

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

CONTENTS

ATTENDANCE:.....	1
MEETING OPENED.....	1
APOLOGIES:	1
NOTICE OF BEREAVEMENT:.....	1
CONFIRMATION OF MINUTES	1
CONFIRMATION OF MINUTES OF ORDINARY MEETING.....	1
BUSINESS ARISING:	1
CHIEF EXECUTIVE OFFICERS MONTHLY REPORT.....	2
ENGINEERING SERVICES.....	10
ANNAN RIVER PROJECT – ACQUISITION AND INSTALLATION OF HYDRO TURBINE	10
PLANNING AND ENVIRONMENT	11
ASSUMPTION OF THE CAPE YORK WEEDS AND FERAL ANIMALS PROGRAM.	11
LAND TENURE.....	14
PROPOSED PERMANENT ROAD CLOSURE AND ROAD OPENING OF UNNAMED ROAD – ANNAN RIVER - WITHIN LOT 14 ON PLAN SP189921.	14
PROPOSED ROAD OPENING AND ROAD CLOSURE – JOWALBINNA ROAD – WITHIN ESCORT CREEK PASTORAL HOLDING PH14/4838 DESCRIBED AS LOT 198 ON PLAN SP207018 AND LAURA RACECOURSE RESERVE DESCRIBED AS LOT 3 ON PLAN MS11.	19
APPLICATION FOR CONVERSION OF SPECIAL LEASE 43/53204 OVER LOT 4 ON CROWN PLAN CP866939 TO A PERTETUAL LEASE - HAGGERSTONE ISLAND: PARISH OF GRENVILLE; LOCALITY OF SHELBURNE.	22
APPLICATION FOR CONVERSION OF TERM LEASE TO FREEHOLD OVER LOT 5 ON PLAN KA835479 – STRATHHAVEN STATION (INGLEBY PASTORAL HOLDING): PARISH OF INGLEBY.	27
APPLICATION FOR CONVERSION OF TERM LEASE 215287 TO FREEHOLD OF LOT 29 BK808310; AMENDMENT OF TERM LEASE 215287 TO EXCLUDE LOTS 27, 29, 30 BK808310; CREATION OF COMMUNITY PURPOSE RESERVE OVER LOTS 27, 30 BK808310 WITH COOK SHIRE COUNCIL AS TRUSTEE: FRONTING UNNAMED ROAD AND MINKE ROAD.....	34
ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES	41
COOKTOWN 2020 PROJECTS AND EVENTS – ASSUMING A COORDINATING ROLE AND ESTABLISHING AN ADVISORY COMMITTEE TO COUNCIL	41
COEN ADVISORY COMMITTEE - MINUTES	51

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

CORPORATE SERVICES	58
FINANCE	58
REVENUE AND EXPENDITURE – AUGUST 2014	58
ADMINISTRATION	60
WATERFRONT ADVISORY COMMITTEE.....	60
APPLICATION FOR A LOCAL GOVERNMENT CHANGE – MINOR BOUNDARY CHANGE LOCKHART RIVER ABORIGINAL SHIRE COUNCIL – LOT 2 ON PLAN WMT26.....	64
APPLICATION FOR A LOCAL GOVERNMENT CHANGE – MINOR BOUNDARY CHANGE LOCKHART RIVER ABORIGINAL SHIRE COUNCIL – LOT 6 ON PLAN WMT54 – LINE HILL.....	68
COMMITTEE OF THE WHOLE	71
COMMITTEE OF THE WHOLE	71
LAND TENURE.....	71
APPLICATION TO RENEW TERM LEASE SL 14/48713 BEING LOT 82 ON PLAN BS246 – RESERVE FOR RECREATION (GAME FISHING CLUB): WEBBER ESPLANADE, COOKTOWN.....	71
NATIVE TITLE DETERMINATION APPLICATION QUD157/11 – NORTHERN CAPE YORK GROUP #1: CATEGORY 1; PROPOSED SECTION 87 AND DRAFT CONSENT DETERMINATION – CONSIDERATION OF SEVERAL CLAUSES.....	72
CORPORATE SERVICES	72
FINANCE	72
REQUEST FOR REBATE OF WATER CHARGES	72
ASSESSMENT 10010890	72
REQUEST FOR REBATE OF WATER CHARGES	73
ASSESSMENT 10004430	73
REQUEST FOR REBATE OF WATER CHARGES	73
ASSESSMENT 10009058	73
REQUEST FOR REBATE OF WATER CHARGES	73
ASSESSMENT 10011096	73
REQUEST FOR REBATE OF WATER CHARGES	73
ASSESSMENT 10003564	73
RATES – WRITE OFF AND REFUND OF RATES – ASSESSMENT 10041077.....	74
WRITE OFF OF WATER CHARGES – FAULTY METER – ASSESSMENT NO. 10011112.....	75
ADMINISTRATION	75
SHORT TERM LEASE OR MANAGEMENT AGREEMENT BY TENDER T0714 – COOKTOWN FAMILY MARTIAL ARTS	75
FINANCE	75

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

RATES – REQUEST FOR HARDSHIP – ASSESSMENT 10002954, 10002962, 10004950.....	75
LAND TENURE.....	76
NATIVE TITLE DETERMINATION APPLICATION QUD6023/02 – WUTHATHI, KUUKU YA’U AND NORTHERN KAAJUNU PEOPLE (BROMLEY PASTORAL HOLDING): CATEGORY 2A; REVIEW SECTION 87 AND DRAFT CONSENT DETERMINATION AND CONSIDERATION OF THE OPERATION OF SECTION 47B.....	76
NATIVE TITLE DETERMINATION APPLICATION QUD6022/02 – WUTHATHI PEOPLE #2: CATEGORY 1; REVIEW SECTION 87; CONSIDERATION OF DRAFT CONSENT DETERMINATION; CONSIDERATION OF THE OPERATION OF SECTION 47B AND REGISTERED INDIGENOUS LAND USE (AREA) AGREEMENT.	77

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Centre, 10 Furneaux Street, Cooktown
15-16-17 September 2014**

ATTENDANCE:

The Mayor, Cr PH Scott, Councillors A Wilson, KG Price (by teleconference), GC Shephard, PL Johnson, R Bowman, S Clark, Chief Executive Officer (S Wilton), Minute Officer (R Norris).

Also in attendance – Director Engineering Services, Tony Lickiss, Director Planning and Environment, Mark Marziale, Town Planning Officers, John Harrison and Lisa Miller, Acting Director Economic Development and Community Services, Kimberley Sullivan.

MEETING OPENED

The Mayor, Cr PH Scott declared the meeting open at 9.04 pm on 16 September 2014

APOLOGIES:

Nil

NOTICE OF BEREAVEMENT:

Advice has been received of the passing of Yvette Whitley, Bobby Stewart, and Bobby Sellars

As a mark of respect one minute silence was observed.

CONFIRMATION OF MINUTES

30825	CONFIRMATION OF MINUTES OF ORDINARY MEETING
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Cr K Price moved; seconded Cr P Johnson

That the minutes of the Ordinary Meeting of 19 August 2014 be confirmed.

CARRIED

BUSINESS ARISING:

Nil

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

CHIEF EXECUTIVE OFFICERS MONTHLY REPORT
<i>Report No.D14/10147 from Chief Executive Officer</i>

Précis

A report from the Chief Executive Officer showing his activities and providing information regarding ongoing and emerging issues.

Meetings, Seminars, Conferences etc

Transport and Main Roads

On Thursday 21st August 2014 together with the Land Tenure Officer I met with Tony Potter the Regional Director of Department Transport and Main Roads (TMR) to discuss the common issue of access to resources such as gravel and water. The intention of the meeting was to identify what both Council and TMR were doing in relation to rights of access, leasing sites or using commercial suppliers. A further outcome was to ensure that neither entity disadvantaged the other through any compensation/royalty agreements made with third party land holders.

Whilst Council has powers of entry to leasehold land under the Local Government Act TMR have similar powers to enter all lands (excluding National Park) under the Transport and Infrastructure Act. This means that TMR do not have to lease gravel pit sites to ensure access. When TMR enter a site for gravel they must however negotiate fair compensation to the landowner. Council must negotiate a lease that includes site rental and a volumetric royalty.

The process of identifying gravel lease sites and then negotiating the leasing arrangements is a lengthy and potentially costly exercise. To date the State have met most costs associated with the leases. It would simplify Council's processes if Local Governments were given similar powers of entry as TMR. I believe Council should raise this matter at the next FNQROC meeting with a view of gaining support to lobby government for the necessary legislative changes.

Department of State Development Infrastructure and Planning

On Monday 1st September the Director Planning & Environmental Services, Director Economic Development & Community Services and I together with Gary Alyard from Hot Croc Advertising met with Ian McKirdy, Paul Fagg and David Casey of the Department State Development Infrastructure and Planning, Stephen Prasser Manager Aeronautical Business Development with Cairns Airport to discuss the development of the Cooktown Airport subdivision.

Following lengthy discussions it was recommended that Council do the following ;

- Make an application for funding from the Royalties for Regions Program
- Carry out a demand analysis for the proposed development

We also met with the proprietors of a large car and truck rental firm who are interested in operating in Cooktown either as a standalone business or through an agency arrangement. The

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

company already has a good presence as a commercial vehicle hirer on Cape York and are now keen to progress their recreation vehicle hire business in the region

The Department State Development Infrastructure and Planning also hosted an information session around carbon credits. Dr Tim Moore from Australian Integrated Carbon gave a very interesting presentation around fire management and aggregation opportunities for land managers in Cape York including Council as the manager of extensive road corridors.

Local Government Managers Australia

I attended the annual LGMA conference held at the Bunya Mountains from 2nd to 4th September. The conference had four themes that each evoked much lively debate. The themes were Organisational Culture, Engagement & Collaboration, Personal Resilience & Sustainability, and Local Government Services.

There were also two key note speakers, one spoke about the future direction of local government and whether the current model of Australian local government is sustainable the other looked at the ever changing face of technology in business and questioned why any entity should embrace the emerging technology.

The conference was well organised with a different forum to the usual conference, I found it very informative and rewarding.

Department Local Government

On Tuesday 9th September the Mayor and I met with DLG Officer John O'Hallaron and Mark Kelleher to discuss a number of issues.

Progress of the Annan Hydro Project
Proposed Boundary changes with Lockhart River Aboriginal Shire Council
Council's proposed acquisition of Lot 94 on Plan C17952

The meeting was positive and indicated the Department is supportive of Council initiatives.

Other Meetings

There are a number of meetings that occur on a regular basis. This month they have included Executive Management Team meetings, Executive Services Team meeting, a meeting with potential airport business operator and Ratepayer meetings over issues such as rates and town planning.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Councillors' Reports

Cr K Price

Meetings

Date	Type / purpose	Who /where
18-19 August	Council Meeting – Bloomfield Hall (including residents meeting)	
20 th August	Waterfront Meetings - CSC	
21 st August	Laura Interagency	
3 rd September	Lakeland Residents Meeting – Lakeland Library	
4 th September	Prime Minister and Cabinet Briefing	
12 th September	LGAQ Regional Arts and Culture Reference Group	

Events Attended (as Councilor or part thereof)

Date	Type / purpose	Who /where
20 th August	Seniors Week Lunch at Cook Shire Seniors Units	
21 st August	Seniors Week Event at Bowls Club	
23 rd August	Animating Spaces activities – mural and Spindrift	
12 th September	Queensland Festival – South Bank with Regional Councillors and Arts staff	
13 th September	Scenic Rim cultural inspection	

Constituent Representation/Meetings

Date	Phone calls/ discussions	Letters/ minutes	Councilor requests
Various	Bloomfield residents re: wharf/cemetery		
22 nd August	Clean up of gully opposite Police Station in Hill Street - completed		Feedback – Parks staff have done well. Needs to be maintained since Council enforced the cleaning
	Waterfront – ongoing design queries		
			Ongoing Issue with Council mail not being responded to within acceptable timeframes.

Immediate plans: On holiday in Tasmania and should arrive back in Cooktown 3rd or 4th October

Undertaking “Bridges out of Poverty” training and looking at intervention case studies.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Cr P Johnson

Date	Type / purpose	Who /where	Action
20/8	Waterfront Advisory Committee Meeting	Council Chambers – EMT, & Councillors	Follow up, review, update on progress, budget considerations
21/8	2020 planning group meeting	Council Chambers- Loretta Sullivan Katrina Houghton, John & Clare Macdonald(by phone), Kimberley Sullivan	Apologies; Erica & Cynthia Deeral, Alberta Horsnby & Sofiea Gibson; reenactment assoc will request Council take a leading role & establish an Advisory Committee to progress the cultural, economic development and tourism events and the major 2020 event itself, and how to leverage from this post 2020.
28/8	Airport	Mayor, Mr & Mrs Clive Abbott(Hinterland Aviation)	Opportunity to collaborate on upgrade, improve functionality, appearance and security
2/9	Economic Development	EMT, Councillors	Priority projects; budgets, potential & future plans for realizing opportunities
3/9	Potential support & assistance around Cook Shire & Cape	GIVIT.org CEO & General Manager; Brisbane	Expressed desire to offer resource support in schools in remote & regional area – will follow up by email & meet again at LGAQ annual conference Oct.
4/9	Indigenous Advancement Strategy (IAS) information session	Queensland Government staff, Edward St Brisbane	Understand IAS funding opportunities & requirements, share information where potential applicants may benefit; Council is eligible to apply
9/9	Youth Network Meeting	Ctn P-12, CDCC Youth worker	Careers Expo; IAS opportunities;
11- 13/9	Reef Guardian Council	Member councils	Update on CSC's

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

	Working Group	representatives & GBRMPA	activities that have benefit to GBR; Reef Guardian Councils Action plans for each Council – Follow up with Planning & Environment re CSC's Action Plan
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Events Attended (as Councillor or part thereof)

Date	Type / purpose	Who /where	Action
20/8	Seniors Week - luncheon	Seniors Units	Contribute a compost bin & worm farm for their community garden – to be delivered September– OK'd by Mayor
21- 24/8	Lakeland Camp Draft Clinic & Competition	Lakeland Horse sports ground	Follow up on meeting with Greg Snell at Lakeland (filming journey, winner of Tourism Australia's Best job in the world) Volunteer in canteen/ kiosk over weekend
10/9	Cape York Local Marine Advisory Committee meeting	GBRMPA, local committee members	Take minutes & distribute, Next meeting November 19

Constituent Representation/Meetings

Date	Phone calls/ Discussions/ meeting	Letters/emails minutes	Action
4/9	Cooktown Kindergym Assoc.	Membership form available	Join & support – work towards Gymnastics classes for school aged kids
	Cooktown Chamber		TCY, Marketing roles, future planning by Chamber re tourism marketing & Chamber putting together & publishing an information guide specifically for visitor to Cooktown

Future activities:

Cape York NRM Finance & Audit Committee (FAC)

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Northern Gulf Resource Management Group Finance & Audit Committee (FAC)

September

18 Northern Gulf RMG – board teleconference
19- 8 Oct School Holidays (28/9 – my 50th!)

Future activities:

October

3 Bloomfield River bridge opening
11-12 Cape York Local Marine Advisory Committee meeting Townsville
20- 24 CSC monthly meeting- Coen; shire inspection trip
30 Reef Guardian Councils Steering Committee Meeting Mackay
27-29 Local Government Association Queensland Annual Meeting Mackay
31 Building & Development seminar Cooktown

November

3- 7 Cape York Natural Resource Management – end of year board meeting- Seisia
24-26 Northern Gulf Resource Management Group board & community meetings in Mareeba

Cr S Clark

Meetings

DATE	TYPE	PURPOSE	WHERE	
18/8/2014	Monthly Meeting	C.S.C	Council Chambers	
2/9/2014	Economic Development	C.S.C	Council Chambers	
10/9/2014	Lakeland Oval	Lakeland oval Inspection	Lakeland Downs	
10/9/2014	CAN AGM Meeting / Monthly Meeting	Community Advisory Network	Community Health Meeting Room	Lou Norgard is the new Chair person
20/8/2014	Indigenous Advancement Strategies	Information Session	Council Chambers	

Events Attended (as Councillor or part thereof)

DATE	TYPE / PURPOSE	WHO / WHERE
3/9/2014	Small Business Workshop	Events Centre

Constituent Representation / Meetings

DATE	PHONE CALLS/ DISCUSSIONS	LETTERS
	Phone calls and discussions around the Building Inspector	
	Discussions and email sent regarding the Waterfront Project	

Cr A Wilson

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

- Presentation to Mareeba Shire Council concerning information re waste disposal in Europe
- Attended the Laura Interagency meeting where the Alcohol Management Plan (or lack of) for Laura was discussed.
- Attended the Quinkin Regional Cultural Centre Annual General Meeting.
- Attended the Local Authority Waste Management Advisory Committee (LAWMAC) annual general meeting in Townsville where Cr Wilson was re-elected Chair.
- Organised and assisted in hazard mitigation burning off on eastern side of Laura.
- Attended the Quinkin Regional Cultural Centre meeting. To discuss trading and further involvement with the Laura Aboriginal Dance Festival.
- Attended the Economic Development meeting in Cooktown.
- In company with Mayor Scott and Councillor Price and Council staff attended a public meeting held at Lakeland to discuss further direction of Lakeland.
- Organised and assisted in hazard mitigation burning off on western side of Laura.
- Attended a meeting at Lakeland to assist in the establishment of a committee of Lakeland residents to advise Council of their aspirations for future development in Lakeland.

