Toowoomba
19-23 Council meeting in Coen and shire inspection tour

November

3-5 Cape York NRM AGM, Coen
23- 25 NGRMG AGM and combined board meeting with ANGIC(TBC); Cross Cultural Awareness Training

Regular NGMRG and Cape York NRM board and FAC meetings.

Cr Alan Wilson

Meetings

DATE	TYPE	PURPOSE	WHERE
6 October	Lakeland Progress Association	Community meeting	Chambers
6 October	Waterfront	Council	Chambers
8 October	Quinkan Regional Cultural Centre	Special meeting	Chambers
8 October	Laura interagency	Community	Chambers
14 October	Advisory Plastic bag and Container Scheme		Brisbane
19- 21	LGAQ		

Cr Glen Shephard

Constituent Representation/Meetings

	Phone calls/Discussion
	Equipment Previous Weeds and Feral program
	Salt water causeway

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Cr Sue Clark

Meetings

DATE	TYPE	PURPOSE	WHERE
21-22 September	Monthly Meeting	Cook Shire	Chambers
23 September	Food Sovereignty - Our role	Council	Chambers
6 October	Waterfront	Council	Chambers
15 October	Waste Committee	Council	Chambers
6 October	Residence & Rate Payers	General Meeting	Chambers

Events Attended (as Councillor or part thereof)

DATE	TYPE / PURPOSE	WHO / WHERE
23 September	Lunch with Dr Nick Rose	Council / invited guests
29 September	Launch of the Cancer Support Network	Lions Hall

Constituent Representation / Meetings

	PHONE CALLS/ DISCUSSIONS	LETTERS
	Bowls Club Roof	Emails

Russell Bowman

Meetings

Date	Type / purpose	Who /where
	General Council Meeting	
	CYLMAC (as Chair)	
	Food Sovereignty Dr Nick Rose	
	CDCC Board Meeting	
	Meet with Cairns Chamber of Commerce	in chamber Cooktown
	Waterfront meeting	
	Waste review meeting	

Events Attended (as Councilor or part thereof)

Date	Type / purpose	Who /where

Constituent Representation/Meetings

Date	Phone calls/ Discussions	Letters/ Minutes

Up Coming meetings

CYLMAC

5. AGENDA ITEMS

5.1	REQUEST TO EXTEND CURRENCY PERIOD FOR DEVELOPMENT PERMIT DA/2150 – RECONFIGURATION OF LOT 12 ON PLAN C17953 INTO THREE (3) LOTS	
31100	<i>Report No.AD2015/0003645 from Senior Town Planning Officer</i>	

Cr R Bowman moved; seconded Cr S Clark

That Council grants a further two (2) year extension to the currency period of the Development Permit for DA/2150, Reconfiguration of Lot 12 on Plan C17953 into three (3) lots, until 19 February 2018.

CARRIED

5.2	REQUEST FOR A NEGOTIATED DECISION - APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A HOUSE AND A UNDEFINED USE (BYB CULTURAL PLACE) AND A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (FOR 3 LEASE AREAS) AT SHIPSTON FLAT - LOT 7 ON SP189923 (DA/3285)	
31101	<i>Report No.D15/19140 from Reel Planning - Council's Planning Consultants</i>	

Cr P Johnson moved; seconded Cr K Price

That the request for a Negotiated Decision Notice by Bana Yarralji Bubu Incorporated C/- Aurecon Australasia Pty Ltd for Reconfiguring a Lot (3 New Lease Areas) and a Material Change of Use for a House and Undefined Use (BYB Cultural Place) over Lot 7 on SP189923 be approved subject to the conditions as set out in the recommendation in Report D15/19140.

CARRIED

5.3	REQUEST TO EXTEND CURRENCY PERIOD FOR DEVELOPMENT PERMIT DA/2476 – RECONFIGURATION OF LOT 1 ON PLAN RP808221, BLOODWOOD ROAD INTO FIVE (5) LOTS	
31102	<i>Report No.AD2015/0003653 from Senior Town Planning Officer</i>	

Cr K Price moved; seconded Cr G Shephard

That Council grants a two (2) year extension to the currency period of the Development Permit for DA/2476, Reconfiguration of Lot 1 on Plan RP808221 into five (5) lots, until 24th February 2018, to enable compliance.

