

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
Administration Building, 10 Furneaux Street Cooktown  
18, 19, 20 January 2016**

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**1. ATTENDANCE:**

The Mayor, Cr PH Scott, Councillors A Wilson, KG Price, GC Shephard, PL Johnson, 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 9:10am.

**APOLOGIES:**

**2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST**

Cr S Clark declared a possible conflict of interest in item 4.1 as she has a made a submission through her business interest. As this is only a small part of the item Cr S Clark remained in the meeting during discussion and excluded herself during the vote.

**NOTICE OF BEREAVEMENT:**

Advice has been received of the passing of Kristian Parkes.

As a mark of respect one minute silence was observed.

**3. CONFIRMATION OF MINUTES**

3.1	<b>CONFIRMATION OF MINUTES OF ORDINARY MEETING</b>
31171	

Cr P Johnson moved; seconded Cr S Clark

That the minutes of the Ordinary Meeting of 15 December 2015 be confirmed.

CARRIED

**BUSINESS ARISING:**

## **COUNCILLORS' REPORTS**

### **Mayoral Activity Report – Cr Peter Scott**

<b>Date</b>	<b>Venue</b>	<b>Details</b>	<b>Outcome</b>
12/1/16	Office teleconference Town Ambulance stn	Cairns District Disaster Mgmt Group  CMHCA RV area proposal  LAC AGM	Neutral weather patterns. Low rain this month Will progress  Elected Chair
13/1/16	Office	Election / referendum additional workload on PO	Lobbying LGAQ & AP Look at partial Postal Vote next election.
14/1/16	Office	EMT Organisational review	HR Mgr. P&E redistribution
15/1/16	Chambers	Contractors, plant hire mtg.	Dry Hire eligibility

### **Upcoming Meetings**

26/1/16 PCYC	Australia Day celebrations
28/1/16 Chambers	Interagency
8/2/16 Cairns	Regional Development Australia FNQTS

### **Cr Sue Clark**

<b>DATE</b>	<b>TYPE</b>	<b>PURPOSE</b>	<b>WHERE</b>	
10/12/15	Risk Management	Cook Shire	Chambers	
14-16/12/15	Monthly Meeting	Cook Shire	Chambers	
4/12/15	DIS Interviews	Cook Shire	Chambers	
15/01/16	Contractors Meeting	Cook Shire	Chambers	Emails sent to Cr Johnson
16/12/16	Monthly Meeting	CAN Group	Community Health	

### **Meetings**

### **Events Attended (as Councillor or part thereof)**

<b>DATE</b>	<b>TYPE / PURPOSE</b>	<b>WHO / WHERE</b>
18/12/15	Christmas Carols Fundraiser	Swimming Club

### **Constituent Representation / Meetings**

<b>DATE</b>	<b>PHONE CALLS/ DISCUSSIONS</b>	<b>LETTERS</b>
14/1/16	2 <sup>nd</sup> Meeting with Jola George re Aged Care Facility for Cooktown	
5/01/16	1 <sup>st</sup> Meeting with Jola George re Lacking of Aged Care Facilities in Cooktown	Phone calls and emails
5/01/16	NBN Concerns	
	Various emails about the new plant tenders	Emails sent to Cr Johnson

## Cr Penny Johnson

### Meetings & events

Date	Type / purpose	Who /where	Action
16 Dec	Christmas visit- Sunbird & Retirement units	Councillors & CEO visiting residents	
16 Dec	Turtle release- Archer Point	Community and Yuku Baja Muliku rangers	
16 Dec	Interview candidate for DES	CEO, Councilors & candidate	Recommend offer of appointment
17 Dec	Mayoral awards- annual recognition of contributions made by all staff	Staff, Mayor CEO,	
21 Dec	Fair Food & food sovereignty- follow up for 2016 activities	Director ED & CS, Council office	Follow up primary producer knowledge exchange; blockers to production & viability- ED & CS to work with Cooktown Food Connect on model & opportunities to progress
2 Jan	Amazara Quest- cruise ship visit	Visitors from US, Spain, Australia, UK & elsewhere	Welcome & show around town
12 Jan	Rural Debt and Drought taskforce	Panel chaired by Robbie Katter; affected and interested parties; DAF Peters St Mareeba	Provide a supplementary submission following on submission made on 9 Jan; Highlight issues for resilience of Councils- activation of LDMG to manage/ guide response; equitable access to secondary and tertiary education and training;
15 Jan	Tender and contractor meeting- information	Civil contractors, CEO, Risk & Governance Manager, relevant staff	