Cr R Bowman

Meetings

Date	Type / purpose	Who /where
	Seniors Weeks	
	General Council Meeting	
	Meeting with Bob Lowe re Lizard Island tournament bases in Cooktown Oct 11-18 Pressure cleaning of wharf /remove board equipment Coral Princess /seating from Hill-Crest	
	CDCC Board Meeting postponed	
	Chamber of Commerce Buy Local /membership drive /Cooktown and surrounds/	
	CYLMAC meeting / 2 rep going to the Chairs meeting in Oct in Townsville /cots update and have a presentation if interested.	
	EDM	
	Panel member Review / applicants / Interview new Tourism and events officer	

Constituent Representation/Meetings

Date	Phone calls/ Discussions	Letters/ Minutes
	Commercial Boats future in Cooktown	
	Review Harbour Plan and form a working committee of stake holders and agencies Dredge to boat ramp /Mooring piles / levy to assist cost recovery	

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

The meeting adjourned for morning tea at 10.15 am and resumed at 10.30 am on 16 September 2014.

Presentations were made to Council concerning –

- Proposed dams in Lakeland.
- Marketing of damage capture equipment
- Annan River Hydro Scheme

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

ENGINEERING SERVICES

30826	ANNAN RIVER PROJECT – ACQUISITION AND INSTALLATION OF HYDRO TURBINE	
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Cr A Wilson moved; seconded Cr S Clark

That Council authorise the acquisition and installation of the 100kw hydro turbine from Hydroworks, New Zealand and further that the Director of Corporate Services be authorised to submit a loan application through the Department of Local Government for the sum of \$550,000.00 with the balance to be funded through the Local Government Resilience and Community Recovery Program grant of \$150,000.00 with the total project cost to be \$700,000.00.

CARRIED.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

PLANNING AND ENVIRONMENT

Cr P Johnson advised of a conflict of interest in that she was a member of the committee of the Cape York Natural Resource Management Ltd. Cr Johnson left the Chamber at 1.56 pm and did not take part in discussions or vote in the matter.

30827	ASSUMPTION OF THE CAPE YORK WEEDS AND FERAL ANIMALS PROGRAM.	
	<i>Report No. D2014/10228 from Director of Planning & Environment</i>	

Cr G Shephard moved; seconded Cr A Wilson

That Council hereby resolves to allocate the assumption of the work of the Cape York Weeds and Feral Animals Program (“CYWAFAP”), including transfer of all intellectual property, and associated rights, the branding and marketing material and devices, in accordance with the *Local Government Act 2009*, to *Naturecall Environmental – Biodiversity Australia PTY LTD ABN:81127154787*.

CARRIED

Précis

1. Council consider for a decision, the proposed assumption of the work of the Cape York Weeds and Feral Animals Program (“CYWAFAP”), including transfer of all intellectual property, and associated rights, the branding and marketing material and devices, in accordance with the Local Government Act 2009.

Background/History

1. CYWAFAP first received funding under the Natural Heritage Trust (NHT) in December 1998 working with Council (as the proponent for the project). During 2003 the group evolved to reflect the assumption of contract work as well as the receipt of funds from other grant programs. Funding from NHT has been consistent throughout the years, and additional monies were secured in 2008 through the Caring for Our Country program. In 2010 Cape York established a Natural Resource Management program, with CYWAFAP receiving funding from July 2011. Grants and income for the last five years, 2008-2014 financial years, exclusive of Cook Shire Council financial support, was approximately \$7.204 million.
2. At its Meeting held January 2014, due to the financial burden imposed by diminishing Federal Government funding for the operation, Council resolved to wind-up its involvement in the Cape York Weeds and Feral Animals Program by the end of that financial year (31 June 2014).
3. Following a number of informal enquiries from a range of organisations from the Cape and beyond, a formal process was established to ensure openness and transparency in any transaction of CYWAFAP intellectual assets. In advertisements dated March 2014 Submissions were invited from parties interested in assuming the works of the Cape York Weeds and Feral Animals Program (CYWAFAP or the Program).

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

4. It was anticipated the successful party will assume the works of the Program including the transfer of branding and marketing material, the CYWAFAP website, data, employee references (on a case by case basis), program history, contacts, phone numbers (inbound where possible) procedure and strategy.
5. The intention of the transfer is to ensure that the important works of the CYWAFAP continue without significant interruption to the pest (feral animal) and weed management services provided to the Cape. It is also intended that CYWAFAP customers, landholders and land managers are able to continue working with a duly authorised, dedicated team who show an understanding of the situation with reference to weeds and feral animals on the Cape, and who have the capacity to undertake specific weed and feral animal eradication programs.
6. Three submissions were received by the due date, 3 April 2014, from the following applicants, details are set out below:
 - Clayton Doughboy
 - Cape York NRM Ltd
 - Naturecall Environmental [Biodiversity Australia PTY LTD]
7. A formal evaluation process was established, and a panel of three Directors (DCS, DED & DPE), participated in the evaluation. A uniform Specification and Evaluation Criteria spreadsheet was used, and the results were common, in fact, unanimous among the three panel members. The evaluation panel met on the 10 June 2014 to assess the submissions.
8. The specification and evaluation criteria assessment spreadsheet involved scored assessment against Ten (10) criteria, with the highest score representing the highest achievement. The results of the panel's assessments are set out in the below table:

	Panel Member 1	Panel Member 2	Panel Member 3	TOTALS
Clayton Doughboy	Non-compliant application	Non-compliant application	Non-compliant application	0
CY NRM PTY	13	24	20	57
Naturecall Environmental	29	32	33	94

9. The results of the Evaluation Criteria Assessment, are directly expressed in the recommendation of this report.

Link to Corporate Plan

10. Strategic Direction:
NATURAL ENVIRONMENT, ENVIRONMENTAL HEALTH SERVICES AND SUSTAINABLE DEVELOPMENT
4.2.1 Undertake the management and provision of the following, to a standard that ensures legislative compliance:
f) Pest and weed management services.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Consultation

11. The Submission period was advertised in the Cairns Post 10 March 2014.

Legal Implications (Statutory, basis, legal risks)

12. Council, as a local government authority is responsible for the Cape York Weeds and Feral Animals Program, and is committed to managing the assumption process in an open, transparent and fair manner, for the benefit of the people and ecosystems of Cape York Peninsula.

Policy Implications

Asset Disposal Policy .

Financial and Resource Implications (Budgetary)

13. While no direct financial benefit to Council has been expected as a result of this process, otherwise there is expected to be an ongoing provision of the CYWAFAP's services to the Cape York region.

RECOMMENDATION

That Council hereby resolves to allocate the assumption of the work of the Cape York Weeds and Feral Animals Program ("CYWAFAP"), including transfer of all intellectual property, and associated rights, the branding and marketing material and devices, in accordance with the Local Government Act 2009, to *Naturecall Environmental – Biodiversity Australia PTY LTD ABN:81127154787*.

All persons entitled to vote for the above matter voted for the motion.

Cr P Johnson resumed her seat in the Chamber at 2.06 pm on 16 September 2014.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

LAND TENURE

30828	PROPOSED PERMANENT ROAD CLOSURE AND ROAD OPENING OF UNNAMED ROAD – ANNAN RIVER - WITHIN LOT 14 ON PLAN SP189921.	
	<i>Report No.D14/9680 from Chief Executive Officer File No. 2.85.181; 2.09.20.</i>	

Cr R Bowman moved; seconded Cr K Price

Cook Shire Council, on behalf of the applicant (Yuku-Baja-Muliku Landowner and Reserve Ltd), lodge a simultaneous road closure and opening application within Lot 14 on SP189921 with the Department of Natural Resources and Mines to:

- i. Permanently close area of road within Lot 14 on SP189921 as depicted in red on submitted plan - Proposed Road Opening and Closure in Lot 14 on SP189921.
- ii. Permanently open road within Lot 14 on Plan SP189921 as depicted in blue on submitted plan - Proposed Road Opening and Closure in Lot 14 on SP189921.
- iii. Include the area of closed road into Lot 14 on Plan SP189921.

CARRIED

Précis

1. Make application for the required road opening and road closure.

Background/History

2. The gazetted road reserve within Lot 14 SP189921, as indicated on attached plan Map A, has been in existence since at least 1878 and approx 30years ago a track was constructed giving access to the public and access to what is now Lot 53 SP189922. See attached plan Google Proposed Road Closure_Opening within Lot 14 SP189921.
3. As can be seen from the attached plans, the relevant section of road, apart from providing the only access to Lot 53, provides access to the southern bank of the Annan River, which has always been a popular fishing spot.
4. Council, as the road authority of the area wishes to formalise this area of road to provide not only legal access for the general public but also legal access to Lot 53 SP189922.
5. Discussions with the property owner of Lot 14 SP189921, Yuku-Baja-Muliku Landowner and Reserve Ltd have resulted in a proposal to;
 - close the area of gazetted road (unformed);
 - open as road the area of constructed track;

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

- the area of closed road to be amalgamated into Lot 14.

See attached plan Google Proposed Road Closure_Opening within Lot 14 SP189921.

6. The area of road to be closed is 3.131ha; area of road to be opened is approximately 3.306ha.
7. Council, as a local government can apply on behalf of the landowner with the approval from the landowners.
8. The following are estimated costs to Council as submitted by Council's Surveyor;
 - Survey costs incl lodgement of plan: \$6400
 - Simultaneous road closure/opening application: \$ 244.40
9. The following recommendation is submitted for Council's consideration.

Link to Corporate Plan

10. Key issues 4.3 Sport and Recreation Facilities and Public Access; 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations; 4.6 Drainage, Stormwater, Road, Footpath and Bridge Network.

Consultation

11. Nil.

Legal Implications (Statutory, basis, legal risks)

12. Nil.

Policy Implications

13. Nil – in accordance with policy position.

Financial and Resource Implications (Budgetary)

14. Funds to cover stated costs are available under WO: 4030.2434.84 and WO: 2433.429.84.

RECOMMENDATION

Cook Shire Council, on behalf of the applicant (Yuku-Baja-Muliku Landowner and Reserve Ltd), lodge a simultaneous road closure and opening application within Lot 14 on SP189921 with the Department of Natural Resources and Mines to:

- iv. Permanently close area of road within Lot 14 on SP189921 as depicted in red on submitted plan - Proposed Road Opening and Closure in Lot 14 on SP189921.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

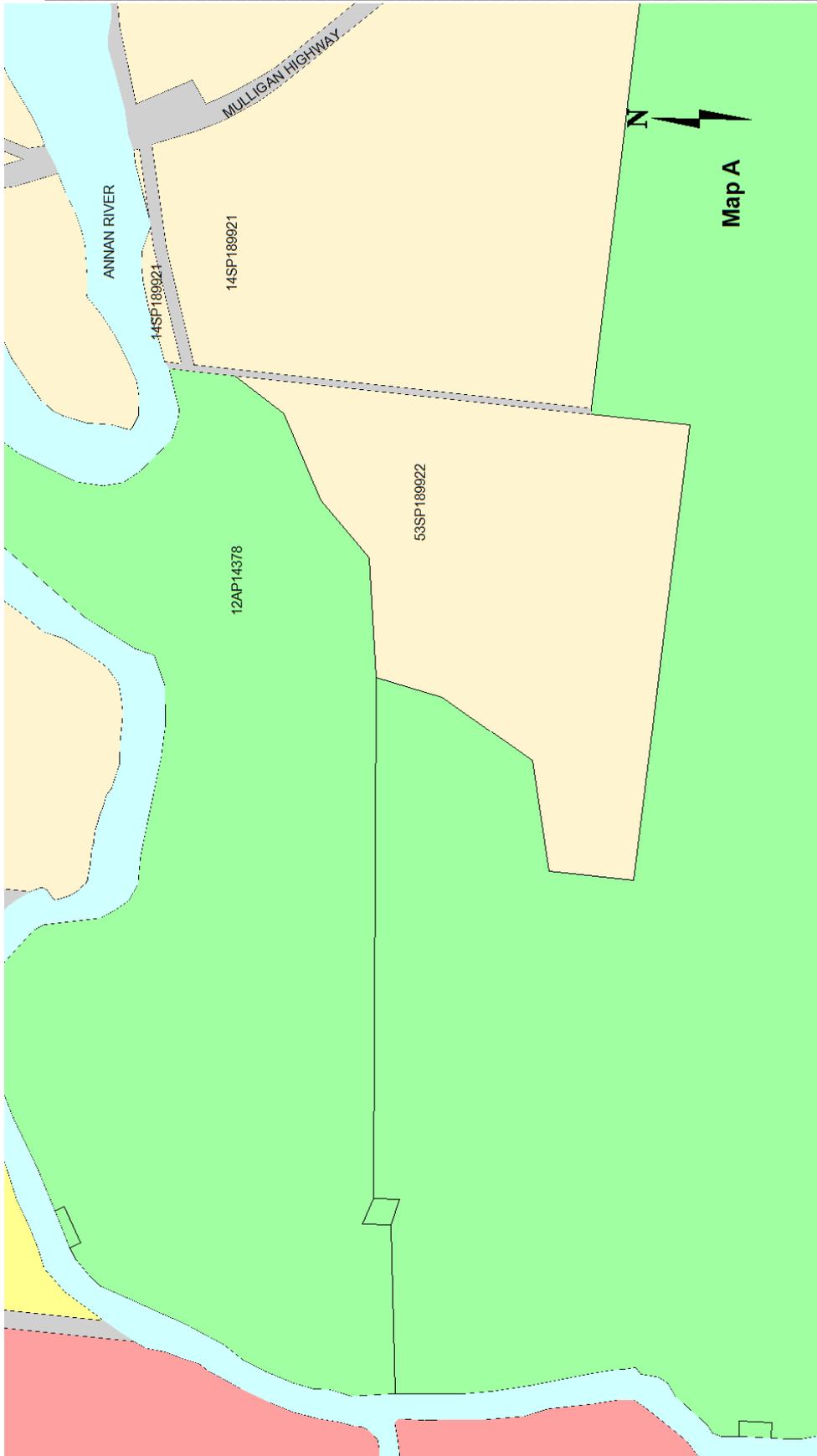
- v. Permanently open road within Lot 14 on Plan SP189921 as depicted in blue on submitted plan - Proposed Road Opening and Closure in Lot 14 on SP189921.
- vi. Include the area of closed road into Lot 14 on Plan SP189921.

Att.

