



# **MINUTES**

**Ordinary Council Meeting**

**21 March 2017**

**MINUTES OF COOK SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE BLOOMFIELD HALL, AYTON  
ON TUESDAY, 21 MARCH 2017 AT 9:00AM**

**1 AGENDA CONTENTS**

**2 ATTENDANCE**

Cr Alan Wilson, Cr Kaz Price, Cr Robyn Holmes, Cr John Dessmann, Cr John Giese, Cr Larissa Hale

**3 MEETING OPENED**

9:10am

**4 APOLOGIES**

Mayor Peter Scott

**5 DECLARATIONS OF INTEREST**

No Declarations of interest

**6 NOTICE OF BEREAVEMENT**

Advice has been received of the passing of [Murray Hoy ].

As a mark of respect one minute silence was observed.

**7 MAYORAL MINUTE**

Nil

**8 CONFIRMATION OF MINUTES**

**RESOLUTION 2017/28**

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes

That the minutes of the Ordinary Meeting held on 21 February 2017 be confirmed.

**CARRIED**

**9 BUSINESS ARISING**

**10 NOTIFIED MOTIONS**

Nil

**11 COUNCILLORS' REPORTS****11.1 COUNCILLORS MONTHLY REPORT****RESOLUTION 2017/29**

Moved: Cr John Giese

Seconded: Cr John Dessmann

That the activities contained in the individual Councillor monthly report be endorsed by Council.

**CARRIED**

**12 EXECUTIVE SERVICES - REPORTS****12.1 CHIEF EXECUTIVE OFFICERS ACTIVITY SUMMARY****RESOLUTION 2017/30**

Moved: Cr John Dessmann

Seconded: Cr Robyn Holmes

That the activity summary from the Chief Executive Officer is accepted.

**CARRIED**

**12.2 WORKS FOR QUEENSLAND INFRASTRUCTURE PROGRAM****RESOLUTION 2017/31**

Moved: Cr John Giese

Seconded: Cr John Dessmann

That the Council write to the Queensland Government:

1. Thanking them for the Works for Queensland program.
2. Requesting for the Works for Queensland program to remain.

**CARRIED**

**13 CORPORATE SERVICES - REPORTS****13.1 2016 - 2017 BUDGET REVIEW****RESOLUTION 2017/32**

Moved: Cr Kaz Price

Seconded: Cr Larissa Hale

That the February 2017 Budget Review be adopted.

**CARRIED**

**13.2 REVENUE AND EXPENDITURE - FEBRUARY 2017****RESOLUTION 2017/33**

Moved: Cr Larissa Hale

Seconded: Cr John Dessmann

That the Revenue and Expenditure Statements for February 2017 be adopted.

**CARRIED**

**13.3 WRITE-OFF RATE CHARGES FOR MINING LEASES****RESOLUTION 2017/34**

Moved: Cr Kaz Price

Seconded: Cr John Giese

That Council accepts these debts as unrecoverable and can be written off for the following values.

Assessment 10017614 - \$1023.99

Assessment 10017648 - \$6650.53

**CARRIED**

**13.4 DISPOSAL OF COUNCIL ASSET****RESOLUTION 2017/35**

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes

That the matter be deferred to the next Council Meeting

**CARRIED**

**14 INFRASTRUCTURE SERVICES - REPORTS****14.1 REVIEW OF WASTE MANAGEMENT FEES AND CHARGES****RESOLUTION 2017/36**

Moved: Cr Robyn Holmes

Seconded: Cr John Dessmann

That council go back to get further information and investigate further through the Waste Committee, Councillors to provide further information to the CEO.

**CARRIED**

**14.2 BERTIEHAUGH ROAD****RESOLUTION 2017/37**

Moved: Cr Robyn Holmes  
Seconded: Cr John Dessmann

That Based on the wide ranging approvals required and anticipated road blocks to the project progressing to construction, no further work at this time be undertaken in developing the Bertiehaugh Rd project.

