



MINUTES

Ordinary Council Meeting

19 October 2021

**MINUTES OF COOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATION OFFICE, 10 FURNEAUX STREET,
COOKTOWN
ON TUESDAY, 19 OCTOBER 2021 AT 9.00AM**

1 AGENDA CONTENTS

2 ATTENDANCE

Mayor Peter Scott, Deputy Mayor Robyn Holmes, Councillor Peter Burns, Councillor John Dessmann, Councillor Larissa Hale (via videoconference), Councillor Ross Logan, Councillor Marilyn Morris.

Chief Executive Officer, Linda Cardew; Director Community, Economy and Innovation, Lawrence Booth; Director Organisational Business Services, Heather Kelly; Director Infrastructure, Peter Tonkes.

3 MEETING OPENED

9.00am

4 APOLOGIES

Nil

5 ACKNOWLEDGEMENT OF COUNTRY

ON BEHALF OF ALL COUNCILLORS, THE CHAIR ACKNOWLEDGED THE WAYMBURR WARRA PEOPLE, TRADITIONAL CUSTODIANS OF THE LAND ON WHICH THE MEETING WAS HELD TODAY, AND PAID RESPECTS TO ALL TRADITIONAL OWNERS, PAST, PRESENT AND EMERGING THROUGHOUT COOK SHIRE.

6 DECLARATIONS OF INTEREST

Nil

7 MAYORAL MINUTE**7.1 MAYORAL MINUTE - REQUEST FROM ELECTORAL COMMISSION QUEENSLAND RE. COOK SHIRE ELECTORAL DIVISION CHANGES****RESOLUTION 2021/225**

Moved: Mayor Peter Scott

That:

1. Council's current position on electoral divisions to remain as is; one undivided Shire; and
2. A response be sent back to the Electoral Commission of Queensland to advise the same, and that Council no longer wishes to proceed with its previous request.

CARRIED

8 NOTICE OF BEREAVEMENT

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

9 LEAVE OF ABSENCE**LEAVE OF ABSENCE****RESOLUTION 2021/226**

Moved: Councillor Peter Burns

Seconded: Councillor John Dessmann

That Council notes the below listed leave of absence for Councillors:

- Cr Logan – 28 and 29 October
- Cr Hale – 15 to 19 November
- Cr Holmes – 28 October to 1 November
- Mayor Scott – 5 to 15 November

CARRIED

10 CONFIRMATION OF PREVIOUS MINUTES**ORDINARY COUNCIL MEETING – 28 SEPTEMBER 2021****RESOLUTION 2021/227**

Moved: Councillor Marilyn Morris

Seconded: Councillor Peter Burns

That the minutes of the Ordinary Meeting held on 28 September 2021 be confirmed.

CARRIED

11 BUSINESS ARISING

Nil

12 NOTIFIED MOTIONS

Nil

13 COUNCILLORS' REPORTS**13.1 COUNCILLORS' MONTHLY REPORTS****RESOLUTION 2021/228**

Moved: Councillor Ross Logan

Seconded: Councillor Marilyn Morris

That the activities contained in the individual Councillors' monthly reports tabled on 19 October 2021, including future travel requirements, be noted and endorsed by Council.

CARRIED**14 EXECUTIVE SERVICES - REPORTS****14.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT****RESOLUTION 2021/229**

Moved: Councillor Ross Logan

Seconded: Councillor Marilyn Morris

That the activities contained in the Chief Executive Officer's monthly report tabled on 19 October 2021, be noted and endorsed by Council.

CARRIED

The Mayor called for a break for morning tea at 10.00am

The Mayor resumed the meeting at 10.26am

14.2 STATE LAND DEALINGS (COOKTOWN) - SEEKING COUNCIL VIEWS**RESOLUTION 2021/230**

Moved: Councillor Peter Burns

Seconded: Deputy Mayor Robyn Holmes

That the Department of Environment and Science Cape York Peninsula Tenure Resolution Program be advised that Council's views are as follows:

- (a) **Lot 99 SP105917** - Council will seek approval to amend the purpose of the reserve to include park and recreation.
- (b) **Lot 11 SP257009** - Council consent to the revocation of the Reserve for Parks and Gardens over the noted area and transfer to National Park tenure and amalgamation with Mt Cook National Park.