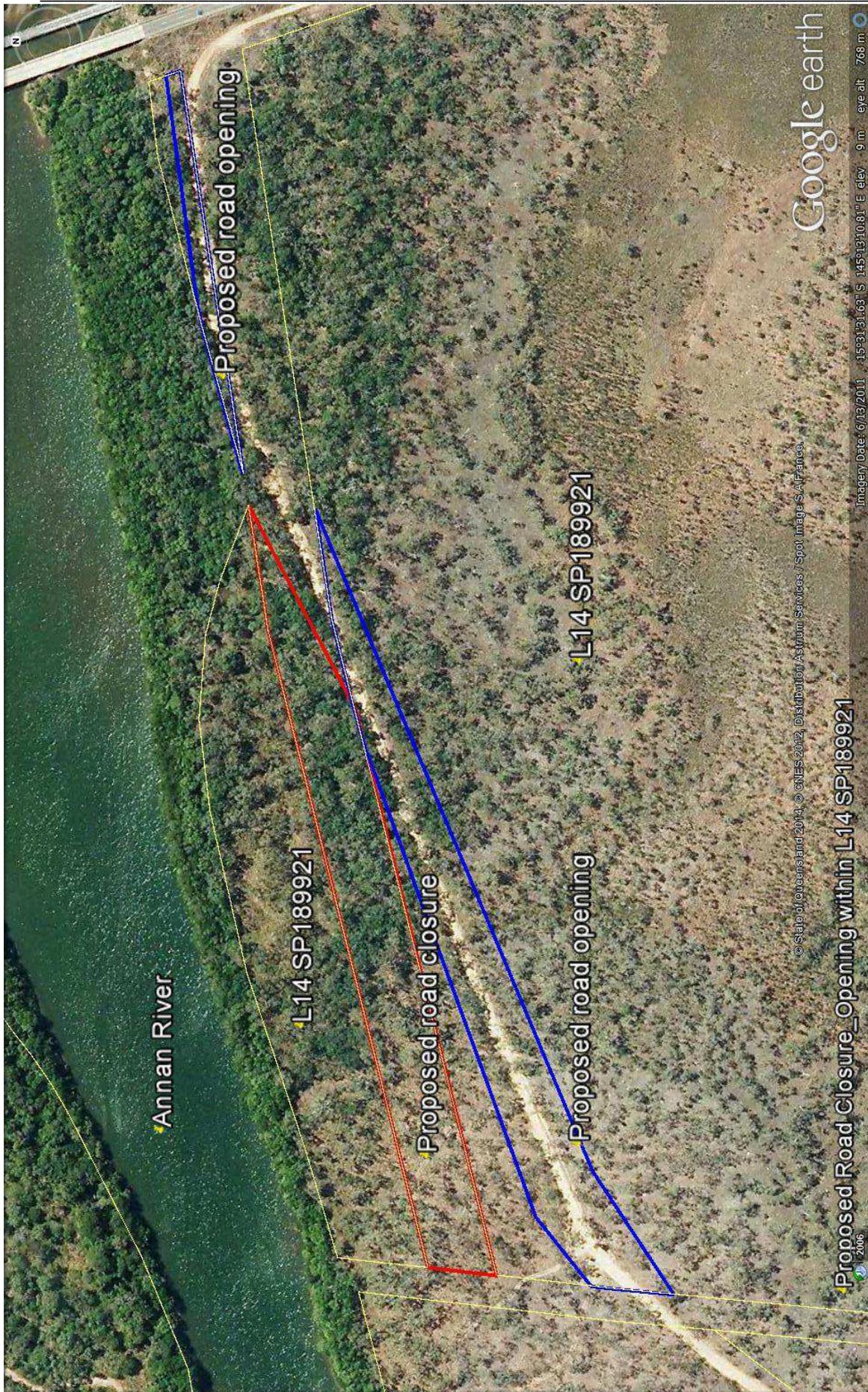
Map A

Google Proposed Road Closure_Opening within Lot 14 SP189921

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the Administration Building 10 Furneaux Street, Cooktown 15-16-17 September 2014



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30829	PROPOSED ROAD OPENING AND ROAD CLOSURE – JOWALBINNA ROAD – WITHIN ESCORT CREEK PASTORAL HOLDING PH14/4838 DESCRIBED AS LOT 198 ON PLAN SP207018 AND LAURA RACECOURSE RESERVE DESCRIBED AS LOT 3 ON PLAN MS11.	
	<i>Report No.D14/9681 from Chief Executive Officer File No. 2.85.160; 2.650.45; 2.650.64</i>	

Cr A Wilson moved; seconded Cr P Johnson

The Department of Natural Resources and Mines be advised that Council hereby accepts the conditions of offer as set out in the letter dated 1 September 2014 in relation to the proposed permanent road opening and road closure within Lot 3 on plan MS11 Reserve for Racecourse purposes and within Lot 198 on plan SP207018 Escort Creek Pastoral Holding , as depicted on submitted Plan JowalbinnaRdOpen&Close 6-13.wor.

CARRIED

Précis

1. Council hereby accepts the conditions of offer in relation to the proposed road opening and road closure as contained in letter from Department of Natural Resources and Mines dated 1 September 2014.

Background/History

2. As a result of road realignments necessitated by the new Laura River Bridge, a constructed road pavement which is off alignment within Lot 198 SP207018 (Escort Creek Pastoral Holding also known as Welcome Station) and within Lot 3 MS11, Reserve for Recreation and Racecourse purposes, was identified.
3. Council was notified, and at its July 2013 meeting, vide Resolution No. 30572 resolved to request the Department of Natural Resources and Mines to carry out the road closure and road opening as depicted on attached Plan JowalbinnaRdOpen&Close 6-13.wor.
4. By letter dated 1 September 2014, the Department advised Council that its application for simultaneous closure and opening of areas of road had been approved, subject to all conditions of offer being complied with.
5. Requirements of Acceptance of Offer include the provision of plans of survey, payment of fees for lodgement of survey plans, approx. \$1,500 and signed acceptance forms.
6. The following recommendation is submitted for Council's consideration.

Link to Corporate Plan

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

7. Key issues 4.3 Sport and Recreation Facilities and Public Access; 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations; 4.6 Drainage, Stormwater, Road, Footpath and Bridge Network.

Consultation

8. Nil.

Legal Implications (Statutory, basis, legal risks)

9. Nil.

Policy Implications

10. Nil – in accordance with policy position.

Financial and Resource Implications (Budgetary)/Risk Assessment

11. Funds to cover application fees are available in the current Land Tenure budget.

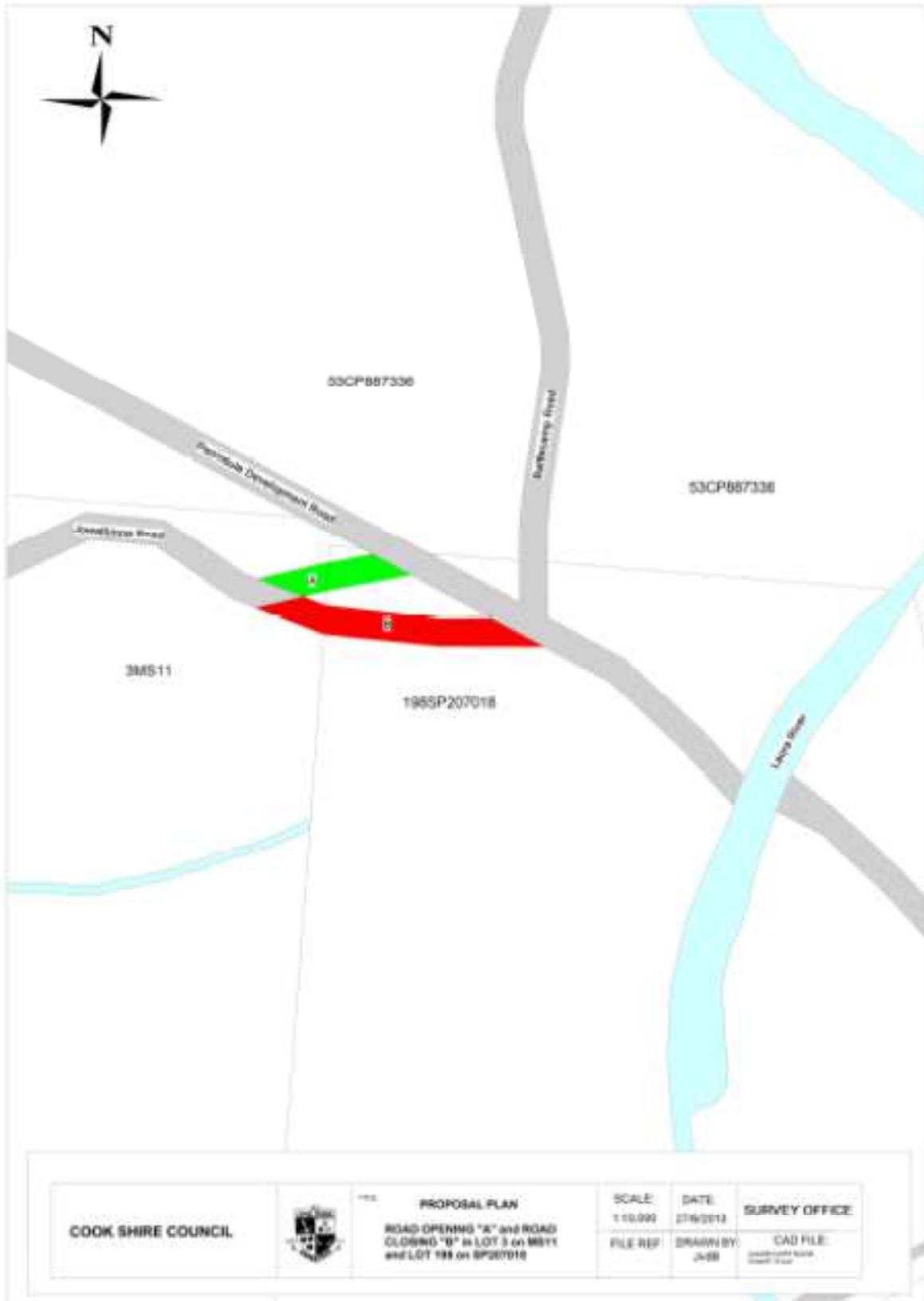
RECOMMENDATION

The Department of Natural Resources and Mines be advised that Council hereby accepts the conditions of offer as set out in the letter dated 1 September 2014 in relation to the proposed permanent road opening and road closure within Lot 3 on plan MS11 Reserve for Racecourse purposes and within Lot 198 on plan SP207018 Escort Creek Pastoral Holding , as depicted on submitted Plan JowalbinnaRdOpen&Close 6-13.wor.

Att.

Plan JowalbinnaRdOpen&Close 6-13.wor

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30830	APPLICATION FOR CONVERSION OF SPECIAL LEASE 43/53204 OVER LOT 4 ON CROWN PLAN CP866939 TO A PERPETUAL LEASE - HAGGERSTONE ISLAND: PARISH OF GRENVILLE; LOCALITY OF SHELBURNE.	
	<i>Report No.D14/9682 from Chief Executive Officer File No. 2.970.02</i>	

Cr S Clark moved; seconded Cr P Johnson

The Department of Natural Resources and Mines be advised that Council supports the conversion of Special Lease 43/53204 over Lot 4 on Plan CP866939 to a perpetual lease, subject to;

- i. all outstanding building and plumbing matters being complied with, and
- ii. the existing 20 meter wide esplanade surrounding the island be retained.

Moreover, Council is unaware of any local non-indigenous cultural heritage values that should be considered when assessing the application.

CARRIED

Précis

1. Council supports the conversion to perpetual lease provided planning matters are complied with and esplanade retained.

Background/History

2. By letter dated 6 August 2014, the Department of Natural Resources and Mines advised it had received an application for conversion of Special Lease 43/53204 over Lot 4 on Plan CP866939, to a perpetual lease in terms of section 166(1)(c) of the *Land Act 1994* – see attached SmartMap.
3. The Department further advised that the lease was issued over Haggerstone Island for Tourism purposes, namely low key tourism catering for a maximum of 12 overnight guests, and expires on 31 July 2024.
4. Council's views and/or requirements were requested, including any local non-indigenous cultural heritage values that the Department should consider when assessing the application.
5. A 20 meter wide esplanade surrounds the island; in accordance with Council's Public Access Policy Council requires it to be retained. See attached Survey Plan CP866939.
6. There are no known local non-indigenous cultural heritage values.
7. Views from both Engineering Services and Planning and Environment Services had been requested - Engineering Services had no issues.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

8. Planning and Environment Services advised that there are outstanding building and plumbing matters regarding Haggerstone Island.
9. The following recommendation is submitted for Councils consideration.

Link to Corporate Plan

10. Key issues; 4.2 Environmental Wellbeing; 4.3 Sport and Recreation Facilities and Public Access; 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations; and 4.7 Economic Wellbeing.

Consultation

11. Nil.

Legal Implications (Statutory, basis, legal risks)

12. Nil.

Policy Implications

13. Nil - in accordance with policy position.

Financial and Resource Implications (Budgetary)

14. Nil.

RECOMMENDATION

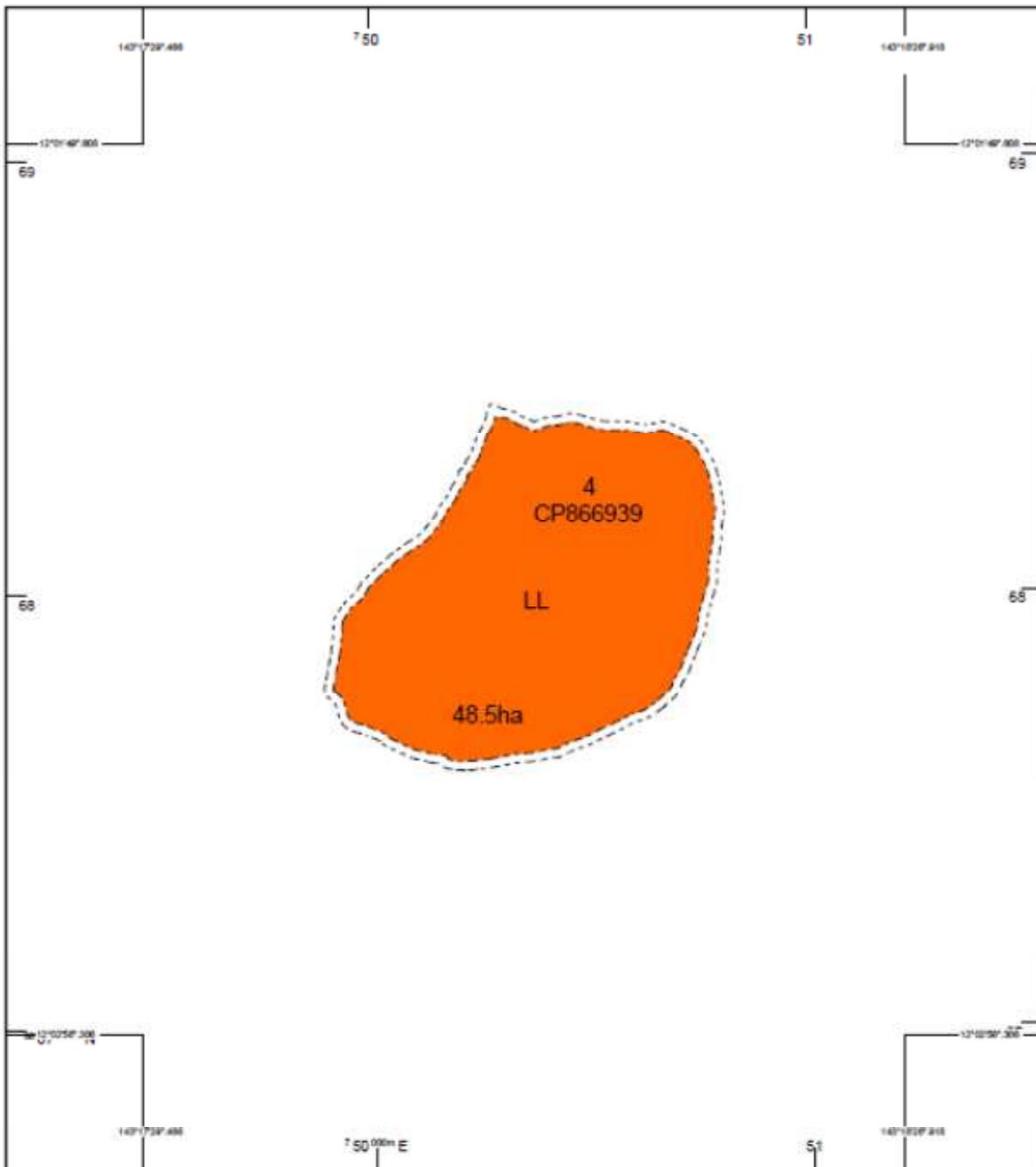
The Department of Natural Resources and Mines be advised that Council supports the conversion of Special Lease 43/53204 over Lot 4 on Plan CP866939 to a perpetual lease, subject to;

- iii. all outstanding building and plumbing matters being complied with, and
- iv. the existing 20 meter wide esplanade surrounding the island be retained.

Moreover, Council is unaware of any local non-indigenous cultural heritage values that should be considered when assessing the application.

Att.
SmartMap
Survey Plan CP866939
Map A

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



STANDARD MAP NUMBER
7573-14421



SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



SUBJECT PARCEL DESCRIPTION

DCDB	4CP866939
Lot/Plan	48.5ha
Area/Volume	LANDS LEASE
Tenure	COOK SHIRE
Local Government	SHIRLOUINE
Locality	GRENVILLE
Parish	SHIRLOUINE
County	SHIRLOUINE
Segment/Parcel	801491

CLIENT SERVICE STANDARDS

PRINTED (approximately) 06/06/2014
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB 05/06/2014 (Lots with an area less than 1500m² are not shown)

Disclaimer: The information recorded in this document (the information) except all responsibility and risk associated with the use of the information and should seek independent professional advice in relation to dealings with property.

Despite: Department of Natural Resources and Mines (DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the information.

For further information on SmartMap products visit <http://www.dnrm.gov.au/property/mapping/smartmap>



(c) The State of Queensland,
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Resources and Mines) 2014.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

WARNING — PLAN MAY BE ROLLED — A FOLDED OR MUTILATED PLAN WILL NOT BE ACCEPTED

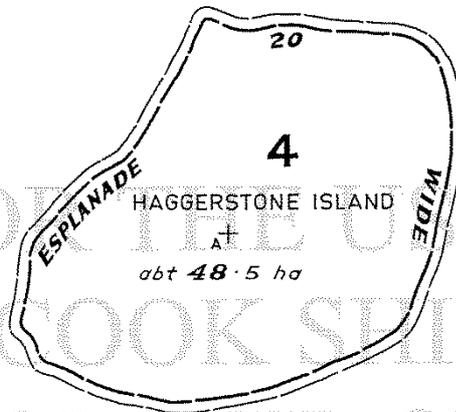
Approx AMG Co-ordinates			
Stn	Easting	Northing	Zone
A	750 200	8 667 800	54

866939

PLAN MUST BE DRAWN WITHIN BLACK LINES

866939

SOUTH PACIFIC OCEAN



FOR THE USE OF
COOK SHIRE
COUNCIL ONLY

866939

PLAN MUST BE DRAWN WITHIN BLACK LINES

866939

Road to be opened
abt 5.5 ha (Esplanade)

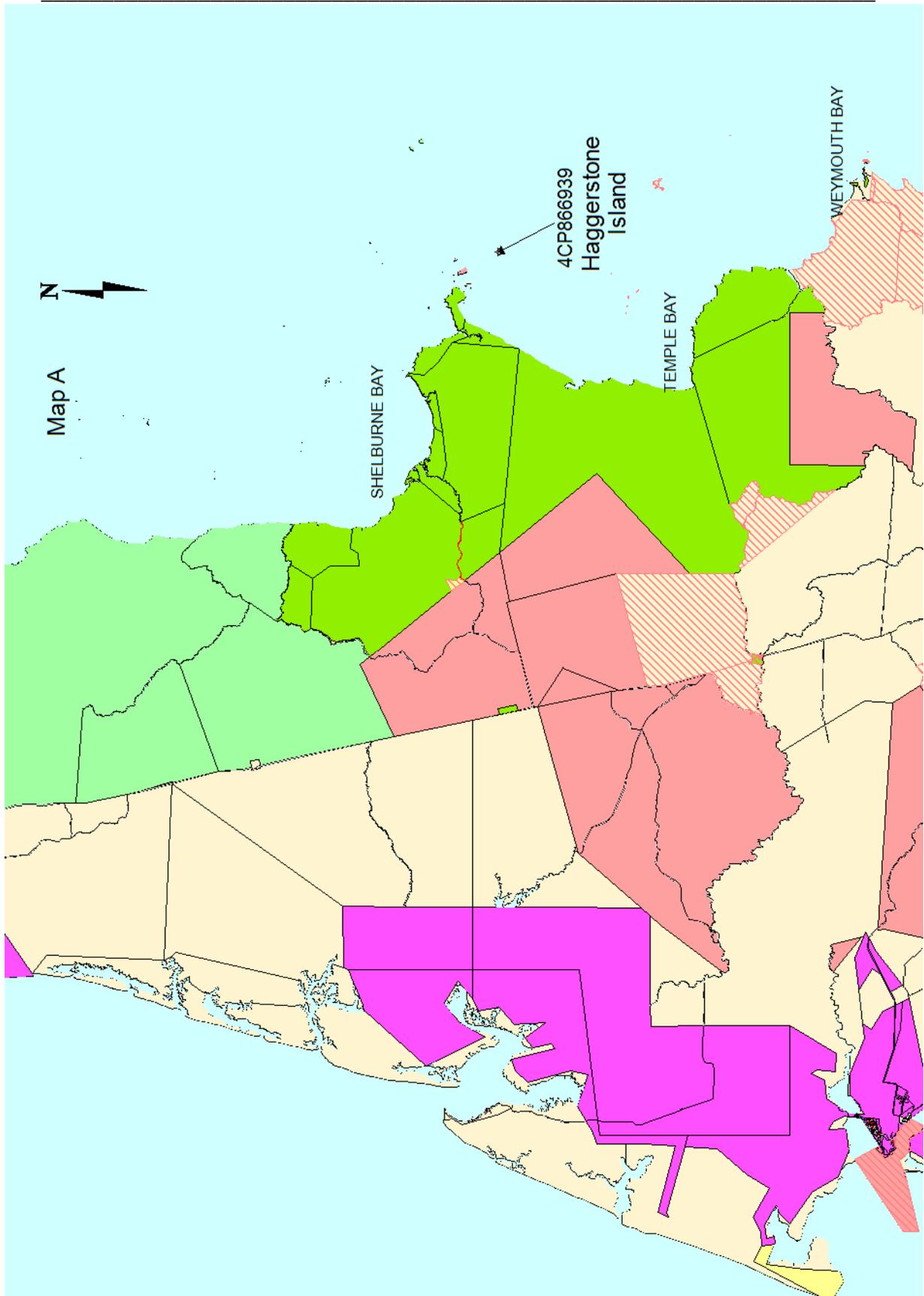
I, Thomas Stanley Lowe
hereby certify that I have made this plan
pursuant to Section 25 of the Surveyors
Regulation 1992, and that the plan is
accurate and compiled from Dwg CNS
94/004 on Lands file CNS5059
& Temple Bay 1:100 000 Topo
Thomas Stanley Lowe
Licensed Surveyor 21.3.1994
Date

PLAN OF <u>Lot 4</u>				PARISH GRENVILLE	
Cancelling <u>Lot 4 on SH14</u>				COUNTY Shelburne	
ORIGINAL <u>Lot 4 on SH14</u>				LOCAL AUTHORITY Haggerstone Is	
				LOCAL AUTHORITY Cook SC	
				LAND AGENTS SAMMING DISTRICT	
				DISTRICT Torres	
				MINING FIELD	
MERIDIAN	MAP REF	SCALE	FILE REF	SURVEY RECORDS DEPOSITED	REGISTERING DIST
Approx AMG	SD54-4	1:8000	CNS 5059	ENGRSED at 21-07-94	Brisbane
				CROWN PLAN 866939	

0 1 2 3 4 5 6 7 8 9 10 cm CROWN COPYRIGHT RESERVED

THE INSTITUTION OF SURVEYORS AUSTRALIA (QUEENSLAND DIVISION)
BY AUTHORITY LICENCE NUMBER 87.....

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30831	APPLICATION FOR CONVERSION OF TERM LEASE TO FREEHOLD OVER LOT 5 ON PLAN KA835479 – STRATHHAVEN STATION (INGLEBY PASTORAL HOLDING): PARISH OF INGLEBY.	
	<i>Report No.D14/9927 from Chief Executive Officer File No. 2.16.15; 2.287.2 (629)</i>	

Cr G Shephard moved; seconded Cr A Wilson

The Department of Natural Resource and Mines be advised that Council raises no objection to the conversion of the tenure to freehold, subject to the following conditions as conveyed to the Department by letters dated 24 June 2010 and 15 October 2013 in response to the Department, your file ref: 2008/00657;

- a. Road A-G-E-C-B (Musgrave – Pormpuraaw Road) as shown on Plan Ingleby prop road 5-10- V2.wor attached, being opened as road at a width of 60m, at no cost to Council.
- b. Road E- F (access to Astrea Pastoral Holding) as shown on Plan Ingleby prop road 5-10- V2.wor attached, being opened as road at a width of 60m, at no cost to Council.
- c. Road C – D (the loop road north to the Holroyd Road) as shown on Plan Ingleby prop road 5-10- V2.wor attached, being opened as road at a width of 60m, at no cost to Council.
- d. Council raises no objection to the permanent closure of road G – H as shown on Plan Ingleby prop road 5-10- V2.wor attached, and its inclusion in Ingleby Pastoral Holding, subject to such closure occurring at no cost to Council.
- e. that stations B-C-E were to be opened as indicated on Council’s plan and that draft plan DP141967 be amended accordingly.

As the land use is grazing and may have included cattle dipping, Council recommends that the applicant identifies any areas used for cattle dipping and register them with the Department of Environment and Heritage Protection prior to the conversion.

Council further advises that there are no known local non-indigenous cultural heritage values.
CARRIED

Précis

1. Council support the conversion to freehold subject to the following recommendations.

Background/History

2. By letter dated 7 August 2014, the Department of Natural Resources and Mines (“DNRM”) advised that an application had been received for conversion to freehold of Term Lease over Lot 5 on Plan KA835479, and requested advice as to Council’s

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

views or requirements, including any local non-indigenous cultural heritage values that DNRM should consider when assessing the application – see attached SmartMap.

3. The proposed use of the land is grazing.
4. Council, at its June 2010 meeting considered the matter of the renewal of lease for Ingleby Pastoral Holding. Vide Resolution No. 29262, Council raised no objection to the renewal of the pastoral holding lease, the conversion of the tenure to perpetual lease, or the conversion of the tenure to freehold, subject to the following conditions:
 - f. Road A-G-E-C-B (Musgrave – Pormpuraaw Road) as shown on Plan Ingleby prop road 5-10- V2.wor attached, being opened as road at a width of 60m, at no cost to Council.
 - g. Road E- F (access to Astrea Pastoral Holding) as shown on Plan Ingleby prop road 5-10- V2.wor attached, being opened as road at a width of 60m, at no cost to Council.
 - h. Road C – D (the loop road north to the Holroyd Road) as shown on Plan Ingleby prop road 5-10- V2.wor attached, being opened as road at a width of 60m, at no cost to Council.

Council further resolved that it raise no objection to the permanent closure of road G – H as shown on Plan Ingleby prop road 5-10- V2.wor attached, and its inclusion in Ingleby Pastoral Holding, subject to such closure occurring at no cost to Council.

5. By letter dated 16 July 2013, the Department sought confirmation that the comments/requirements provided by Council, letter dated 24 June 2010, for the proposed road opening and permanent road closure remained current.
6. The Department further advised that it had prepared a draft plan DP141967 that provided for the renewal of the lease and road openings within the boundaries of the new term lease and requested Council's advice regarding road opening identified on both the draft plan and Council's drawing 5-10-v2 station B-C-E ie: was the whole road required to be opened as indicated by Council or was the road to be opened in part as shown on plan DP141967.
7. Council advised the Department, by letter dated 15 October 2013 that Council's requirements as stated in the letter dated 24 June 2010, remained current, and that stations B-C-E were to be opened as indicated on Council's plan and that draft plan DP141967 be amended accordingly.
8. Council's Surveyor advised that to date these road dealings had not been implemented.
9. There are no known local non-indigenous cultural heritage values.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

10. Planning and Environment Services had no development/planning issue, although Council's Environmental Health Officer had raised concerns that the grazing land may have been used for cattle dipping which could make it contaminated land and recommends that the applicant identifies any areas used for cattle dipping and register them with the EHP prior to the conversion.

11. The following recommendation is submitted for Council's consideration.

Link to Corporate Plan

12. Key issues; 4.2 Environmental Wellbeing; 4.3 Sport and Recreation Facilities and Public Access; and 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations; and 4.7 Economic Wellbeing.

Consultation

13. Internal.

Legal Implications (Statutory, basis, legal risks)

14. Nil.

Policy Implications

15. Nil - in accordance with policy position.

Financial and Resource Implications (Budgetary)

16. Nil.

RECOMMENDATION

The Department of Natural Resource and Mines be advised that Council raises no objection to the conversion of the tenure to freehold, subject to the following conditions as conveyed to the Department by letters dated 24 June 2010 and 15 October 2013 in response to the Department, your file ref: 2008/00657;

- i. Road A-G-E-C-B (Musgrave – Pormpuraaw Road) as shown on Plan Ingleby prop road 5-10- V2.wor attached, being opened as road at a width of 60m, at no cost to Council.
- j. Road E- F (access to Astrea Pastoral Holding) as shown on Plan Ingleby prop road 5-10- V2.wor attached, being opened as road at a width of 60m, at no cost to Council.
- k. Road C – D (the loop road north to the Holroyd Road) as shown on Plan Ingleby prop road 5-10- V2.wor attached, being opened as road at a width of 60m, at no cost to Council.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

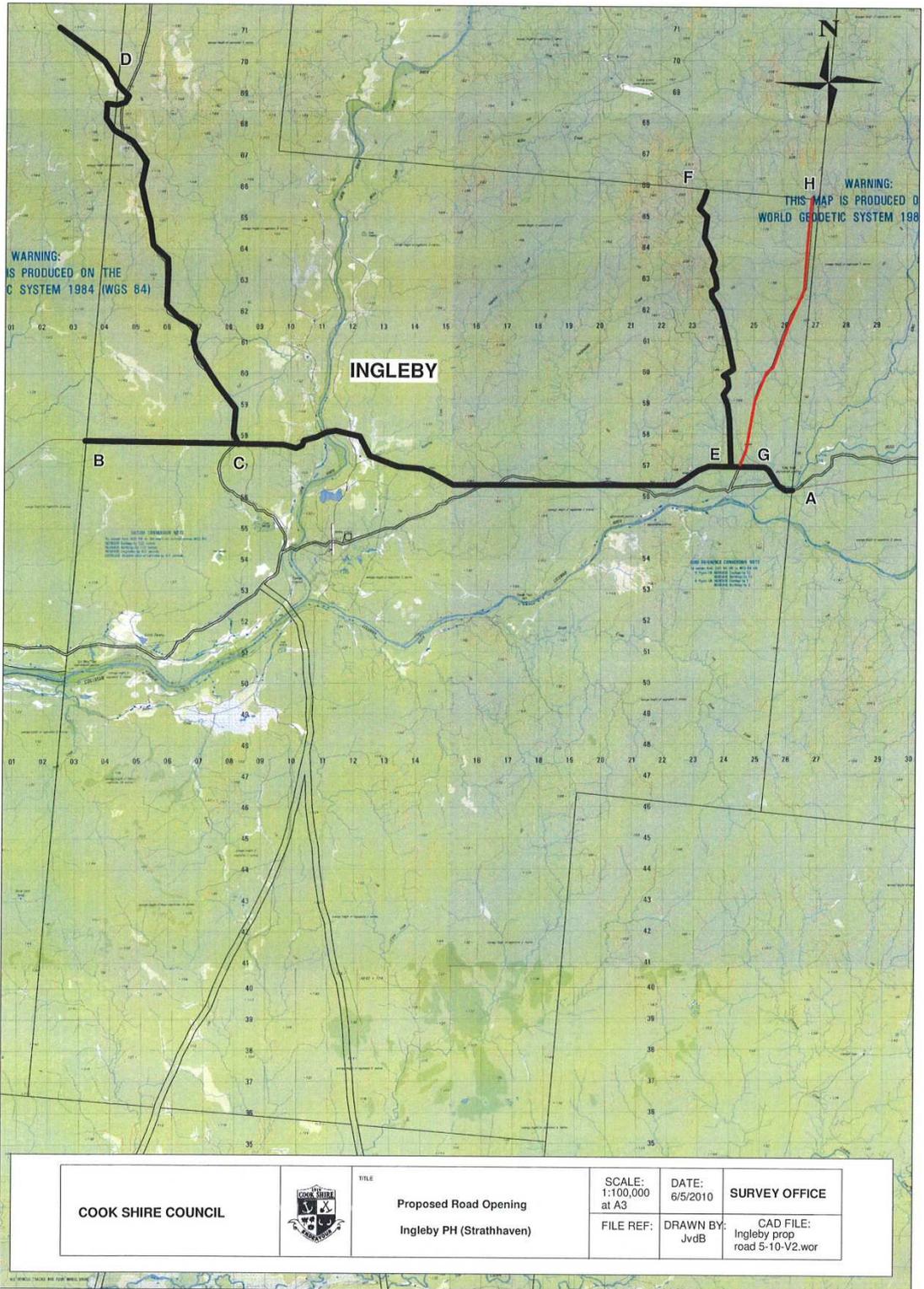
- l. Council raises no objection to the permanent closure of road G – H as shown on Plan Ingleby prop road 5-10- V2.wor attached, and its inclusion in Ingleby Pastoral Holding, subject to such closure occurring at no cost to Council.
- m. that stations B-C-E were to be opened as indicated on Council's plan and that draft plan DP141967 be amended accordingly.