**CARRIED**

**15 DEVELOPMENT, ENVIRONMENT AND COMMUNITY - REPORTS****15.1 GRANTS COMMITTEE****RESOLUTION 2017/38**

Moved: Cr John Dessmann  
Seconded: Cr Larissa Hale

1. That Council approves the waiving of waste fees at the Cooktown Landfill for the Laura Rodeo and Campdraft.

In Favour: Nil

Against: Crs Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

**LOST**

**15.2 BUILDING OUR REGIONS ROUND THREE APPLICATION - COEN LANDFILL LEACHATE INFRASTRUCTURE UPGRADE****RESOLUTION 2017/39**

Moved: Cr John Giese  
Seconded: Cr Larissa Hale

That Council make an amendment to Resolution 2017/23 to include the following

1. That Council supports the submission of the detailed application to Building Our Regions Round 3 for the Coen Landfill Leachate Infrastructure Upgrade.
2. That Council is committed to delivering this project and approves the financial contribution of \$252,838 towards the cost of the Coen Landfill Leachate Infrastructure Upgrade project be taken from Environmental Levy Reserve.
3. That Council is committed to the management and costs associated with the ongoing operation and maintenance of the infrastructure.

**CARRIED**

**15.3 APPLICATION FOR A DEVELOPMENT PERMIT FOR DA/3681 - RECONFIGURATION OF A LOT BY WAY OF CREATION OF AN ACCESS EASEMENT (EASEMENT 'B') OVER LOT 100 ON PLAN SP288900 (LOT 100 ON PLAN SP258892), PENINSULA DEVELOPMENTAL LAKELAND.**

**RESOLUTION 2017/40**

Moved: Cr John Giese

Seconded: Cr Kaz Price

That the application by Bill Reddie and Laura Wallace c/- RPS Australia East Pty Ltd for a Development Permit DA/3681, Reconfiguration of Lot 100 on Plan SP288900 (SP258892) Peninsula Developmental Road Lakeland, by way of Access Easement 'B' in favour of Lot 34 on Plan SP256280 be approved subject to the following Conditions:

**A. Assessment Manager (Council) Conditions**

**Approved Plans**

1. The development must be carried out generally in accordance with the following Proposal Plan (Appendix 'A') submitted with the application, except for any variations required to comply with the conditions of this approval:
  - Survey Plan - Plan of Easement 'B' – Plan No SP288903

**Access**

2. Access must be from the Peninsula Developmental Road. Access location and construction standards must be to the requirements of the Department of Transport and Main Roads as outlined in Concurrence Agency response letter from Department of Infrastructure, Local Government and Planning dated 15 February 2017.

**Public Utilities**

3. The developer is responsible for the cost of any alterations to Public Utilities as a result of complying with the Conditions of this approval. Utilities design must be in accordance with the FNQROC Developmental Manual D8 Operational Works Design Guidelines "Utilities".

**Outstanding Charges**

4. All rates, service charges, interest and other charges levied on the land must be paid prior to Council endorsement of the Plan of Survey.

**Compliance**

5. The Reconfiguration of a Lot approval authorised by this Development Permit must be complete and the Plan of Survey submitted to Council for endorsement within two (2) years from the commencement of this Approval or this approval will lapse.

**B. Concurrence Agency Response & Conditions Appendix 'B'**

See attached Concurrence Agency Response with Conditions from the Department of Infrastructure, Local Government and Planning dated 15 February 2017.

**CARRIED**

**16 CONFIDENTIAL REPORTS****RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2009:

**16.1 LAND TENURE OFFICER REPORT**

This matter is considered to be confidential under Section 275(e) and (h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by Cook Shire Council and business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

**16.2 Request to Waiver Vacant Water Charge**

This matter is considered to be confidential under Section 275(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

**16.3 REQUEST FOR CONCESSION OF WATER CONSUMPTION**

This matter is considered to be confidential under Section 275(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

**16.4 REQUEST FOR CONCESSION ON WATER CONSUMPTION**

This matter is considered to be confidential under Section 275(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

**16.5 Minutes of the Risk Management Committee Meeting - 22 February 2017**

This matter is considered to be confidential under Section 275(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

**16.6 Minutes of the Waterfront Advisory Committee - 3 March 2017**

This matter is considered to be confidential under Section 275(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

**16.7 Disposal of Assets - Biosecurity**

This matter is considered to be confidential under Section 275(e) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by Cook Shire Council.

