



# **MINUTES**

**Ordinary Council Meeting**

**16 May 2017**

**MINUTES OF COOK SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN  
ON TUESDAY, 16 MAY 2017 AT 9:00AM**

**1 AGENDA CONTENTS**

**2 ATTENDANCE**

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

**3 MEETING OPENED**

Opened 9.34 am

**4 APOLOGIES**

Nil

**5 DECLARATIONS OF INTEREST**

Cr John 'Chook' Giese – I declare I may have a perceived conflict of interest in item 16.4 (as defined in section 173 of the *Local Government Act 2009*) due to family association. I have determined that this personal interest is of sufficient significance and propose to exclude myself from the meeting while this matter is debated and the vote is taken.

**6 NOTICE OF BEREAVEMENT**

Advice has been received of the passing of Thomas 'Bill' Payne, Natalie Laver and Walter Komsic, Jordon Gibson.

As a mark of respect one minute silence was observed.

**7 MAYORAL MINUTE**

With Reference to 9.1 Cook Shire Council withdraws its nomination of Cr Robyn Holmes and that Cook Shire Council will not be nominating a Council Representative to CDCC board at this time.

**8 CONFIRMATION OF MINUTES**

**RESOLUTION 2017/83**

Moved: Cr Alan Wilson

Seconded: Cr Kaz Price

That the minutes of the Ordinary Meeting held on 24 April 2017 be confirmed.

**CARRIED**

**9 BUSINESS ARISING**

**9.1** It is noted through the Standing Orders that Council cannot 'Rescind' a motion that has already been actioned.

RESOLUTION 2017/53 That Cook Shire Council formally rescinds resolution 2016.1, withdrawing its nomination of Cr Robyn Holmes as a Director of Cooktown District Community Centre.

**RESOLUTION 2017/84**

Moved: Cr Larissa Hale

Seconded: Cr Alan Wilson

That Cook Shire Council withdraws its nomination of Cr Robyn Holmes as a Director of Cooktown District Community Centre. Advise the Chair of CDCC of this decision.

**CARRIED**

**9.2 GOLD COAST 2018 QUEEN'S BATON RELAY COUNCIL SELECTED BATON BEARER NOMINATION PROGRAM****RESOLUTION 2017/85**

Moved: Cr Larissa Hale

Seconded: Cr John Giese

That Channele Oldaker be nominated for the Council nominated baton bearer.

**CARRIED**

**10 NOTIFIED MOTIONS**

Nil

**11 COUNCILLORS' REPORTS****11.1 COUNCILLORS MONTHLY REPORT****RESOLUTION 2017/86**

Moved: Cr John Giese

Seconded: Cr Alan Wilson

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 2017/87**

Moved: Cr Kaz Price

Seconded: Cr Larissa Hale

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

**CARRIED**

**12.2 REVIEW OF OPERATIONAL PLAN FOR 2016-2017 FINANCIAL YEAR - THIRD QUARTER****RESOLUTION 2017/88**

Moved: Cr Larissa Hale

Seconded: Cr Alan Wilson

That the third quarterly review of the Operational Plan 2016-2017 be adopted.

**CARRIED**

**13 CORPORATE SERVICES - REPORTS****13.1 REVENUE AND EXPENDITURE - APRIL 2017****RESOLUTION 2017/89**

Moved: Cr Kaz Price

Seconded: Cr John Giese

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

**CARRIED**

**14 INFRASTRUCTURE SERVICES - REPORTS****14.1 REVIEW OF WASTE MANAGEMENT FEES AND CHARGES****RESOLUTION 2017/90**

Moved: Cr Alan Wilson

Seconded: Cr Robyn Holmes

That Council subject to urgent consideration of a broader waste strategy

- 1) Leaves current waste fees and charges unaltered.
- 2) Charges fees for Laura business waste disposal in a manner consistent with Council's general waste fees and charges.
- 3) Leaves the current Environmental Levy unaltered

**CARRIED**

**14.2 REVIEW OF OPERATIONS, COOKTOWN WHARF WASTE FACILITY****RESOLUTION 2017/91**

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

That Council undertakes a meeting between stakeholders, Councillors, and Council officers to discuss the impacts of these following changes

- Controls access to the facility allowing use to authorised parties only
- Discontinuing waste collection at the facility and requiring wharf Businesses to manage their own refuse, cardboard and oil waste.