As the land use is grazing and may have included cattle dipping, Council recommends that the applicant identifies any areas used for cattle dipping and register them with the Department of Environment and Heritage Protection prior to the conversion.

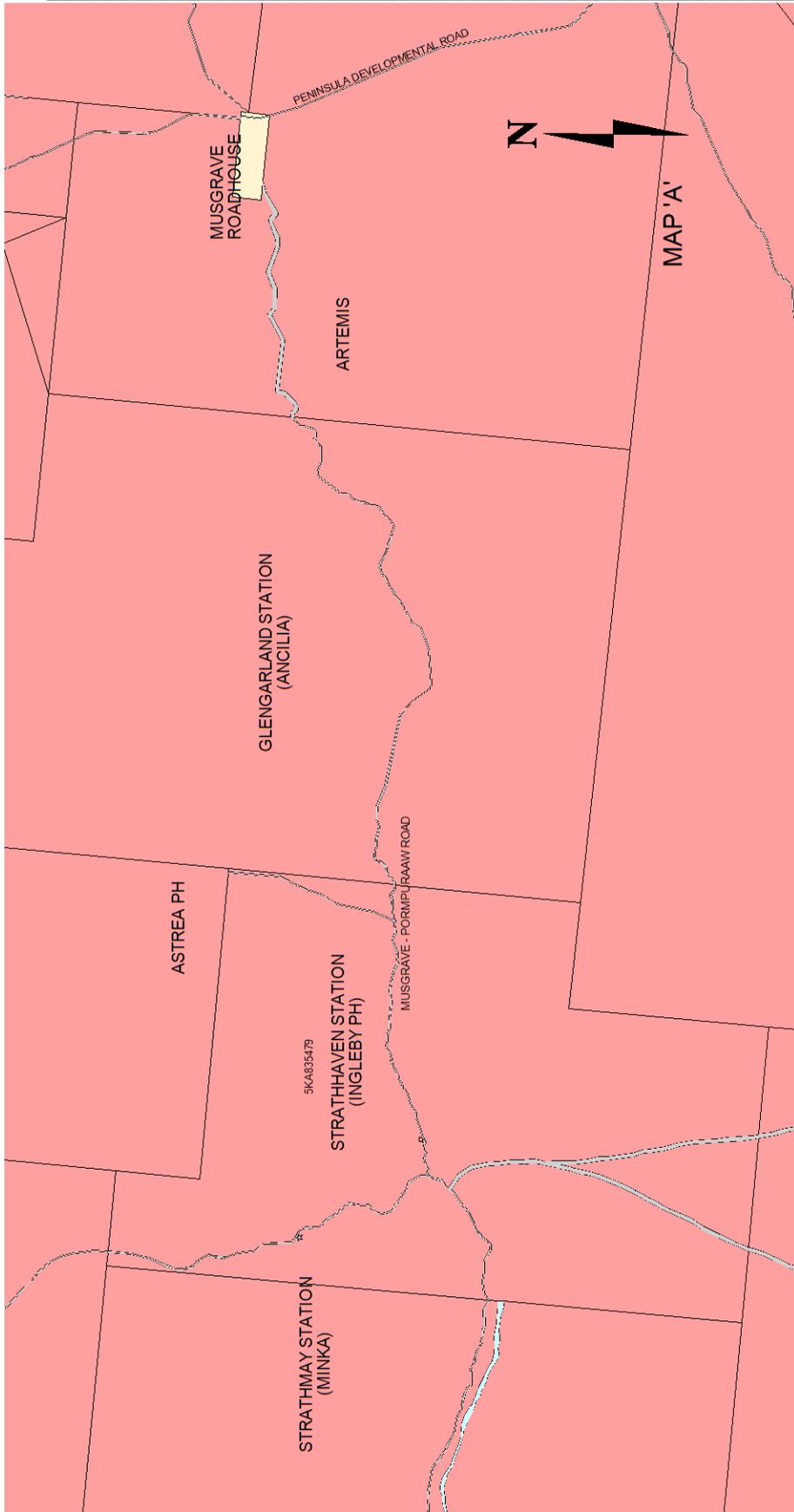
Council further advises that there are no known local non-indigenous cultural heritage values.

Att.
SmartMap
Plan Ingleby prop road 5-10- V2.wor
Map 'A'

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30832	APPLICATION FOR CONVERSION OF TERM LEASE 215287 TO FREEHOLD OF LOT 29 BK808310; AMENDMENT OF TERM LEASE 215287 TO EXCLUDE LOTS 27, 29, 30 BK808310; CREATION OF COMMUNITY PURPOSE RESERVE OVER LOTS 27, 30 BK808310 WITH COOK SHIRE COUNCIL AS TRUSTEE: FRONTING UNNAMED ROAD AND MINKE ROAD.	
	<i>Report No.D14/10015 from Chief Executive Officer File No. 2.16.15; 2.287.2 (629)</i>	

Cr R Bowman moved; seconded Cr S Clark

The Department of Natural Resources and Mines be advised that Council;

- i. supports the conversion of Term Lease 215287 to freehold tenure over Lot 29 on Plan KA808310,
- ii. supports the amendment of Term Lease 215287 to exclude Lots 29, 27 and 30
- iii. accepts trusteeship of the proposed reserves - at no cost to Council.

CARRIED

Précis

1. For consideration by Council. Council supports the conversion to freehold; notes the amendment of term lease, and accepts trusteeship of proposed reserves.

Background/History

2. Council at its November 2012 meeting considered an application for the conversion of Term Lease ('TL') 205287, Lots 27, 29, 30, 37, 39, 42 and 43 on Plan BK808310. Vide Resolution No. 30391 and in accordance with Council's Policy on the issue, Council resolved to support the conversion of TL 215287 to freehold tenure, subject to the provision of a thirty (30) meter wide esplanade along the northern bank of Three Mile Creek and the western bank of Eight Mile Creek. See attached Plan CAD FILE 3-8 MILE Ck 10-12.wor.
3. The Department of Natural Resources and Mines advised Council by letter dated 21 February 2014, that the Department had made an offer for conversion of TL 215287 over Lots 27, 29, 30, 37, 42 and 43 on Plan BK808310 to freehold tenure.
4. The Department further advised that TL 215287 was currently in a fully surveyed state and no further survey requirements will form part of an offer requirements to the lessee and that should Council require part of the land for road (esplanade) purposes, Council will need to acquire the land.
5. By letter dated 30 June 2014, the Department advised that in response to its offer to the lessees for conversion of TL 21587 to freehold tenure, the lessees had advised they would not be accepting the Departments offer as made and had proposed conversion

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

of Lot 29 only, with retention of Lots 37, 39, 42 and 43 under leasehold tenure with the absolute surrender of Lots 27 and 30 from the lease area.

6. The Department continues that based on Council's original view and comments relating to Lots 27 and 30 i.e. the requirement of provision of a thirty (30) metre wide esplanade within both Lots along the bank of the creek), it is considered that should Lots 27 & 30 be surrendered from the lease area, a reserve for Community purposes (e.g. 'buffer zone and/or environmental purposes) would be the most appropriate tenure for these Lots.
7. Council's views and comments are requested for the following;
 - Conversion to freehold of Lot 29 on plan BK808310
 - Amendment of Term Lease 215287 to exclude Lots 27, 29 and 30;
 - Creation of a Community purpose Reserve over Lots 27 and 30 with Cook Shire Council as Trustee
8. Council has been advised that if it accepts the trusteeship this would be at no cost to Council.
9. A native title assessment would have to be carried out on Lots 27 and 30 by the Department.
10. If native title has not been extinguished the proposed reserves would be created as low impact future act in accordance with section 24LA of the Commonwealth *Native Title Act 1993* ('NTA').
11. '*created as a low impact future act*' means, inter alia, that no building, structure, or other thing, that is a permanent fixture, other than a fence or gate, will be permitted.
12. However, the Departments policy position is that structures such as picnic tables, barbecues, walkway and bikeways that are considered to be non-permanent and capable of being easily and quickly removed may be permitted.
13. The most important aspect from Council's point of view, is that should there be a future native title determination by the Federal Court that native title in some form exists over the proposed reserve land, the reserves will be revoked – section 24LA of the NTA requires that low impact future acts are not to continue in the event that there is a determination that native title exists over the area.
14. The Department had advised that should Council decline the offer other government entities would be approached, or the area could possibly become USL – the Department is not favourable of this outcome.
15. All sites have access to a dedicated road.
16. There are no known local non-indigenous cultural heritage values.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

17. Views from both Engineering Services and Planning and Environment Services were requested – Planning had no objection; Engineering had no objection.
18. Council’s acceptance of trusteeship of the proposed reserves supports Council’s public access policy:
- “That Council’s attitude/intent regarding river/creek/beach access etc is to request/require legal public access wherever possible. Council intends to request/require esplanades/access roads plus adjacent reserves (landing, recreation, etc) wherever possible. Any Council request/application should be processed with the foregoing in mind.”
19. The following recommendations are submitted for Council’s consideration.

Link to Corporate Plan

20. Key issues; 4.2 Environmental Wellbeing; 4.3 Sport and Recreation Facilities and Public Access; and 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations.

Consultation

21. Nil.

Legal Implications (Statutory, basis, legal risks)

22. Nil.

Policy Implications

23. Nil - in accordance with policy position.

Financial and Resource Implications (Budgetary)

24. Nil.

RECOMMENDATION

The Department of Natural Resources and Mines be advised that Council;

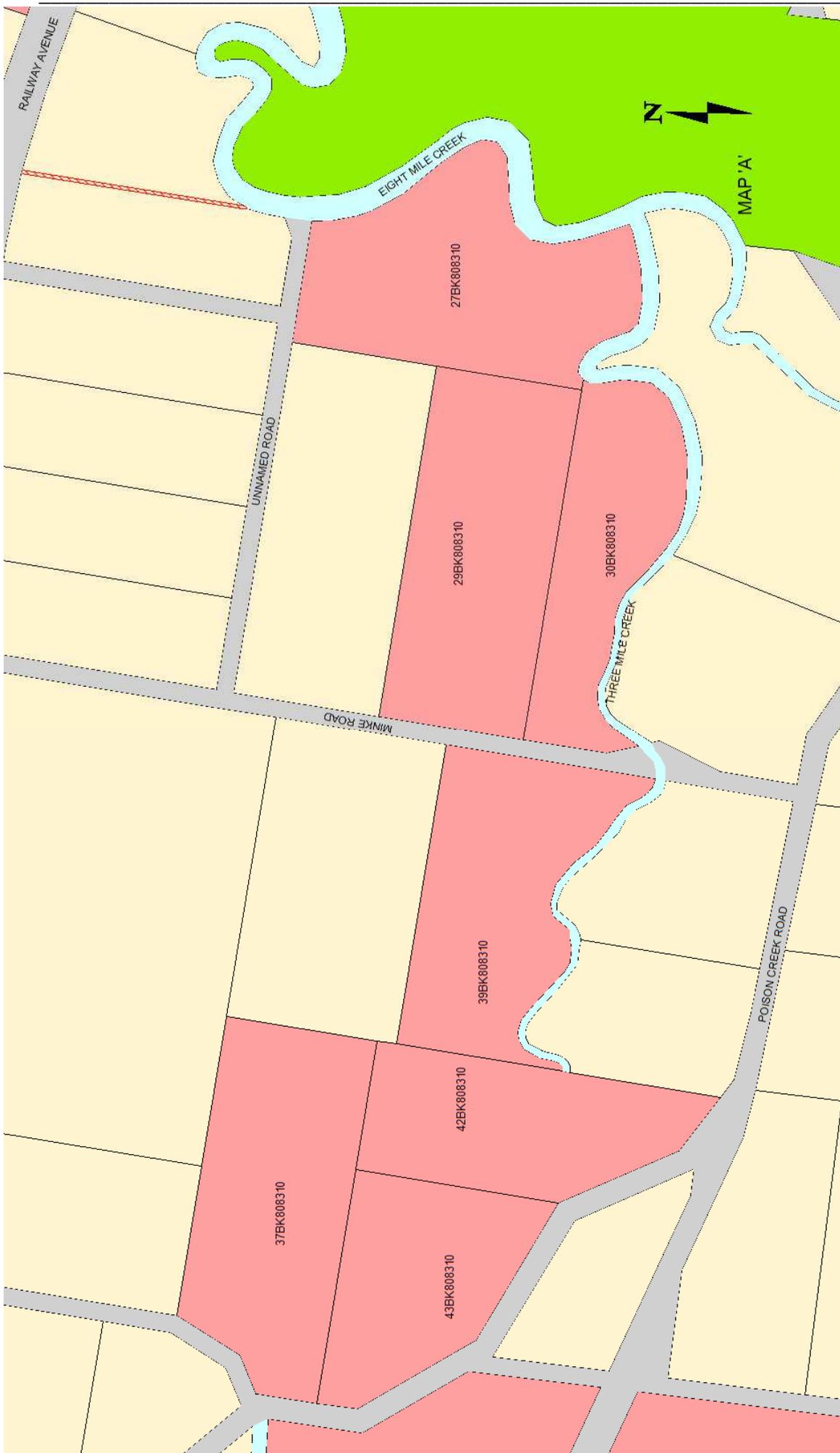
- iv. supports the conversion of Term Lease 215287 to freehold tenure over Lot 29 on Plan KA808310,
- v. supports the amendment of Term Lease 215287 to exclude Lots 29, 27 and 30
- vi. accepts trusteeship of the proposed reserves - at no cost to Council.

Att.