**RESOLUTION 2017/41**

Moved: Cr Larissa Hale

Seconded: Cr John Giese

That Council moves into Closed Council.

**CARRIED**

**RESOLUTION 2017/42**

Moved: Cr John Giese

Seconded: Cr Larissa Hale

That Council moves out of Closed Council into Open Council.

**CARRIED**

## 16.1 LAND TENURE OFFICER REPORT

**RESOLUTION 2017/43**

Moved: Cr John Giese

Seconded: Cr Larissa Hale

**Cooktown Waterfront Project**

1. Leave on the table

**Laura WWTP and Landfill Tenure Project**

2. Leave on the table

**Cooktown Retirement Village**

3. Leave on the table

4. Leave on the table

**Gudang Yadhaykenu Native Title Claim**

5. Council resolves to consent to the discontinuance of the Gudang Yadhaykenu Native Title Claim subject to all parties meeting their own costs.
6. Council authorises Preston Law to file a Form 5 Notice of Intention to Become a Party in respect of the North Eastern Peninsula Sea Claim and the Residual Northern Peninsula Sea Claim once notification commences.

**CARRIED**



**16.2 REQUEST TO WAIVER VACANT WATER CHARGE****RESOLUTION 2017/44**

Moved: Cr John Giese

Seconded: Cr Kaz Price

The request is to amend Council Resolution D17/1450 and waive the vacant water charge on Lot 2/SP263742 until such time as a water meter is installed and then a concession be granted on water charges, the same as granted on Lot 4/CP889653 SL205871 as per Council Resolution 30311 in July 2012.

**CARRIED****16.3 REQUEST FOR CONCESSION OF WATER CONSUMPTION****RESOLUTION 2017/45**

Moved: Cr John Giese

Seconded: Cr Larissa Hale

Council consider granting a concession for the amount of \$1496.60.

**CARRIED****16.4 REQUEST FOR CONCESSION ON WATER CONSUMPTION****RESOLUTION 2017/46**

Moved: Cr John Giese

Seconded: Cr John Dessmann

Council grant a concession of the water charge concession of \$2,564.10.

**CARRIED****16.5 MINUTES OF THE RISK MANAGEMENT COMMITTEE MEETING - 22 FEBRUARY 2017****RESOLUTION 2017/47**

Moved: Cr Robyn Holmes

Seconded: Cr John Dessmann

That the minutes of the Risk Management Committee be received for information;

**CARRIED**

**16.6 MINUTES OF THE WATERFRONT ADVISORY COMMITTEE - 3 MARCH 2017****RESOLUTION 2017/48**

Moved: Cr John Giese

Seconded: Cr John Dessmann

That the minutes and recommendations of the Waterfront Advisory Committee meeting held on 3 March 2017 be accepted but note that Cr Robyn Holmes was an apology.

**CARRIED**

**16.7 DISPOSAL OF ASSETS - BIOSECURITY****RESOLUTION 2017/49**

Moved: Cr John Giese

Seconded: Cr Kaz Price

1. That Council undertake the disposal of excess firearms by (a) requesting Ministerial exemption from an auction or tender process; and if successful in obtaining exemption, (b) selling the firearms on consignment through a broker.
2. That Council undertake the disposal of ammunition surplus to requirements by (a) requesting Ministerial exemption from an auction or tender process; and if successful in obtaining exemption, (b) donating the ammunition firstly to significant landholders within Cook Shire who regularly undertake feral animal control (small lots only), secondly to other Government agencies or bodies, and thirdly by handing it in for destruction to a government agency; with all surplus ammunition to be disposed of within six months of obtaining Ministerial exemption.

**CARRIED**

**17 EXECUTIVE SERVICES - INFORMATION**

Nil

**18 INFRASTRUCTURE SERVICES - INFORMATION****18.1 BIOSECURITY SERVICES MONTHLY REPORT - FEBRUARY 2017****RESOLUTION 2017/50**

Moved: Cr John Dessmann

Seconded: Cr John Giese

That the information be noted.

**CARRIED**

**19 CORPORATE SERVICES - INFORMATION**

Nil

**20 DEVELOPMENT, ENVIRONMENT AND COMMUNITY - INFORMATION**

Nil

**The Meeting closed at 12:30pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 April 2017.**

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**MAYOR**