### Constituent Representation/Meetings

Phone calls/ Discussions/ meeting	Letters/emails minutes	Action
Potential Local government election candidate		Provide info on roles, duties, relevant legislation( Local Government Act etc)
	Mud issue- Waterfront construction site	Refer to project manager and relevant officers for response
	Correspondence between contractor & Council re changes to tender arrangements	Received for information and consideration

### Other & future activities:

#### Ongoing:

- Partial Shire drought declaration – check situation with landholders; follow up post recent rain
- Fair Food/ Ag production/ local supply and demand; future workshops/ activities/ initiatives
- MOU development with Bicentennial National Trail Association & Douglas Shire – to be investigated and progressed

## Cr Kaz Price

### Meetings

Date	Type / purpose / venue
14-15 December	December General Council Meeting
16 December	Interview candidate for DES
17 December	Cape York Family Therapy Centre – familiarization
22 December	District Human and Social Recovery Meeting

### Events Attended (as Councilor or part thereof)

Date	Type / purpose	Who /where
16 December	Christmas visit- Sunbird & Retirement units	
17 December	Blue Water Club Meeting - Kiosk	

### Constituent Representation/Meetings

Date	Phone calls/ discussions	Letters/ minutes	Councilor requests/ Outcomes
	Waterfront residents		
	Bloomfield resident – access, options for wharf going forward		
	Contractors re: tender outlines		

### Coming up:-

- Australia Day Celebration PCYC
- Cooktown Interagency
- Meeting Cape York NRM
- TCYHHS
- LDMG
- Internal Audit Committee Meeting

## Cr Russell Bowman

### Meetings

Date	Type / purpose	Who /where
	General Council Meeting	
	Cooktown Chamber of commerce meeting	
	Waterfront meeting	
	Interview candidate for DES	
	Risk Management meeting	

### Events Attended (as Councillor or part thereof)

Date	Type / purpose	Who /where
	Christmas visit- Sunbird & Retirement units	

## Constituent Representation/Meetings

Date	Phone calls/Discussions	Letters/Minutes

### Up Coming meetings

- 20-01-16 CDCC Board Meeting
- 02-02-16 Risk Management meeting

### Cr Alan Wilson

- 5<sup>th</sup> Jan Attended Lakeland Progress Association meeting in-company with Council Staff CEO Tim Cronin and Director Garry Kerr , who gave a presentation.
  - On the Councils position relating to a feasibility study on the development of a major irrigation dam in the Lakeland Area in the future. This information was well received by the attendance. Further discussion was had relating to the soil test to be conducted by Council on the 20<sup>th</sup> Jan. On the sports reserve.
  - 8<sup>th</sup> Jan conducted a Get Ready Queensland Bush Fire preparedness Quiz in the Laura Community.

### Cr Glen Shephard

#### Meetings

Date	Type / purpose	Who /where
	General Council Meeting	
	Cooktown Chamber of commerce meeting	
	Waterfront meeting	
	Interview candidate for DES	
	Risk Management meeting	

#### Events Attended (as Councillor or part thereof)

Date	Type / purpose	Who /where
	Christmas visit- Sunbird & Retirement units	

## Constituent Representation/Meetings

Date	Phone calls/ Discussions	Letters/ Minutes
	Tender for Wet Hire of equipment	
	Contractors or staff to have time off during the Laura Races and the Bramwell Cup. The events run on consecutive weekends	

The meeting was adjourned for morning tea at 10:07am and resumed at 10:37am.

#### 4. AGENDA ITEMS

##### MEETING WITHDRAWAL

Cr S Clark declared a possible conflict of interest in Item 5.1 and withdrew from the meeting at 12:55pm.

4.1	<b>REPORT ON SUBMISSIONS RECEIVED DURING PUBLIC NOTIFICATION OF THE DRAFT COOK SHIRE COUNCIL PLANNING SCHEME</b>
31149	<i>Report No.D16/432 from Council's Planning Consultants Reel Planning Pty Ltd</i>

Cr K Price moved; seconded Cr P Johnson

1. That Council resolve to proceed with the recommended changes identified above to update the draft Cook Shire Council Planning Scheme.
2. That Council authorise the Chief Executive Officer to approve any recommended changes to the draft Cook Shire Planning Scheme as a result of the reviews identified above.