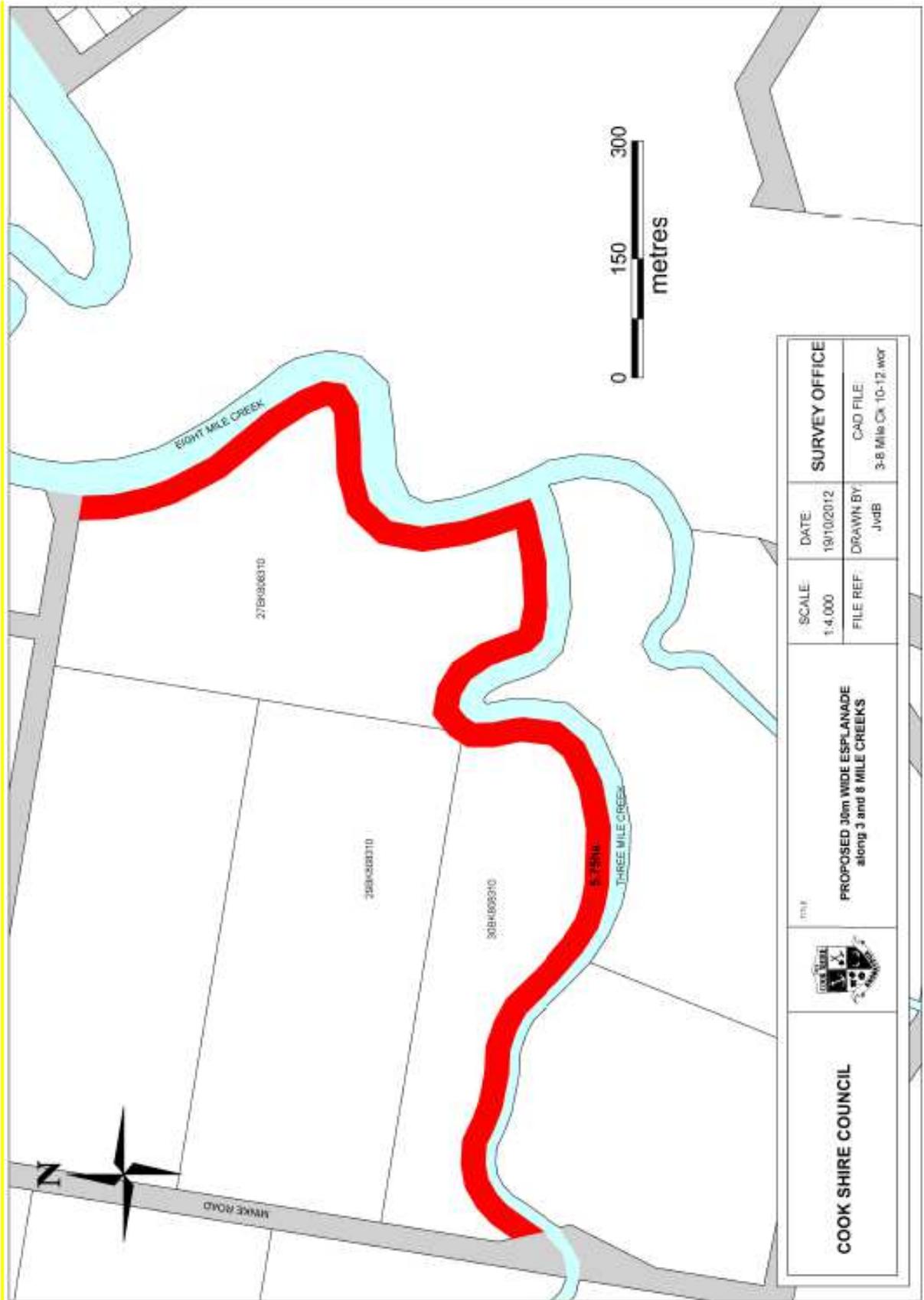
**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

MAP 'A'
SmartMap
Plan CAD FILE 3-8 MILE Ck 10-12.wor attached.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

30833	COOKTOWN 2020 PROJECTS AND EVENTS – ASSUMING A COORDINATING ROLE AND ESTABLISHING AN ADVISORY COMMITTEE TO COUNCIL	
	<i>Report No.D14/10127 from Economic Development and Community Services Director.</i>	

Cr K Price moved; seconded Cr R Bowman

1. That Council take on a coordinating role in the development of the Cooktown 2020 events and projects, through the Economic Development and Community Services team, for a period of two years or until such time that the Advisory Committee are able to provide such coordinating services through a new or existing incorporated body. After two years, this arrangement is to be reviewed and extended as required.
2. That Council establish the Cooktown 2020 Advisory Committee (per attached terms of reference and guidelines), Councillors P Johnson and K Price to be appointed as members of the committee.

CARRIED

Précis

Council taking a short term coordinating role in the development of the Cooktown 2020 events and projects and establish an advisory committee of relevant community organisations to advise Council on related matters

Background/History

The year 2020 will mark the semi-quincentennial anniversary of the landing of Captain Cook in Australia. Celebrations of this significant 250 year event have been identified by numerous organisations around the world where the voyage of the HMB Endeavour took place.

Recently Council was invited to a meeting in Cooktown organised by the Cooktown Re-enactment Association with traditional owners of Waymburr and the Australian National Maritime Museum (ANMM) in attendance. ANMM officers were keen to hear what ideas Cooktown has for celebrating their part in this internationally significant event as well as share their own plans for facilitating national and local events and projects.

The ANMM advised that one of their major aims is to re-enact the voyage of Cook using the HMB Endeavour Replica, from Whitby, England to Australia and beyond, allowing many ports of call around the world. If the voyage is to be re-enacted according to a historically accurate timeline, Cooktown could see the Endeavour visit for 48 days in 2020.

The ANMM are very keen to support Cooktown as indicated by the letter recently received by the Cooktown Re-enactment Association (attached).

An interim steering group has been formed with the most recent action being to approach Council for heightened support of this endeavour, as written by the Cooktown Re-enactment Association (attached), also outlining what current projects are being looked at to develop in

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

the lead up to 2020. The group feel the opportunities and resulting local projects are of such scale, requiring more resources and strategic coordination and promotion abilities than is available through local organisations. As a result it was resolved to request Council take over coordination of the event while still engaging with and receiving guidance from a formal advisory committee.

Funding is likely to become available for projects and events through state or federal governments, not-for-profit organisations or philanthropic societies. Council may look at proposing its own budget in years leading up to 2020, to support and/or facilitate particular projects.

Section 264 of the *Local Government Regulation 2012* permits a local authority to appoint advisory committees. An advisory committee may include in its members persons who are not councillors. A member of an advisory committee, whether or not they are a councillor may vote on business before the committee.

A local government may appoint a chairperson of an advisory committee, however if it does not do so, the committee may appoint one of its members as a chairperson. Meetings of a committee are held at the times and places decided by the committee.

In order to progress the Cooktown 2020 events and projects it is recommended that Council take on an active role and form an advisory committee to provide guidance and recommendations to Council. The advisory committee will be organisation based, with representatives invited from selected relevant local groups who have a vested and keen interest in this event and are able to provide information and expertise from their sector of the community.

Link to Corporate Plan

Active, Creative, Connected

- 4.3.1 Provide to a standard that ensures (at a minimum) legislative compliance and equitable access:
- c) Support and advocacy for community groups, clubs, societies and organisations
 - d) Support and advocacy for events and festivals and arts and cultural endeavours

Legislation

Consultation

Cooktown 2020 Interim Steering Group
Cooktown Re-enactment Association
Australian National Maritime Museum

Legal Implications (Statutory, basis, legal risks)

Nil

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Financial and Resource Implications (Budgetary)

\$6,500	Staff time (three hours per week)
\$3,000	Brand development – logo, taglines, communication style guide
\$6,000	Marketing and consultation – advertising, promotional material, printing
\$1,000	Other costs – venue hire, catering
= \$16,500	2014/15 total projected budget

This contribution will be sourced from existing tourism and events, media and marketing and arts and culture budget allocations (ED & CS) for 2014/15.

Recommendations

3. That Council take on a coordinating role in the development of the Cooktown 2020 events and projects, through the Economic Development and Community Services team, for a period of two years or until such time that the Advisory Committee are able to provide such coordinating services through a new or existing incorporated body. After two years, this arrangement is to be reviewed and extended as required.
4. That Council establish the Cooktown 2020 Advisory Committee (per attached terms of reference and guidelines).

Attachments

1. Cooktown 2020 Advisory Committee – Terms of Reference and Guidelines
2. Australian National Maritime Museum – Letter of support
3. Cooktown Re-enactment Association – Letter requesting Council support

TERMS OF REFERENCE & GUIDELINES

COOKTOWN 2020 ADVISORY COMMITTEE

The **terms of reference** of the Cooktown 2020 Advisory Committee are:

- To provide advice and recommendations to Council on matters relating to the Cooktown 2020 events and projects, specifically the history of Cooktown, Captain James Cook and related Indigenous history;
- To respect a shared history approach to all activities, through both Indigenous and European recounts of what took place in 1770;
- To provide in-kind support through: research; provision of collected images and files; displaying marketing, informational or consultation material at respective organisation offices and venues; and advocacy of the Cooktown 2020 events and projects;
- To provide support for any funding applications, lobbying exercises and promotional activities as undertaken by Council; and
- To discuss, provide advice and recommend solutions to issues/concerns which are relevant to the Cooktown 2020 projects and events.

The **guidelines** of the Cooktown 2020 Advisory Committee are:

1. The Committee will consist of the Cook Shire Mayor plus at least one other Councillor. Invitations will be extended to each of the following organisations to appoint a representative(s) with a vested or specific interest in this event and who are able to provide information and expertise from their sector of the community and report back to said organisations for wider community consultation and awareness:
 - Cooktown Re-enactment Association x 2
 - Cooktown Historical Society x 1
 - Burrigirku Land Trust (traditional owners - Wayburr clan) x 1
 - Cooktown Chamber of Commerce and Tourism x 1
 - James Cook Museum x 1

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

2. Other invitations to committee member appointments may be made at any time upon resolution by the advisory committee or by Council direction.
3. All Councillors are invited to attend committee meetings.
4. Minutes will be taken for all committee meetings and distributed to all members, Councillors and relevant Council officers in a timely manner.
5. Members who do not attend two consecutive meetings without apology will be deemed as a non-current member of the advisory committee.
6. Where a quorum is not present the meeting may proceed, with recommendations for decisions being carried forward to the next meeting when a quorum is present.
7. Topics for the agenda should be forwarded to the minute taker (Council officer) no later than one week prior to the next meeting date. A copy of the agenda will be distributed to all members at least two days prior to the next meeting date.
8. The committee will meet monthly at a time and place agreed to by the committee, or as otherwise directed by Council.
9. Recommendations for amendments or changes to the Terms of Reference and Guidelines can be made at any time provided that suggested changes are noted on the agenda (as per guidelines), a quorum is present at the meeting, and a majority of members present support the recommendation. Amendments to Terms of Reference and Guidelines must be approved by Council.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



17th August 2014

Mayor Peter Scott
Cook Shire Council
PO Box 3
Cooktown Qld 4895

Dear Cr Scott,

I am writing to advise Council of the formation of the **COOKTOWN 2020** Steering Committee to commence planning events for a Mega Festival and associated activities in Cooktown and region in the year 2020.

The Festival will commemorate the 250th Anniversary of the Landing of Captain Cook here on the banks of the Endeavour River in 1770.

Some of the activities we have identified for 2020 include:

- **THE RE-ENACTMENT/S OF COOKS LANDING AND HIS FIRST CONTACT WITH THE GUUGU YIMITHIRR BAMA.** The relationship and history we share with the Traditional Owners is unique in Australia and can be found nowhere else in our country.
- **A WARRAMA/CORROBOREE OR SERIES OF CORROBOREE'S.** The Guugu Yimithirr version of the 1770 encounters in song and dance.
- **ESTABLISH A NEW EDUCATION CENTRE/ MUSEUM** to showcase the 48 days the HMB Endeavour was here in 1770. This new high quality, state of the art centre would concentrate entirely on those 48 days and the events which occurred during that time including:
The first meaningful contact between the Guugu Yimithirr and Cook's crew.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

The first reconciliation in Australia's history as recorded in the journals of Captain Cook and Joseph Banks, between Captain Cook and a Little Old Aboriginal man who instigated the reconciliation.

The first record of an indigenous language in Australia.

The first sighting of the kangaroo.

The first Australian landscape painting.

Stories and diorama depicting the ship, the men, the animals, the zoology and botany, the women left behind in England and many more vital elements to this visit.

- **A VISIT BY THE HMB ENDEAVOUR REPLICA.**

After lobbying for several years we now have verbal confirmation, after a visit from senior officers from the Australian National Maritime Museum that the Endeavour Replica will circumnavigate the world, following the first voyage as near to possible to the original voyage. **THE REPLICA WILL BE HERE AT THE ENDEAVOUR RIVER FOR THE ENTIRE 48 DAYS OF THE ENDEAVOUR'S VISIT IN 1770.**

- **A MEGA FESTIVAL** to be built around those historic 48 days including events such as a Symposium on the 48 Days at the Endeavour River, The Trial of Captain Cook which would include indigenous and non indigenous participants. At least one Re-enactment of Cook's Landing, lectures by historians and key note speakers. An Expo/Cultural Event which will showcase the places who have a link to Cook such as lands visited during the Endeavour's voyage, Madiera, Whitby, Hawaii where Cook was killed and other interested places. Representatives from all thirteen of the Endeavour's landing places up the east coast of Australia.

- **A VISIT BY A MEMBER/MEMBERS OF THE ROYAL FAMILY** who will be invited to officially open the new Education Centre/Museum and to view the 2020 Re-enactment. Queen Elizabeth 2nd officially opened the James Cook Historical Museum in 1970 during the Bicentenary of Cook's first voyage and also viewed the Re-enactment.

RECONCILIATION ROCKS - PROGRAMME OF EVENTS

The erection of a life sized bronze statue of the Little Old Man who instigated the first reconciliation in Australian history . *To be actioned as a priority.*

Landscaping of the area around Reconciliation Rocks. *To be actioned as a priority.*

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

An Interpretive Mangrove Boardwalk on the seaward side of the rocks depicting the shared Bama and European history of the region. *To be actioned as soon as practicable.*

RECONCILIATION ROCKS – THE CONCERT – Featuring top name artists commencing in the latter part of 2015 and leading up to a huge event in 2020.

- **A PILGRIMAGE OF SAIL** from Tasmania to Cooktown to coincide with the Endeavour Replica's voyage up the east coast of Australia. Including all classes of sailing ships and yachts.

We have worked to obtain recognition for our unique history for 5 years now with contacts still being made on a regular basis. We believe many more events and activities will take place here in the lead up to, during 2020 and beyond as interest in our unique corner of the world becomes more widely known.

Our organisation believes that showcasing the absolute uniqueness of our history has the potential to launch our town and region into the future, assisting us to become more financially viable.

Our organisation simply doesn't have the resources to cope with the demands of funding and promoting these events any longer and we are now at the point where it now needs to be taken to the next level.

The **COOKTOWN 2020** projects and events require considerable planning, resources and support.

All communications and marketing now need a more formalised and a consistent approach taken, given the interest and recent increase in momentum towards this key anniversary in Australian history.

We believe that Cook Shire Council is the most appropriate organisation to take the lead.

We would request that the members identified as the **COOKTOWN 2020 STEERING COMMITTEE**, form the first **COOKTOWN 2020 ADVISORY COMMITTEE** of Cook Shire Council and that all key decision making be led by the group.

I am unsure what budget and staff resources would be available for these projects and request Council's guidance on this matter.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

The Cooktown Re-enactment Association and **COOKTOWN 2020** STEERING COMMITTEE look forward to a favourable response and thank Council for their continued support and enthusiasm towards these events and projects.

These events will bring a major focus on Cooktown and region in the lead up to 2020 with interest already received from the Queensland Government and Australian National Maritime Museum who have offered, during a recent visit, to bring the Endeavour Replica here for the full 48 days of Cook's visit in 1770. They have requested a Wish List for funding for our events and activities which they intend taking to the Federal Government.