**CARRIED**

**15 DEVELOPMENT, ENVIRONMENT AND COMMUNITY – REPORTS**

Nil

**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 Extension to Kerbside Waste Collection Contract**

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 Shire Hall Building Assessment**

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.

**16.3 Contractual Matter - Contract for the transport and recycling of scrap metal and lead acid batteries**

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.

At 1:26 pm, Cr John Giese left the meeting.

**16.4 Request for refund of additional application fee for Code Assessable Building Work (assessable against the Character Overlay Code of the Planning Scheme - DA/3743 construction of an Awning - 180 Charlotte Street, Cooktown**

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.

At 1:35 pm, Cr John Giese returned to the meeting.

**RESOLUTION 2017/92**

Moved: Cr John Giese

Seconded: Cr Kaz Price

That Council moves into Closed Council.

**CARRIED**

**RESOLUTION 2017/93**

Moved: Cr Larissa Hale

Seconded: Cr Kaz Price

That Council moves out of Closed Council into Open Council.

**CARRIED****16.1 EXTENSION TO KERBSIDE WASTE COLLECTION CONTRACT****RESOLUTION 2017/94**

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes

That Council:

1. Council authorise the CEO to negotiate terms of an extension for contract T0511B with Gungarde Community Centre Aboriginal Corporation.

**CARRIED****16.2 SHIRE HALL BUILDING ASSESSMENT****RESOLUTION 2017/95**

Moved: Cr Larissa Hale

Seconded: Cr Kaz Price

That Council Consider the below option and select a course of action that will meet the community expectation.

1. Council approve the budget allocation of \$75,000.00 to provide the Asset Manager with an accurate report on works required to bring the Shire Hall back into operation for suitable use.

**CARRIED****16.3 CONTRACTUAL MATTER - CONTRACT FOR THE TRANSPORT AND RECYCLING OF SCRAP METAL AND LEAD ACID BATTERIES****RESOLUTION 2017/96**

Moved: Cr John Giese

Seconded: Cr Kaz Price

1. That Council awards contract FNQ012, separable portion 1, Collection and Removal of Ferrous Scrap Metal to Sims Metal Management Ltd for the duration of the contract term, expiring 30<sup>th</sup> April 2020; and
2. That Council awards contract FNQ012, separable portion 2, Collection and Removal of Used Lead Acid Batteries to Sims Metal Management Ltd for the duration of the contract term, expiring 30<sup>th</sup> April 2020.

CARRIED

At 2:10 pm, Cr John Giese left the meeting.

**16.4 REQUEST FOR REFUND OF ADDITIONAL APPLICATION FEE FOR CODE ASSESSABLE BUILDING WORK (ASSESSABLE AGAINST THE CHARACTER OVERLAY OVERLAY CODE OF THE PLANNING SCHEME - DA/3743 CONSTRUCTION OF AN AWNING - 180 CHARLOTTE STREET, COOKTOWN**

**RESOLUTION 2017/97**

Moved: Cr Larissa Hale

Seconded: Cr Kaz Price

Due to the requirement to prepare a report for Building Work assessable against the Planning Scheme, only a partial refund in the sum of two hundred and fifty dollars (\$250.00) be provided.

CARRIED

At 2:12 pm, Cr John Giese returned to the meeting.

**17 EXECUTIVE SERVICES - INFORMATION**

Nil

**18 INFRASTRUCTURE SERVICES - INFORMATION**

Nil

**19 CORPORATE SERVICES - INFORMATION**

Nil

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

**20.1 BIOSECURITY MONTHLY REPORT - MAY 2017**

**RESOLUTION 2017/98**

Moved: Cr Kaz Price

Seconded: Cr Larissa Hale

That the information be noted.

CARRIED

The Meeting closed at 2:10pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 June 2017.

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MAYOR