CARRIED

##### MEETING RE-ATTENDANCE

Cr S Clark resumed her seat in the meeting at 12:57pm.

4.2	<b>APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR INDUSTRY (STORAGE FACILITY) AT 18 FOYSTER DRIVE, LAKELAND - LOT 216 ON RP881059 (DA/3513)</b>
31150	<i>Report No.D16/307 from Council's Planning Consultant – Reel Planning</i>

Cr A Wilson moved; seconded Cr G Shephard

That Council issue an approval for the development application submitted by Supply & Resources Pty Ltd c/- Planz Town Planning Pty Ltd for a Material Change of Use for Industry (Storage Facility) 17 Foyster Drive, Lakeland (Lot 216 on RP881059), subject to the conditions set out in Report D16/307.

CARRIED

The meeting was adjourned for lunch at 1:05pm and resumed at 2:05pm on 19 January 2016.



4.3	<b>APPLICATION FOR RENEWAL OF TERM LEASE 0/210238 ON LOT 52 ON PLAN BS65; 73 BOUNDARY STREET, COOKTOWN: PARISH OF COOK; LOCALITY OF COOKTOWN.</b>
31151	<i>Report No.D16/00194 from Land Tenure Officer File No. 2.155.2</i>

Cr S Clark moved; seconded Cr R Bowman

The Department of Natural Resources and Mines be advised that Council has no issue in relation to the renewal of the lease for a further term subject to the same terms and conditions as attached to the existing lease, particularly A39 (1), (2), (4), (5), (6), (7); H115; and U32.

However, given that the lease land is being leased in conjunction with adjoining freehold land (Lot 5 on Plan C17941) and its use is for residential purposes, Council considers freehold to be the most appropriate tenure and supports the conversion of Term Lease 0/210238 to freehold.

Further, there are no known local non-indigenous cultural heritage values within this lease.  
CARRIED

4.4	<b>PROPOSED CREATION OF RESERVE FOR STRATEGIC LAND MANAGEMENT PURPOSES AND APPOINTMENT OF TRUSTEES OVER UNALLOCATED STATE LAND BEING LAND ABOVE HIGH WATER MARK, WEBBER ESPLANADE COOKTOWN; DESCRIBED AS LOT 2 ON DRAWING CNS16/003.</b>
31152	<i>Report No.D16/582 from Land Tenure Officer File No. 2.169.07.</i>

Cr K Price moved; seconded Cr G Shephard

The Department of Natural Resources and Mines be advised that Council hereby accepts the conditions of offer as set out in letter dated 14 January 2016 in relation to the proposed creation of Reserve for Strategic Land Management Purposes and appointment of trustees over unallocated State land being land above high water mark, Webber Esplanade Cooktown, depicted as Lot 2 on submitted Plan CNS16/003.

CARRIED

4.5	<b>DELEGATION OF AUTHORITY FOR SEVERAL PROJECTS DURING LOCAL GOVERNMENT CARETAKER PERIOD.</b>
31153	<i>Report No.D16/734 from Land Tenure Officer.</i>

Cr A Wilson moved; seconded Cr K Price

That Council delegate's authority to the Chief Executive Officer during Council's caretaker mode to progress all requirements - native title negotiations; requirements of offer from the State for the creation of reserves and freehold tenure; negotiation of lease agreements; progression of tenure of land requirements;

- Reclamation/Webber Esp – Offer from State for creation of reserve.

- L82 BS246 – Cooktown Blue Water Fishing Club Special Lease 48713 – negotiate and progress with Cooktown Blue Water Fishing Club, and the State.
- Water Lease (Lot 3 SP154666) – Council’s application for lease over water area
- Proposed Laura Waste Water Disposal System Upgrade within L200 CP907233 – application to purchase -
- Lot 87 BS181 Reserve for Local Government (Aged Persons Home) – acquisition by Council to freehold.
- Active Native Title claims; Ankamuthi People (QUD6158/1998); Gudang Yadhaykenu People (QUD269/2008); Kaurareg People #2 (QUD267/2008), and Cape York United No. 1 (QUD673/2014).