Yours faithfully,

Loretta Sullivan

President
Cooktown Re-Enactment Assoc

Interim Chair
COOKTOWN 2020 Steering Committee

Mobile 0427194820

Email endeavourriver1770@gmail.com

Postal PO Box 180, Cooktown, Qld 4895

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**



8 September 2014

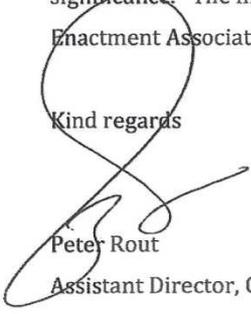
President
Cooktown Re-Enactment Association
PO Box 180
Cooktown, QLD 4895

Dear Loretta

Once again, thank you for hosting a visit by the Australian National Maritime Museum to Cooktown on 24-25 July 2014.

As discussed, the museum is developing a proposal for a framework of events in 2020 to mark the 250th anniversary of Cook's voyage to Australia. We consider that the story of Cook's stay in Cooktown in 1770 and his interaction with the Guugu Yimithirr Bama to have national significance. The museum therefore looks forward to continued liaison with the Cooktown Re-Enactment Association in a proposal to Government for funding of the anniversary events.

Kind regards


Peter Rout
Assistant Director, Operations

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30834	COEN ADVISORY COMMITTEE - MINUTES	
	<i>Report No.D14/10142 from Economic Development and Community Services Director.</i>	

Cr G Shephard moved; seconded Cr A Wilson
That Council receive the minutes of the Coen Advisory Committee meeting of 12 August 2014
CARRIED

Précis

Minutes of the Coen Advisory Committee meeting held August 12, 2014

Background/History

The Coen Advisory Committee met in Coen on August 12, 2014. The minutes of that meeting are attached for the information of Councillors and for any action on recommendations contained therein.

Link to Corporate Plan

Active, Creative, Connected

- 4.3.1 Provide to a standard that ensures (at a minimum) legislative compliance and equitable access:
- c) Support and advocacy for community groups, clubs, societies and organisations
 - e) Community engagement across all relevant activities

Consultation

Nil

Legal Implications (Statutory, basis, legal risks)

Nil

Financial and Resource Implications (Budgetary)

Nil

Recommendations

That Council receive the minutes of the Coen Advisory Committee meeting of 9 October 2014

Attachments

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

1. Minutes of the Coen Advisory Group

Coen Advisory Committee Meeting

MINUTES

Tuesday August 12, 2014

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Meeting details:

Meeting title/group name:	Coen Advisory Committee
Date:	August 12, 2014
Start time:	6.15pm
End time:	7.20pm
Venue:	Town Hall, Coen
Chairperson:	Cr Glen Sheppard
Objective:	Group to provide advice and recommendations to Cook Shire Council regarding local government issues around the town and district of Coen

Attendees:

Name	Position, title and workgroup
Cr Glen Sheppard	Councillor, Cook Shire Council
Karen Nicolaou	Grants Officer, Cook Shire Council
Kimberley Sullivan	Media and Communications Officer, Cook Shire Council
Joanne Nelson	Community Member
Mathew Maloney	QPS
Scott Templeton	Coen Inspection Centre
Jodi Hamilton	Community Member

Apologies:

Name	Position, title and workgroup
Alison Liddy	Lama Lama representative
Maureen Liddy	

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Item no.	Item	Person responsible	Actions
1.	Welcome / Acknowledgements	Chair	
2.	<p>Sporting Precinct - Amenities block</p> <p>KN - Overview of the funding available through Sport and Rec Queensland and examples of other like amenities blocks in the region (i.e. Lakeland wash down bay). Three quotes are required and likely to come in well above the funding available due to the distance to Coen and lack of local concrete batching plant.</p> <p>ST - John Perry (local business) can bring in mobile plant</p> <p>KN - Grant is only for \$100,000 with a Council contribution of 20% (electrical, plumbing, etc). Potential to seek in-kind support through local employment services which will bring down the overall cost.</p> <p>ST - Great idea to use local contractors, plenty of guys with white cards and relevant skills.</p> <p>MM - Need someone to speak to Dot at local employment service</p> <p>KN - Maybe John Perry can speak with them as well</p> <p>JH - AusKick/AFL might be a good resource for support</p> <p>MM - Offered to write a letter of support on behalf of the Coen Advisory Group</p> <p>JN - It's all about getting kids active and healthy and encouraging them to participate in activities</p>	KN	<p>Karen to submit funding application for the \$100,000</p> <p>Joanne to speak to Dot at local employment service</p> <p>Matt to write a letter of support on behalf of the Coen Advisory Group</p>
3.	<p>Economic Development and Community Development Grants</p> <p>KN - Spoke about the grants programs and eligibility requirements</p> <p>JH - Not many local groups would be eligible - Kindergarten and PCYC</p> <p>KS - Application forms and guidelines available from</p>		<p>All to promote where possible and direct enquiries to Council (Karen)</p>

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

	the Coen library		
4.	<p>Information bay and Coen entry statement</p> <p>JH - On the agenda for some time</p> <p>KS - Looking closely at getting this one done as part of a regional project with other Cook Shire communities</p> <p>ST - Lots of local businesses would get involved and advertise on an information bay, also needs a town map</p> <p>KS - Would a local Chamber of Commerce or Progress Association be able to take this on with assistance from Council?</p> <p>JH - No meetings in some time, probably not</p>		Kimberley to keep the group informed of the progress of these two projects
5.	<p>Cook Shire Business Survey results</p> <p>KN - Distributed some copies for review by those present, very positive results which will trigger future economic development, marketing and business development opportunities</p>		
6.	<p>Other business</p> <p>KN - Highlighted the need for the Group to remain focused on wider community issues and make any individual requests or complaints directly to Council or the relevant service provider</p> <p>JH - Will go through the previous minutes and lodge some customer requests</p> <p>ST - Fire control in Coen? Refer to Tony Lickiss</p> <p>KN - Will look at progressing the light outage over Lankelly bridge and determine whether it's Main Roads or Ergon responsible</p> <p>JN - Would like to see a full audit of Coen street lights as many others are out</p> <p>MM - New proxy to the Advisory Committee will be Derek Hicks. Snr. Constable Heinemann has been transferred and Matt paid thanks for his services.</p> <p>MM - Paid thanks to Cook Shire Council for their support of the Coen QPS 150th anniversary and NAIDOC events</p> <p>ST - Traffic counter figures were 4,000 for July, still</p>		<p>Jodi to lodge the relevant customer requests from previous minutes</p> <p>Kimberley to speak with Tony Lickiss regarding annual fire control in Coen</p> <p>Karen to look into light outage over Lankelly bridge</p> <p>Kimberley to</p>

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

	<p>plenty of people travelling about</p> <p>KN - Teleconferencing facility in Coen, something to look at setting up at the library perhaps</p> <p>GS - Coen Heritage House, need to look at whether Council can provide or facilitate somebody to man the Heritage House during tourist season</p>		<p>look into teleconferencing facilities at the Coen library</p> <p>Kimberley to look into staffing during the tourist season of the Coen Heritage House</p>
7.	<p>Next meeting</p> <p>Potentially to align with Council's October meeting in Coen - TBA</p>		
8.	<p>Meeting closed</p> <p>7.20pm</p>		

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

CORPORATE SERVICES

FINANCE

Director Corporate Services, Martin Cookson, in attendance.

30835	REVENUE AND EXPENDITURE – AUGUST 2014	
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Cr R Bowman moved; seconded Cr A Wilson

That the Revenue and Expenditure Statements for August 2014 be adopted.

CARRIED



Bobs Aug 2014.xlsx

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

ADMINISTRATION

30836	WATERFRONT ADVISORY COMMITTEE	
	<i>Report No. D14/9536 from Chief Executive Officer</i>	

Cr S Clark moved; seconded Cr P Johnson

That the minutes of the Waterfront Advisory Committee meeting held on 20 August 2014 be received.

CARRIED

Précis

Presentation of minutes of the Waterfront Advisory Committee

Background/History

Council has created a Waterfront Advisory Committee in accordance with section 265 of the *Local Government Regulation 2012*.

The last meeting of the committee was held on 20 August 2014 and the minutes of that meeting are attached.

Link to Corporate Plan

Legislation

Consultation

Nil

Legal Implications (Statutory, basis, legal risks)

Nil

Policy Implications

None identified

Financial and Resource Implications (Budgetary)/Risk Assessment

RECOMMENDATION

That the minutes of the Waterfront Advisory Committee meeting held on 20 August 2014 be received.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

**Minutes of the meeting of Cook Shire Council's Waterfront Advisory Committee held at
the Administration Centre, 10 Furneaux Street, Cooktown
20 August 2014**

ATTENDANCE: The Mayor, Cr PH Scott, Councillors KG Price, PL Johnson, R Bowman, S Clark, Chief Executive Officer, Steve Wilton, Acting Director Planning and Environment, John Harrison, , Director Engineering Services, Tony Lickiss, Director Corporate Services, Martin Cookson, Director Economic Development, and Community Services, Katrina Houghton, Grants Office, Karen Nicolaou, Project Manager, Michael Czarnecki, Minute Officer (R Norris).

Sue Clark moved; seconded Michael Czarnecki
That the minutes of the Waterfront Committee meeting of 23 July 2014 be confirmed.
CARRIED.

Land Tenure

The CEO advised that Kev Allen of the Department of Natural Resources hadn't got back to him concerning tenure.

Questions –

- How easy is it to change the tenure to a Recreation Reserve
- Cost to Council of freeholding given that Council created the land.

Grant

Awaiting receipt of sub-agreement. As soon as it is signed Council can make a claim for \$1M.

Milestones have been kept pretty loose so Council has been given plenty of leeway.

Savings

Underground power will be installed by Ergon at no charge to Council. They will supply the conduit which will be installed by Council.

Budget

Pergola size has been reduced – savings of \$130,000.
Toilet block (turn-key price) - \$760,000.

Compression Hill

Will be in place for a minimum of three weeks.

Consultancy/Project Management

10% of total project costs has been allowed.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Elements

Elements that could be sacrificed are bbqs, bbq sheds.

Fish Platforms

Final designs for footings have been received.
Awaiting design of platforms (cantilevered)

Waterpark

A rubberised finish is being sought for laying over the concrete. It is similar to soft fall but not as spongy.

Lights

Supply still being negotiated. It was for 65 lights originally but designers have been told to pare that amount back.

Looking at minimum lighting for safety not for night use of the area.

There will be permanent lights at the platforms and marina.

From 9.00 pm lighting will be reduced from three to one.

Grant for Graffiti

Can be used for cameras and lighting around amenities to protect from graffiti.

Type of light has been selected. Karen to be given the price.

Children's Playground

Not budgeted for. Can be put in at a later time, if necessary.

Pergola

Suggested that the poles be different bright colours with timber trellis.

Fence is to keep people safe.

RADF Public Art

1200 mm high plinths at fishing platforms. Series of drawings such as turtle fabricated in aluminium with recycled glass added to concrete.

Artwork that can be translated into an aluminium image which can be incorporated into concrete (6 pieces for the entry statement to the platform)

Needed in next 4 – 5 weeks.

Tony to give Karen design for plinths.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Teleconference with Andrew Prowse and Roger Mainward

- Solar panels on ensuites
- No urinals
- All WCs to be unisex. Ambulatory need to be gender based but all others unisex
- Move PWD to bottom end of toilets and put in door into back of the wall
- Remove door at bottom of toilets.
- Pergola – go to milled aluminium, rather than steel columns.
 - Keep to one level – remove podium.
- Fence – all pool fencing 16mm normal balustrade height with timber handrail where pergola is – right around.
- Timber boardwork restricted to length of pergola.
- Picnic shelters – to be looked at again.

BBQs

Electric and free.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30837	APPLICATION FOR A LOCAL GOVERNMENT CHANGE – MINOR BOUNDARY CHANGE LOCKHART RIVER ABORIGINAL SHIRE COUNCIL – LOT 2 ON PLAN WMT26	
	<i>Report No.D14/9599 from Chief Executive Officer</i>	

Cr P Johnson moved; seconded Cr G Shephard

That Council make a formal application to the Local Government Change Commission to change the local government boundaries between Cook Shire Council and Lockhart River Aboriginal Shire Council by transferring the land described as Lot 2 on Plan WMT26, Parish Lloyd, County Weymouth from the Cook Shire Council Local Government area to Lockhart River Aboriginal Shire Council Local Government area.

CARRIED

Précis

A report from the Chief Executive Officer recommending that an application be made to the Local Government Change Commission for a minor boundary change between Cook Shire Council and Lockhart River Aboriginal Shire Council.

Commentary

Lockhart River Aboriginal Shire Council requested that the land of the Lockhart Airport be transferred from the Cook Shire Local Government area to the Lockhart River Aboriginal Shire Local Government area. Meetings have previously been held concerning this matter between Cook Shire and Lockhart River Aboriginal Councils.

The land is described as Lot 2 on Plan WMT26, Parish Lloyd, County Weymouth and consists an area of 100.4 hectares. The Valuer Generals unimproved value for the parcel is \$240,000 and the current annual rates levy by Cook Shire is \$2,836.56.

The land is an area of Cook Shire that is an island surrounded by the area of the Lockhart River Shire Council. The whole of the area is used as the Lockhart River Aerodrome. The aerodrome is operated by the Lockhart River Aerodrome Ltd that is an enterprise of the Lockhart River Shire Council.

Section 18(3) of the Local Government Act 2009 allows a Local Government to make an application for a boundary change to the Local Government Change Commission. The Local Government Change Commission will assess the application in accordance with Section 19(2) of the LG Act and Division 1 Part 2 Chapter 2 of the Local Government Regulation 2012.

Matters that will be considered by the Local Government Change Commission when assessing an application that relates to a change of the boundaries of a local government area are listed in the following sections of the Regulation.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

S.9 Community of interest

(1) The external boundaries of a local government area should be drawn in a way that has regard to communities of interest, including that the local government area should generally—

- (a) reflect local communities, for example, the geographical pattern of human activities (where people live, work and engage in leisure activities), and the linkages between local communities; and
- (b) have a centre, or centres, of administration and service easily accessible to its population; and
- (c) ensure effective elected representation for residents and ratepayers; and
- (d) have external boundaries that—
 - (i) do not divide local neighbourhoods or adjacent rural and urban areas with common interests or interdependencies, including, for example, economic, cultural and ethnic interests or interdependencies; and
 - (ii) subject to the water catchment principle—follow the natural geographical features and non-natural features separating different communities; and
 - (iii) do not dissect properties.

(2) The *water catchment principle* is the principle that water catchment areas should generally be included in the local government area they service.

S.10 Joint arrangements

(1) Regard should be had to whether or not a joint arrangement should be established instead of, or in combination with, a change to the external boundaries of a local government area.

(2) A *joint arrangement* includes the following—

- (a) a joint standing committee;
- (b) joint action by agreement;
- (c) the joint exercise of local government jurisdiction or the joint operation of an activity, facility or service;
- (d) an agreement on, or extension of, an activity, facility or service outside a local government area;
- (e) a contribution for the operation of an activity, facility or service outside a local government area;
- (f) resource sharing by local governments;
- (g) any other type of arrangement of a joint nature the change commission considers appropriate, including an arrangement not dealt with under the Act.

S.11 Planning

The external boundaries of a local government area should be drawn in a way that—

- (a) helps in—
 - (i) the planning and development for the benefit of the local government area; and
 - (ii) the efficient and effective operation of its facilities, services and activities; and
- (b) has regard to existing and expected population growth.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

S.12 Resource base sufficiency

A local government should have a sufficient resource base—

- (a) to be able to efficiently and effectively exercise its jurisdiction and operate facilities, services and activities; and
- (b) to be flexible and responsive in the exercise of its jurisdiction and the operation of its activities, facilities and services.

Cook Shire's assessment of these matters is as follows;

Community of Interest – The community of interest for the land rests with the Lockhart community given its proximity to the town of Lockhart River and the fact that the area is surrounded by Lockhart River Aboriginal Shire area. The land is located in the Lockhart River water catchment area.

Joint Arrangements – Due to the isolation from the administrative base of Cook Shire Council (Cooktown) and the close proximity to Lockhart River Aboriginal Shire Council's administrative base at Lockhart River it is not practical to enter into joint arrangements for the administration of local government services for the land.