CARRIED

5.4	CESSATION OF WASTE DISPOSAL ACTIVITIES AT LAURA LANDFILL; INTRODUCTION OF MANNED WASTE DISPOSAL FACILITY AND KERBSIDE REFUSE COLLECTION SERVICE	
31103	<i>Report No.D15/19251 from Waste Management Coordinator</i>	

Cr R Bowman moved; seconded Cr G Shephard

Council herein resolves to undertake the following actions and changes:

- 1) Cease any waste disposal activities at Laura landfill by June 30, 2016;
- 2) Convert Laura landfill site into manned waste transfer station by June 30, 2016;
- 3) Install two groundwater monitoring bores to monitor landfill impact of the groundwater;
- 4) Release funds from the environmental levy for installation of groundwater monitoring bores;
- 5) Introduce kerbside waste collection service to Laura Township by April 1, 2016;
- 6) Adequate consultation be undertaken with the community and commercial operators.
- 7) Fees for service provision to be charged from the commencement of service.

CARRIED

5.5	THE MAKING OF THE COOK SHIRE LOCAL LAWS 2015	
31104	<i>Report No. D15/19276 from Director of Planning & Environment October 2015</i>	

Cr K Price moved; seconded Cr R Bowman

That Council resolves to—

1. adopt the proposed local law making process, as detailed in the above report;
2. propose to adopt each of the model local laws listed in **Schedule 1**; and
3. propose to make each proposed subordinate local law listed in **Schedule 2**;
4. delegates authority to the CEO to make any minor amendments, variations, corrections as is deemed necessary;
5. repeal the local laws listed in **Schedule 3** upon the adoption of the model local laws in **Schedule 1**;
6. repeal the subordinate local laws listed in **Schedule 4** upon the adoption of the subordinate local laws listed in **Schedule 2**.
7. Pursuant to section 257 of the *Local Government Act 2009* (“the Act”), to delegate to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the *Local Government Regulations 2012* to decide—
 - (a) how the review of the proposed local laws and proposed subordinate local laws particularised in **Schedule 1** and **Schedule 2** for anti-competitive provisions (“the Review”) is to be conducted; and
 - (b) the matters with which the Review of the local laws and subordinate local laws particularised in **Schedule 1** and **Schedule 2** must deal;
 - (c) the consultation process and how the process is to be used in the Review.

CARRIED

5.6	REVENUE AND EXPENDITURE –SEPTEMBER 2015	
31105	<i>Report No. D15/19054 from Director of Corporate Services October 2015</i>	

Cr R Bowman moved; seconded Cr K Price

That the Revenue and Expenditure Statements for September 2015 be adopted

CARRIED

5.7	WATERFRONT ADVISORY COMMITTEE MINUTES 10 OCTOBER 2015	
31106	<i>Report No.D15/19235 from Chief Executive Officer</i>	

Cr S Clark moved; seconded Cr R Bowman

That the minutes of the Waterfront Advisory Committee meeting held on 6 October 2015 be received.

CARRIED

COMMITTEE OF THE WHOLE

5.8	COMMITTEE OF THE WHOLE	
31107		

Cr R Bowman moved; seconded Cr K Price

That council resolve into Committee of the Whole at 2:11pm to discuss Audit Committee minutes and Council Resolution.

COMMITTEE OF THE WHOLE

5.9	COMMITTEE OF THE WHOLE	
31108		

Cr P Johnson moved; seconded Cr K Price

That Council revert to the ordinary meeting of Council at 2:17pm after discussing the Audit Committee and Council Resolution.

5.10	AUDIT COMMITTEE – MINUTES 29 SEPTEMBER 2015	
31109	<i>Report No.D15/19232 from Executive Assistant</i>	

Cr K Price moved; seconded Cr P Johnson

That the minutes of the meeting of the Audit Committee are received and the recommendations of the Committee contained therein be adopted.

CARRIED

MEETING WITHDRAWAL

Cr S Clark declared a possible conflict of interest in Item 5.11 and withdrew from the meeting at 2:11pm.

5.11	STATUS OF COUNCIL RESOLUTION (#25875) 16-17 JULY 2007 TO AMEND THE PLANNING SCHEME	
31110	<i>Report No.D15/19281 from Director of Planning & Environment October 2015</i>	

Cr R Bowman moved; seconded Cr K Price

That Council resolves to –

1. advise the Clark's that they have the opportunity to make a fresh submissions, preferably supported, as part of the forthcoming Draft Planning Scheme 2015 public consultation period:
2. hereby rescinds, and repeals the Council Resolution number 25875, for the following reasons, as set out below:
 - a. the subject resolution is understood to be not lawfully actionable by the Council or its CEO, neither at the time it was Carried, nor at the present time.
 - b. To pursue or action the subject resolution, would be in contrary to the necessary consideration of State Interests, and Public Consultation, and the rights of other land owners, as detailed in the Integrated Planning Act 1997.

CARRIED

MEETING RE-ATTENDANCE

Cr S Clark resumed her seat in the meeting at 2:19pm.

Meeting closed 2:55pm.

Cr P Scott
Mayor