CARRIED

4.6	<b>NATURE'S POWERHOUSE ADVISORY COMMITTEE</b>
31154	<i>Report No.D16/278 from Director Economic Development and Community Services</i>

Cr R Bowman moved; seconded Cr A Wilson

That Council endorses the recommendations of forming the Nature's Powerhouse Advisory Committee, adopt the Terms of Reference and Guidelines and appoint Council's representative onto the Committee with the following amendments to the Advisory Committee that two community members be appointed with the Cafe Operator and the James Cook Museum be ex-officio. That Cr Kaz Price is the Council Representative and therefore the Chair of the committee with Mayor Peter Scott as the proxy.

CARRIED

4.7	<b>2020 ADVISORY COMMITTEE MINUTES AND AMENDMENT OF TERMS OF REFERENCE AND GUIDELINES</b>
31155	<i>Report No.D16/270 from Director Economic Development and Community Services</i>

Cr K Price moved; seconded Cr G Shephard

That Council endorses the recommendations of the 2020 Advisory Committee December 2015 minutes and adopt the revised Terms of Reference and Guidelines with the following amendments that a representative from the Nature’s Powerhouse Advisory Committee becomes a member.

And acknowledge the prior work of the Cooktown Re-enactment Association.

CARRIED

4.8	<b>REVIEW OF SPONSORSHIP MANAGEMENT POLICY</b>
31156	<i>Report No.D16/382 from Director Economic Development &amp; Community Services</i>

Cr P Johnson moved; seconded Cr S Clark

Council adopt the Sponsorship Management Policy and that the responsibility of managing Council's sponsorship arrangements rest with Executive Services.

CARRIED

4.9	<b>REVIEW OF GRANTS POLICY</b>
31157	<i>Report No.D16/331 from Director of Economic Development &amp; Community Services</i>

Cr A Wilson moved; seconded Cr P Johnson

Council adopt the revised Grants Policy as per Appendix 2 in Report D16/331.

CARRIED

4.10	<b>ECONOMIC DEVELOPMENT PLAN 2016 - 2020</b>
31158	<i>Report No.D16/379 from Economic Development Officer</i>

Cr R Bowman moved; seconded Cr S Clark

Recommendation that the Cook Shire Council adopt the Economic Development Plan 2016 - 2020 with yearly reviews and updates on status of projects.

CARRIED

4.11	<b>REVENUE AND EXPENDITURE –DECEMBER 2015</b>
31159	<i>Report no. D16/385 from Director Corporate Services</i>

Cr G Shephard moved; seconded Cr S Clark

That the Revenue and Expenditure Statements for December 2015 be adopted

CARRIED

4.12	<b>WATERFRONT ADVISORY COMMITTEE MINUTES 14 DECEMBER 2015</b>
31160	<i>Report No. D16/253 from Chief Executive Officer</i>

Cr P Johnson moved; seconded Cr R Bowman

That the minutes and resolutions of the Waterfront Advisory Committee meeting held on 14 December 2015 be received.

CARRIED

## COMMITTEE OF THE WHOLE

Local Government Regulation 2012

Chapter 8 Administration

Part 2 Local government meetings and committees s275 Closed meetings

The meeting is closed to discuss

(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss—

(d) rating concessions;

(e) contracts proposed to be made by it;

(h) other 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.

## COMMITTEE OF THE WHOLE

4.13	<b>MOVED INTO COMMITTEE OF THE WHOLE</b>
31161	

Cr A Wilson moved; seconded Cr R Bowman

That Council resolve into Committee of the Whole at 3:35pm to discuss water concession, commercial in confidence tender arrangements, Land Tenure, land acquisition, policy review.

4.14	<b>MOVED OUT OF COMMITTEE OF THE WHOLE</b>
31162	

Cr A Wilson moved; seconded Cr R Bowman

That Council revert to the Ordinary meeting at 4:30pm after discussing water concession, commercial in confidence tender arrangements, Land Tenure, land acquisition, policy review.

