



MINUTES

Ordinary Council Meeting

18 March 2020

**MINUTES OF COOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON WEDNESDAY, 18 MARCH 2020 AT 9.00AM**

1 AGENDA CONTENTS

2 ATTENDANCE

Cr Peter Scott (Mayor), Cr Robyn Holmes (Deputy Mayor), Cr John Dessmann, Cr John Giese, Cr Larissa Hale, Cr Kaz Price, Cr Alan Wilson, Linda Cardew (Chief Executive Officer), Lawrence Booth (Director Community, Economy and Innovation), Heather Kelly (Director Organisational Business Services), David Klye (Director Infrastructure)

3 MEETING OPENED

Meeting opened 9.00am.

4 APOLOGIES

Nil

5 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges the Traditional Owners of the land on which we meet today and pay respect to Elders past, present and emerging.

6 DECLARATIONS OF INTEREST

Nil

7 MAYORAL MINUTE

Nil

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 CONFIRMATION OF MINUTES

RESOLUTION 2020/72

Moved: Cr John Dessmann

Seconded: Cr John Giese

That the minutes of the Ordinary Meeting held on 19 February 2020 be confirmed.

CARRIED

10 BUSINESS ARISING

Nil.

11 NOTIFIED MOTIONS

Nil

12 COUNCILLORS' REPORTS

12.1 COUNCILLORS' MONTHLY REPORT

RESOLUTION 2020/73

Moved: Cr Alan Wilson

Seconded: Cr John Giese

That the activities contained in the individual Councillors' monthly reports and travel requirements be endorsed by Council.

CARRIED

13 EXECUTIVE SERVICES - REPORTS

13.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

RESOLUTION 2020/74

Moved: Cr John Dessmann

Seconded: Cr Larissa Hale

That the activities contained in the Chief Executive Officer's monthly report and travel requirements be endorsed by Council.

CARRIED

14 ORGANISATIONAL BUSINESS SERVICES - REPORTS**14.1 AMENDMENT TO COUNCIL MEETING DATES - APRIL 2020****RESOLUTION 2020/75**

Moved: Cr John Giese

Seconded: Cr Kaz Price

That Council resolves to change the 2020 April Council meeting from April 22, 2020 at 9.00am to April 15, 2020 at 9.00am.

CARRIED

14.2 FINANCIAL STATEMENTS - FEBRUARY 2020**RESOLUTION 2020/76**

Moved: Cr Alan Wilson

Seconded: Cr John Giese

That Council resolves to:

1. Note the financial report as required under section 204 of the *Local Government Regulation 2012* (QLD) for February 2020.
2. Note the operational initiatives report for February 2020.
3. Note the capital expenditure report for February 2020.

CARRIED

14.3 APPLICATION FOR A DEVELOPMENT PERMIT DA/4117 - RECONFIGURATION OF LOT 5 AND 6 ON SP270844, LOCATED AT LOCKHART RIVER ROAD IRON RANGE INTO SIX (6) LOTS

RESOLUTION 2020/77

Moved: Cr Alan Wilson

Seconded: Cr John Giese

1. That the application by DPR Partnerships c/- RPS Australia East Pty Ltd for Development Permit DA/4117 be approved subject to reasonable and relevant conditions.
2. That the following reasons for the decision be included on the notice on Council's website (as required by section 63(4) of the *Planning Act 2016*):
 - (a) An assessment was made against the applicable strategic framework and assessment benchmarks of the *Cook Shire Council Planning Scheme 2017* and the proposed development demonstrated compliance.
 - (b) The proposed development for Reconfiguring Lot 5 on SP270844 and Lot 6 on SP270844, located at Lockhart River Road Iron Range into six (6) rural allotments will have no detrimental impact on the surrounding land uses.

ASSESSMENT MANAGER (COUNCIL) CONDITIONS

Approved Plan

1. The development must be carried out generally in accordance with the following plans, except for any variation required to comply with these conditions of approval:
 - Drawing No. PR144085-1 – Issue C – Proposal Plan - Peter Huybers – Reconfiguration of a Lot, Plan of Lots 51, 52, 53, 61, 62 & 63, Cancelling Lots 5 & 6 on SP270844 Lockhart River Road Lockhart River – Prepared by RPS Australia East Pty Ltd – