



MINUTES

Ordinary Council Meeting

21 August 2017

**MINUTES OF COOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON MONDAY, 21 AUGUST 2017 AT 9:00AM**

1 AGENDA CONTENTS

2 ATTENDANCE

Cr Peter Scott, Cr Kaz Price, Cr Alan Wilson, Cr John Dessmann, Cr John Giese, Cr Larissa Hale, Cr Robyn Holmes, Tim Cronin, Robert Uebergang, Lisa Miller

3 MEETING OPENED

4 APOLOGIES

Nil

5 DECLARATIONS OF INTEREST

Nil

6 NOTICE OF BEREAVEMENT

A minute's silence was observed as a mark of respect for those residents who passed away during the previous month.

7 MAYORAL MINUTE

Nil

8 CONFIRMATION OF MINUTES

RESOLUTION 2017/149

Moved: Cr John Giese

Seconded: Cr Kaz Price

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

CARRIED

9 BUSINESS ARISING**10 NOTIFIED MOTIONS**

Nil

11 COUNCILLORS' REPORTS**11.1 COUNCILLORS MONTHLY REPORT****RESOLUTION 2017/150**

Moved: Cr Robyn Holmes

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 2017/151**

Moved: Cr Larissa Hale

Seconded: Cr Alan Wilson

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

CARRIED

12.2 PRE CYCLONE ANNUAL COLLECTION PROGRAM REVIEW**RESOLUTION 2017/152**

Moved: Cr John Giese

Seconded: Cr Kaz Price

That Local Disaster Management Group seek resolution that.

1. Council no longer conduct an annual pre cyclone collection program.
2. Council advise the community accordingly, including a reminder of which materials are accepted at transfer stations free of charge.
3. Council support disaster management activities on planning, prevention, response and recovery to support improving community capacity.

CARRIED

13 CORPORATE SERVICES - REPORTS**13.1 REVENUE AND EXPENDITURE - JULY 2017****RESOLUTION 2017/153**

Moved: Cr Kaz Price

Seconded: Cr Robyn Holmes

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

CARRIED

14 INFRASTRUCTURE SERVICES - REPORTS**14.1 APPLICATION FOR PARTIAL ROAD CLOSURE OF UNNAMED ROAD IN ROSSVILLE**

Recommendation In Favour: Nil

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

LOST

That Council complete the DNRM application *Statement in relation to an application under the Land Act 1994 over State land Part C* outlining they have no objection to partial road closure of the unnamed road in Rossville in accord with the attached *Map of Unnamed Road*.

15 DEVELOPMENT, ENVIRONMENT AND COMMUNITY - REPORTS**15.1 REQUEST TO EXTEND THE CURRENCY PERIOD FOR DEVELOPMENT PERMIT DA/1126 - RECONFIGURATION OF LOT 7 ON PLAN BK157104 LOCATED AT CAMERON CREEK ROAD, HOPEVALE INTO SIX (6) LOTS****RESOLUTION 2017/154**

Moved: Cr Kaz Price

Seconded: Cr Robyn Holmes

That Council grants a further two (2) year extension to the currency period for Development Permit DA/1126 being for Reconfiguration of Lot 7 on Plan BK157104 into six (6) lots, until 21 June 2019 to enable compliance with the conditions of approval.

CARRIED

15.2 AMENDMENT OF SUBORDINATE LOCAL LAWS – REVIEW OF ANTI-COMPETITIVE PROVISIONS AND ADOPTION**RESOLUTION 2017/155**

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes

It is recommended that Council resolve to Adopt Consolidated versions of:-

- (i) *Subordinate Local Law No.1 (Administration) 2016*; and
- (ii) *Subordinate Local Law No.3 (Community and Environment Management) 2016*.

CARRIED

15.3 APPLICATION FOR A DEVELOPMENT PERMIT - DA/3714 RECONFIGURATION OF LOT 6 SP270844, LOCKHART RIVER ROAD LOCKHART RIVER INTO THREE (3) LOTS.

RESOLUTION 2017/156

Moved: Cr John Giese

Seconded: Cr Larissa Hale

That the application by Statewide Survey Group for the Reconfiguration of Lot 6 SP270844 into three (3) lots be refused based on the following grounds:

1. The applicant has not demonstrated that the proposal will avoid and/or limit adverse impacts on the known environmental values of the site;
2. The proposal conflicts with the 2007 Planning Scheme for Cook Shire, specifically:
 - (a) The Rural Zone Code; and
 - (b) The Reconfiguring a Lot Code.
3. The Proposal Conflicts with the Cook Shire Council Planning Scheme 2017, specifically:
 - (a) The Strategic Framework;
 - (b) The Rural Zone Code;
 - (c) The Reconfiguring a Lot Code; and
 - (d) The Biodiversity Overlay Code.
4. There are not sufficient grounds to overcome the conflict.