4.15	<b>WATER CONCESSION</b>
31163	<i>Report No.D16/435 from Director Corporate Services</i>

Cr S Clark moved; seconded Cr R Bowman

That Council grant a concession for water consumption charges to the value of 50%.  
CARRIED

4.16	<b>PANEL OF PREFERRED SUPPLIERS</b> P0115 – Pre-Printing Stationery & Marketing Materials P0215 & P0915 Irrigation Products & Services & Pump Maintenance & Renewal P0315 – Wholesale Electrical Goods P0415 – Treelopping & Vegetation Removal P0515 & P1315 – Pressure Cleaning and/or External Window Cleaning & Commercial Cleaning P615 – Building Maintenance P0715 – Road Transport Cairns to Cooktown Return P0815 – Air Conditioning Servicing & Maintenance P1415 – Transport of Liquid & Regulated Waste
31164	<i>Report No.D16/293 from Senior Administration Officer</i>

Cr A Wilson moved; seconded R Bowman

Council endorse the following Panel of Preferred Suppliers:

CARRIED

4.17	<b>T0415 - CONTRACT FOR TRAVEL AGENCY SERVICES</b>
31165	<i>Report No.D16/310 from Senior Administration Officer</i>

Cr S Clark moved; seconded Cr A Wilson

That Council endorses the contract for travel and agency services to Flight Centre Business Travel.

CARRIED

4.18	<b>CONTRACTURAL MATTER - CONTRACT T0315 - CONTRACT FOR THE TRANSPORT AND DISPOSAL OF COOKTOWN WASTE IN NEIGHBOURING MUNICIPALITIES</b>
31166	<i>Report No.D15/22045 from Waste Management Coordinator</i>

Cr A Wilson moved; seconded Cr P Johnson

1. Council resolves to award Contract T0315, separable portion 3, Transport, Disposal and Treatment of Kerbside and Bulk Waste to Springmount Waste Management facility for a two (2) year period commencing March 2, 2016 with the option for a further two (2) year extension.
2. Council resolves to award Contract T0315, separable portion 4, Disposal of Asbestos to Springmount Waste Management facility for a two (2) year period commencing March 2, 2016 with the option for a further two (2) year extension.

CARRIED

4.19	<b>COOKTOWN AGGREGATION - SECTION 16 EVALUATION – PROPOSED EXTENSION TO MT COOK NATIONAL PARK; MAHMIE PEAK PROPOSAL; KEATINGS LAGOON; ST GEORGE PEAK AND ENDEAVOUR RIVER NATIONAL PARK EXTENSION.</b>
31167	<i>Report No.D16/00413 from Land Tenure Officer File No. 2.9.31; 2.72.34; 2.85.13, 27, 92, 97, 105, 110, 111, 118, 119, 120 and 139; 2.408.2; 2.417.01.</i>

Cr R Bowman moved; seconded Cr G Shephard

Council instructs the Chief Executive Officer to negotiate for reciprocal benefit.

And Subject to the identification of the test bore site and access to site.

CARRIED

4.20	<b>PROPOSED ACQUISITION BY COUNCIL TO FREEHOLD TITLE OVER OPERATIONAL RESERVE DESCRIBED AS LOT 87 ON PLAN BS181; RESERVE FOR LOCAL GOVERNMENT PURPOSES ( AGED PERSONS HOME) - FOR THE PURPOSE OF DEALING WITH COMMUNITY AGED CARE UNITS AND PROPOSED PRIVATE RETIREMENT VILLAGE.</b>
31168	<i>Report No.D16/00311 from Land Tenure Officer File No. 2.85.121.</i>

Cr K Price moved; seconded Cr A Wilson

Council make application to the Department of Natural Resources and Mines for a Deed of Grant over Operational Reserve being Lot 87 on Plan BS181, Reserve for Local Government Purposes (Aged Persons Home) R231, for the purpose of dealing with community aged care units and to enable both residential and community aged care facilities to service the aging population within Cooktown surrounds, and Hope Vale and Wujal Wujal areas and approve expenditure costs as offer may be received during caretaker mode.

CARRIED

4.21	<b>RISK MANAGEMENT COMMITTEE – MINUTES 10 DECEMBER 2015</b>
31169	<i>Report No. D16/234 from Chief Executive Officer</i>

Cr S Clark moved; seconded Cr P Johnson

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

CARRIED

4.22	<b>LEASING POLICY REVIEW</b>
31170	<i>Report No.D15/22975 from Business Services Manager</i>

Cr P Johnson moved; seconded Cr S Clark

Council adopt the amendments as proposed to the Leasing Policy.  
CARRIED

Meeting closed at 4:50pm.