Planning – The area of the subject land is currently fully utilised in the operations of the Lockhart River Aerodrome and if the boundary alteration were not to occur any future increase in these activities may be hampered by the cross boundary considerations that may be present.

Resource Base Sufficiency – Lockhart River Aboriginal Shire Council currently provides all local government services and administration to the surrounding area. The proposed boundary change will not negatively affect the current resource base of that Council. In fact the Lockhart River Aboriginal Shire Council would be able to levy a rate on the land which would improve the Council's resource base.

Link to Corporate Plan

Address the issue of immediate concern by regularising boundaries with neighbouring Councils

Consultation

Lockhart River Aboriginal Shire Council

Legal Implications (Statutory, basis, legal risks)

Local Government Act 2009 and Local Government Regulation 2012.

Policy Implications

Nil

Financial and Resource Implications (Budgetary)

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

Future loss of rate revenue currently \$2,836.56 per annum.

RECOMMENDATION

That Council make a formal application to the Local Government Change Commission to change the local government boundaries between Cook Shire Council and Lockhart River Aboriginal Shire Council by transferring the land described as Lot 2 on Plan WMT26, Parish Lloyd, County Weymouth from the Cook Shire Council Local Government area to Lockhart River Aboriginal Shire Council Local Government area.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30838	APPLICATION FOR A LOCAL GOVERNMENT CHANGE – MINOR BOUNDARY CHANGE LOCKHART RIVER ABORIGINAL SHIRE COUNCIL – LOT 6 ON PLAN WMT54 – LINE HILL	
	<i>Report No.D14/9601 from Chief Executive Officer</i>	

Cr A Wilson moved; seconded Cr G Shephard

That Council make a formal application to the Local Government Change Commission to change the local government boundaries between Cook Shire Council and Lockhart River Aboriginal Shire Council by transferring the land described as Lot 6 on Plan WMT54, Parish Lloyd, County Weymouth from the Cook Shire Council Local Government area to Lockhart River Aboriginal Shire Council Local Government area.

CARRIED

Précis

A report from the Chief Executive Officer recommending that an application be made to the Local Government Change Commission for a minor boundary change between Cook Shire Council and Lockhart River Aboriginal Shire Council.

Commentary

Lockhart River Aboriginal Shire Council requested that the land known as “Line Hill” be transferred from the Cook Shire Local Government area to the Lockhart River Aboriginal Shire Local Government area.

The land is described as Lot 6 on Plan WMT54, Parish Lloyd, County Weymouth and consists an area of 3009 hectares. The Valuer Generals unimproved value for the parcel is \$900,000 and the current annual rates levy by Cook Shire is \$6,738.80. The land is freehold and is owned by Lockhart River Aboriginal Shire Council.

The land is adjacent to the town of Lockhart River and is contiguous with the Lockhart River Aboriginal Council boundary.

Section 18(3) of the Local Government Act 2009 allows a Local Government to make an application for a boundary change to the Local Government Change Commission. The Local Government Change Commission will assess the application in accordance with Section 19(2) of the LG Act and Division 1 Part 2 Chapter 2 of the Local Government Regulation 2012.

Matters that will be considered by the Local Government Change Commission when assessing an application that relates to a change of the boundaries of a local government area are listed in the following sections of the Regulation.

S.9 Community of interest

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

- (1) The external boundaries of a local government area should be drawn in a way that has regard to communities of interest, including that the local government area should generally—
- (a) reflect local communities, for example, the geographical pattern of human activities (where people live, work and engage in leisure activities), and the linkages between local communities; and
 - (b) have a centre, or centres, of administration and service easily accessible to its population; and
 - (c) ensure effective elected representation for residents and ratepayers; and
 - (d) have external boundaries that—
 - (i) do not divide local neighbourhoods or adjacent rural and urban areas with common interests or interdependencies, including, for example, economic, cultural and ethnic interests or interdependencies; and
 - (ii) subject to the water catchment principle—follow the natural geographical features and non-natural features separating different communities; and
 - (iii) do not dissect properties.
- (2) The *water catchment principle* is the principle that water catchment areas should generally be included in the local government area they service.

S.10 Joint arrangements

- (1) Regard should be had to whether or not a joint arrangement should be established instead of, or in combination with, a change to the external boundaries of a local government area.
- (2) A *joint arrangement* includes the following—
- (a) a joint standing committee;
 - (b) joint action by agreement;
 - (c) the joint exercise of local government jurisdiction or the joint operation of an activity, facility or service;
 - (d) an agreement on, or extension of, an activity, facility or service outside a local government area;
 - (e) a contribution for the operation of an activity, facility or service outside a local government area;
 - (f) resource sharing by local governments;
 - (g) any other type of arrangement of a joint nature the change commission considers appropriate, including an arrangement not dealt with under the Act.

S.11 Planning

The external boundaries of a local government area should be drawn in a way that—

- (a) helps in—
 - (i) the planning and development for the benefit of the local government area; and
 - (ii) the efficient and effective operation of its facilities, services and activities; and
- (b) has regard to existing and expected population growth.

S.12 Resource base sufficiency

A local government should have a sufficient resource base—

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

- (a) to be able to efficiently and effectively exercise its jurisdiction and operate facilities, services and activities; and
- (b) to be flexible and responsive in the exercise of its jurisdiction and the operation of its activities, facilities and services.

Cook Shire's assessment of these matters is as follows;

Community of Interest – The community of interest for the land rests with the Lockhart community given its proximity to the town of Lockhart River and the fact that the area is contiguous to the Lockhart River Aboriginal Shire area. The land is located in the Lockhart River water catchment area and is owned by the Lockhart River Aboriginal Shire Council.

Joint Arrangements – Due to the isolation from the administrative base of Cook Shire Council (Cooktown) and the close proximity to Lockhart River Aboriginal Shire Council's administrative base at Lockhart River it is not practical to enter into joint arrangements for the administration of local government services for the land.

Planning – The area of the subject land is currently fully utilised in the operations of the Lockhart River Aboriginal Shire Council and if the boundary alteration were not to occur any future increase in these activities may be hampered by the cross boundary considerations that may be present.

Resource Base Sufficiency – Lockhart River Aboriginal Shire Council currently provides all local government services and administration to the surrounding area. The proposed boundary change will not negatively affect the current resource base of that Council. In fact the Lockhart River Aboriginal Shire Council would be able to levy a rate on the land which would improve the Council's resource base.

Link to Corporate Plan

Address the issue of immediate concern by regularising boundaries with neighbouring Councils

Consultation

Lockhart River Aboriginal Shire Council

Legal Implications (Statutory, basis, legal risks)

Local Government Act 2009 and Local Government Regulation 2012.

Policy Implications

Nil

Financial and Resource Implications (Budgetary)

Future loss of rate revenue currently \$6,738.80 per annum.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

RECOMMENDATION

That Council make a formal application to the Local Government Change Commission to change the local government boundaries between Cook Shire Council and Lockhart River Aboriginal Shire Council by transferring the land described as Lot 6 on Plan WMT54, Parish Lloyd, County Weymouth from the Cook Shire Council Local Government area to Lockhart River Aboriginal Shire Council Local Government area.

30839	COMMITTEE OF THE WHOLE	
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Cr A Wilson moved; seconded Cr R Bowman
That the meeting resolve into Committee of the Whole at 3.05 pm on 16 September 2014 to discuss native title, renewal of lease, requests for rebate of water charges, request to defer interest on arrears of rates, and refunds of rates and charges.
CARRIED

30840	COMMITTEE OF THE WHOLE	
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Cr P Johnson moved; seconded Cr R Bowman
That the meeting revert to the ordinary meeting of Council at 4.07 pm after discussing native title, renewal of lease, requests for rebate of water charges, request to defer interest on arrears of rates, and refunds of rates and charges.
CARRIED

LAND TENURE

Cr R Bowman declared a conflict of interest in the following matter in that he was a member of the executive of the applicant association and left the chamber at 3.17pm on 16 September 2014.

30841	APPLICATION TO RENEW TERM LEASE SL 14/48713 BEING LOT 82 ON PLAN BS246 – RESERVE FOR RECREATION (GAME FISHING CLUB): WEBBER ESPLANADE, COOKTOWN.	
	<i>Report No.D14/9723 from Chief Executive Officer File No. 2.169.07; 2.512.3</i>	

Cr S Clark moved; seconded Cr P Johnson
In view of the waterfront timeframes, the Mayor and the Chief Executive Officer be and are hereby authorised to make a decision on the agreement between Council and the Cooktown Blue Water Club Inc. lessees of Term Lease SL14/48713 Lot82 on BS246.
CARRIED

Cr R Bowman did not vote on the above motion and all persons entitled to vote on the matter voted for the motion.

Cr Bowman resumed his seat in the Chamber at 3.20 pm on 16 September 2014

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30842	NATIVE TITLE DETERMINATION APPLICATION QUD157/11 – NORTHERN CAPE YORK GROUP #1: CATEGORY 1; PROPOSED SECTION 87 AND DRAFT CONSENT DETERMINATION – CONSIDERATION OF SEVERAL CLAUSES.	
	<i>Report No.D14/10224 from Chief Executive Officer File No. 2.660.169</i>	

Cr G Shephard moved; seconded Cr R Bowman
That Preston Law be advised that;

1. Council notes and consents to the Orders sought in Clauses 1 to 15 of the draft consent determination.
2. Subject to a review of the final document, Council consents to the proposed consent determination and section 87 Agreement.
3. In view of the timetable set by the Federal Court, the Mayor and the Chief Executive Officer be and are hereby authorised to
 - a. consent to any minor drafting amendments of the draft consent determination, and
 - b. review the final consent determination and provide instruction to Preston Law to execute the agreement..

CARRIED

CORPORATE SERVICES

FINANCE

30843	REQUEST FOR REBATE OF WATER CHARGES ASSESSMENT 10010890	
	<i>Report No.D14/9242 from Director Corporate Services</i>	

Cr R Bowman moved; seconded Cr S Clark
That the matter be deferred pending receipt of further information from the applicant.
CARRIED

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30844	REQUEST FOR REBATE OF WATER CHARGES ASSESSMENT 10004430	
	<i>Report No.D14/9243 from Director Corporate Services</i>	

Cr R Bowman moved; seconded Cr G Shephard

That the matter be deferred pending receipt of further information from the applicant.

CARRIED

30845	REQUEST FOR REBATE OF WATER CHARGES ASSESSMENT 10009058	
	<i>Report No.D14/9244 from Director Corporate Services</i>	

Cr P Johnson moved; seconded Cr A Wilson

That Council grant a concession to the owner of the property, subject to Assessment 10009058 due to hardship caused by Cyclone Ita, such concession to be calculated as the difference between the consumption of water from 7 January 2014 to 19 June 2014 and the average consumption of the previous three billing periods.

CARRIED

30847	REQUEST FOR REBATE OF WATER CHARGES ASSESSMENT 10011096	
	<i>Report No.D14/9667 from Director Corporate Services</i>	

Cr S Clark moved; seconded Cr R Bowman

That Council grant a concession to the owner of the property, subject to Assessment 10011096 due to hardship caused by Cyclone Ita, such concession to be calculated as the difference between the consumption of water from 8 January 2014 to 23 June 2014 and the average consumption of the previous three billing periods.

CARRIED

30848	REQUEST FOR REBATE OF WATER CHARGES ASSESSMENT 10003564	
	<i>Report No.D14/9 from Director Corporate Services</i>	

Cr S Clark moved; seconded Cr G Shephard

That the matter be deferred pending receipt of further information from the applicant.

CARRIED

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30849	RATES – WRITE OFF AND REFUND OF RATES – ASSESSMENT 10041077	
	<i>Report No. D14/9459 from Chief Executive Officer</i>	

Cr A Wilson moved; seconded Cr P Johnson

That the Old Mapoon Aboriginal Corporation be

1. levied for general rates from the 1 July 2013 to 30 June 2014, that is, \$899.00
2. charged an environmental levy from 1 July 2013 to 30 June 2014, that is, \$228.00

Further that the general rates and environmental levies for the period 17 July 2012 to 30 June 2013 amounting to \$899.49 and \$209.48, respectively, amounting to a total of \$1,108.97, be written off.

Further that \$581.02 of the amount written off be applied to the current levy of \$467.02 and the environmental levy of \$114.00 and the balance of \$527.95 be refunded to the Old Mapoon Aboriginal Corporation.

Further that the interest accrued amounting to \$111.05 be written off.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30850	WRITE OFF OF WATER CHARGES – FAULTY METER – ASSESSMENT NO. 10011112	
	<i>Report No.D14/9466 from Chief Executive Officer</i>	

Cr S Clark moved; seconded Cr P Johnson

That the water charges levied on Assessment No. 10011112 for the period 1 January 2014 to 30 June 2014 be written off and a refund of the amount paid for water consumption for the period be refunded to the registered proprietor of the property.

CARRIED

ADMINISTRATION

30851	SHORT TERM LEASE OR MANAGEMENT AGREEMENT BY TENDER T0714 – COOKTOWN FAMILY MARTIAL ARTS	
	<i>Report No.D14/10144 from Business Services Manager and Records Officer</i>	

Cr R Bowman moved; seconded Cr A Wilson

Council offer the Shire Hall to Cooktown Family Martial Arts by way of lease and the rent be negotiated based on the terms of the lease, with the intention being that the building move closer to being cost neutral to Council and/or some form of profit be generated for the Shire's constituents.

CARRIED

FINANCE

30852	RATES – REQUEST FOR HARDSHIP – ASSESSMENT 10002954, 10002962, 10004950	
	<i>Report No. D14/ from Chief Executive Officer</i>	

Cr K Price moved; seconded Cr R Bowman

That Council does grant a concession on interest and \$2504.69 provided the outstanding rates are paid in full by 31 October 2014.

CARRIED

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

LAND TENURE

30853	<p>NATIVE TITLE DETERMINATION APPLICATION QUD6023/02 – WUTHATHI, KUUKU YA’U AND NORTHERN KAAANJU PEOPLE (BROMLEY PASTORAL HOLDING): CATEGORY 2A; REVIEW SECTION 87 AND DRAFT CONSENT DETERMINATION AND CONSIDERATION OF THE OPERATION OF SECTION 47B.</p>	
	<p><i>Report No.D14/10394 from Chief Executive Officer File No. 2.660.76</i></p>	

Cr A Wilson moved; seconded Cr P Johnson
That Preston Law be advised that;

- a. Council has reviewed the section 87 Agreement and draft consent determination and advice from Preston Law;
- b. Council accepts the native title rights and interests claimed by the Applicant, and subject to a review of the final consent determination and amended Form 1 Application, provide in-principle agreement to a determination of native title as detailed in clause 1 to 13 of the consent determination.

CARRIED

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building 10 Furneaux Street, Cooktown
15-16-17 September 2014**

30854	NATIVE TITLE DETERMINATION APPLICATION QUD6022/02 – WUTHATHI PEOPLE #2: CATEGORY 1; REVIEW SECTION 87; CONSIDERATION OF DRAFT CONSENT DETERMINATION; CONSIDERATION OF THE OPERATION OF SECTION 47B AND REGISTERED INDIGENOUS LAND USE (AREA) AGREEMENT.	
	<i>Report No.D14/10408 from Chief Executive Officer File No. 2.660.75</i>	

Cr A Wilson moved; seconded Cr G Shephard

That Preston Law be advised that;

- a. Council has reviewed the section 87 Agreement and final consent determination and advice from Preston Law on 21 July 2014 and 9 September 2014;
- b. On review of the abovementioned material Council consents to a determination of native title as detailed in the consent determination and authorises Preston Law to execute the section 87 Agreement on Cook Shire Council's behalf.
- c. Council delegates authority to the Mayor and the Chief Executive Officer to authorise any minor amendments to the section 87 Deed and consent determination that may occur prior to execution.
- d. Council delegates authority to the Mayor and the Chief Executive Officer to provide instruction regarding the negotiations with the Wuthathi Aboriginal Corporation regarding its consent to execute a Deed of Assumption or Body Corporate ILUA.

CARRIED

The meeting closed at 4.30 pm on 16 September 2014

Mayor