- (c) **Lot 705 & 706 C17918** - Council request the State to undertake an investigation or feasibility study on the public release of freehold land in Cooktown whilst also noting that it is Council's preference that these parcels be released for public sale.
- (d) **Fly-out zone Endeavour River NP** - Council agrees to the excision of the fly-out zone from the Endeavour River National Park and amalgamation with Lot 2 SP287154.
- (e) **Lot 607, 608 on C17918, Lot 17 & 18 C17971, Lot 4 & 5 M2414, Lots 3, 4 & 5 C17962** - Council requests the State to undertake an investigation or feasibility study on the public sale of freehold land in Cooktown with Council's preference that these parcels be released for public sale.
- (f) **Lot 3 USL8242** - Council requests the State to consider the parcel to be dedicated as a Community Purpose Reserve for the purpose of Strategic Land Management with Council and Traditional Owners as joint trustees. Council also requests that the area which encompasses the historic railway be excised and amalgamated with Lot 2 C179109.
- (g) **Lot 56 C17950** - Council requests the State to consider this parcel be amalgamated with the Mt Cook National Park.
- (h) **Lot 672,673 & 674 C17957**- Council requests the State to consider transfer to Aboriginal Freehold Land.
- (i) **Lots 3, 4 & 5 C17962** - Council requests the State to undertake an investigation or feasibility study on the public sale of freehold land in Cooktown. Prior to any conversion of tenure, Council requires that the road be surveyed and realigned to the current location.
- (j) **Lot 1 & 2 AP3462** - Council requests the State to consider that Lot 1 AP3462 be amalgamated into adjoining parcels of St Georges Peak (Lot 99 SP105917) and Lot 2 AP2462 to remain in its current tenure until a decision has been made on the tenure of the adjoining lots.

CARRIED

15 COMMUNITY, ECONOMY AND INNOVATION - REPORTS

15.1 PRESENTATION OF COOK SHIRE YOUTH COUNCIL MEETING MINUTES

RESOLUTION 2021/231

Moved: Councillor Larissa Hale

Seconded: Deputy Mayor Robyn Holmes

That Council notes the minutes of the Cook Shire Youth Council meeting held 21 September 2021.

CARRIED

15.2 COOKTOWN & CAPE YORK EXPO 2021 POST EVENT REPORT**RESOLUTION 2021/232**

Moved: Councillor Marilyn Morris

Seconded: Councillor John Dessmann

That Council notes and endorses the Cooktown & Cape York Expo 2021 Post Event Report.

CARRIED

16 ORGANISATIONAL BUSINESS SERVICES - REPORTS**16.1 OPERATIONAL PLAN 21/22 - QUARTERLY REVIEW - JULY TO SEPTEMBER 2021****RESOLUTION 2021/233**

Moved: Councillor John Dessmann

Seconded: Councillor Peter Burns

That Council note the first quarter review of the 2021/2022 Operational Plan with the following changes:

1. That funding dependent operational initiatives that have receive RADF funding be moved to the main body of the Operational Plan to be updated at each quarterly review; and
2. That the deferred projects completion dates be amended to the revised completion dates as listed in the review.

CARRIED

16.2 ANNUAL REVIEW COUNCIL TO CEO DELEGATIONS**RESOLUTION 2021/234**

Moved: Councillor John Dessmann

Seconded: Councillor Ross Logan

That Council:

- (a) delegates, under section 257 of the *Local Government Act 2009*, to the Chief Executive Officer the exercise of Council's powers as specified in the attached Delegation Register (Attachment 2) and retain for Council those powers not delegated to the Chief Executive Officer;
- (b) delegates, under section 259 of the *Local Government Act 2009*, to the Chief Executive Officer the authority to further delegate those powers to Council employees and contractors that have been delegated to the Chief Executive Officer by Council or by way of Act or Regulation; and
- (c) revoke all prior delegations made to the Chief Executive Officer in the previous delegation register as resolved by Council at its 8 December 2020 Ordinary Meeting.