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 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.

16.2 Delegation to CEO for Provision of Views

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 Employee Reimbursement Policy for Travel Expenses 2017 - Version 7. Expenses to be Substantiated by Receipt.

This matter is considered to be confidential under Section 275(c) 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 the local government budget.

16.4 Request for building permit extension.

This matter is considered to be confidential under Section 275(g) 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 any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

RESOLUTION 2017/157

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

That Council moves into Closed Council.

ICARRIED

RESOLUTION 2017/158

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

That Council moves out of Closed Council into Open Council.

ICARRIED

16.1 REQUEST FOR CONCESSION ON WATER CONSUMPTION

Recommendation That Council agree that 16.1: REQUEST FOR CONCESSION ON WATER CONSUMPTION be deferred until the next meeting of the Council scheduled to be held on 19 September 2017.

Council requests plumbers report to be supplied before decision is made.

Council grant a concession on water consumption for the amount of \$1,938.30.

16.2 DELEGATION TO CEO FOR PROVISION OF VIEWS**RESOLUTION 2017/159**

Moved: Cr Alan Wilson

Seconded: Cr John Giese

That:

1. The Chief Executive Officer be delegated power on Council's behalf in accordance with Section 257 of the *Local Government Act 2009* to respond to DNRM requests for views in relation to tenure changes applications affecting leased land within the Cook Shire.
2. Council response to the Minister as follows:
 - (a) Council has no views with reference to the conversion of Rolling Term Lease to Perpetual Lease for Lot 653 on SP178000; and
 - (b) Council has no views with reference to the conversion of Leasehold to Freehold for SL14/52744 over Lot 94 on CP859338.

CARRIED

16.3 EMPLOYEE REIMBURSEMENT POLICY FOR TRAVEL EXPENSES 2017 - VERSION 7. EXPENSES TO BE SUBSTANTIATED BY RECEIPT.

Recommendation In Favour: Crs Peter Scott and Alan Wilson

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

LOST

That Council adopt the Employee Reimbursement Policy for Travel Related Expenses v7, replacing the previous version (version 6.)

16.4 REQUEST FOR BUILDING PERMIT EXTENSION.**RESOLUTION 2017/160**

Moved: Cr Larissa Hale

Seconded: Cr John Giese

That Council refuse to further extend the approval and that Council commence enforcement procedures in order to have the applicant agree to commit to a firm completion date for the construction work – to have the works completed and made safe for the public and buildings occupants.

CARRIED**17 EXECUTIVE SERVICES - INFORMATION**

Nil

18 INFRASTRUCTURE SERVICES - INFORMATION**18.1 BIOSECURITY MONTHLY REPORT - AUGUST 2017****RESOLUTION 2017/161**

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

That the information be noted.

CARRIED**18.2 NDRRA 2017 STATUS REPORT****RESOLUTION 2017/162**

Moved: Cr John Giese

Seconded: Cr Larissa Hale

That the information be accepted.

CARRIED**19 CORPORATE SERVICES - INFORMATION**

Nil

20 DEVELOPMENT, ENVIRONMENT AND COMMUNITY - INFORMATION**20.1 DEVELOPMENT, ENVIROMENT AND COMMUNITY JULY 2017 REPORT****RESOLUTION 2017/163**

Moved: Cr John Giese

Seconded: Cr Robyn Holmes

That the information be noted.

CARRIED

20.2 SUMMARY REPORT ON THE HISTORY OF THE BLOOMFIELD WHARF AND THE COMMUNITY ASPIRATIONS FOR THE WHARF AND SURROUNDING AREA

RESOLUTION 2017/164

Moved: Cr John Dessmann

Seconded: Cr John Giese

It is recommended:

That the information be noted as below

- A. That Council note the Ayton Wharf Working Group report, the letters of support and the preliminary concepts for establishing an integrated public wharf, pontoon and boat ramp facility to meet the needs of the Ayton, Bloomfield and wider community.

- B. That Council wait for the findings of the DTMR hydrographic study on the Bloomfield River before deliberating on options available for delivering an enhanced public wharf, pontoon and boat ramp facility for the area including funding options available.

Greg Ovenden

Reel Planning Pty Ltd

CARRIED

20.3 COOKTOWN 2020 ADVISORY COMMITTEE MEETING MINUTES - TERMS OF REFERENCE

RESOLUTION 2017/165

Moved: Cr John Dessmann

Seconded: Cr Alan Wilson

That the minutes of the Cooktown 2020 Advisory Committee meeting held on 9 August 2017 be noted and the following recommendations be considered:

- 1. That one member of the Vera Scarth-Johnson Association be added to the Cooktown 2020 Advisory Committee

CARRIED

The Meeting closed at 4.14pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 August 2017.

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MAYOR