CARRIED

16.3 SOLE SUPPLIER - PRINTING AND DISTRIBUTION OF RATES NOTICES**RESOLUTION 2021/235**

Moved: Councillor John Dessmann

Seconded: Councillor Peter Burns

That Council resolves that, because of the specialised nature of the goods and services, that it is impractical to invite quotes from other suppliers and approves that only one (1) quote be sought from **IQ Mail** to cover the printing and distribution of rates notices for a period of twenty-four (24) months to cover the rate runs of; August 2022, February 2023, August 2023 and February 2024.

CARRIED

At 11:26 am, Councillor John Dessmann left the meeting.

At 11:29 am, Councillor John Dessmann returned to the meeting.

16.4 MONTHLY FINANCIAL REPORT**RESOLUTION 2021/236**

Moved: Councillor Marilyn Morris

Seconded: Councillor Ross Logan

That Council resolves to note the financial report, as required under section 204 of the *Local Government Regulation 2012*, for the period to 30 September 2021.

In Favour: Crs Peter Scott, Peter Burns, John Dessmann, Larissa Hale, Ross Logan and Marilyn Morris

Against: Cr Robyn Holmes

CARRIED

17 INFRASTRUCTURE - REPORTS**17.1 CAPITAL WORKS PROGRAM 21/22 - QUARTERLY REPORT - JULY TO SEPTEMBER 2021****RESOLUTION 2021/237**

Moved: Councillor Marilyn Morris

Seconded: Councillor Peter Burns

That Council receives and notes the Capital Works Program 2021-2022, Quarterly Report, July to September 2021, dated 19 October 2021.

CARRIED

17.2 RFT T02321 - RESEALING AND LINE MARKING (COOKTOWN AIRPORT)**RESOLUTION 2021/238**

Moved: Councillor Ross Logan

Seconded: Councillor Peter Burns

That Council:

1. Approve the award of RFT T02321 – Resealing and line marking (Cooktown Airport) to **FGF BITUMEN PTY LTD** in the estimated (schedule of rates contract) amount of **\$ 741,355.20 (excluding GST)**; and
2. Delegate authority to the Chief Executive Officer, under section 257 of the *Local Government Act 2009 (QLD)*, the ability to execute the contract, approve payments, negotiate and finalise minor administrative or financial amendments and approve and variations, if so required.

CARRIED

17.3 DISASTER RECOVERY FUNDING ARRANGEMENTS (DRFA) 2021/22 - QUARTERLY REPORT - JULY TO SEPTEMBER 2021**RESOLUTION 2021/239**

Moved: Councillor John Dessmann

Seconded: Deputy Mayor Robyn Holmes

That Council receives and notes the Disaster Recovery Funding Arrangements 2021/22 Quarterly Report for July – September 2021.

CARRIED

18 CONFIDENTIAL REPORTS**CONSIDERATION OF CONFIDENTIAL REPORTS****RESOLUTION 2021/240**

Moved: Councillor John Dessmann

Seconded: Councillor Peter Burns

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 Regulation 2012:

18.1 Consent to Assignment - Lease C Lot 1 CP889652

This matter is considered to be confidential under Section 254J(g) of the Local Government Regulation 2012, 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 negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

CARRIED

RESOLUTION 2021/241

Moved: Councillor John Dessmann

Seconded: Councillor Peter Burns

That Council moves into Closed Council.

CARRIED

RESOLUTION 2021/242

Moved: Councillor John Dessmann

Seconded: Councillor Peter Burns

That Council moves out of Closed Council into Open Council.

CARRIED

18.1 CONSENT TO ASSIGNMENT - LEASE C LOT 1 CP889652

RESOLUTION 2021/243

Moved: Councillor Marilyn Morris

Seconded: Councillor Peter Burns

That Council consent to the assignment of Lease C - Lot 1 on Plan CP 889652 and Delegate authority to the Chief Executive Officer pursuant to s 257 of the *Local Government Act 2009* to progress the matter in Council's interests.

CARRIED

The Meeting closed at 12.18pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 23 November 2021.

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CHAIRPERSON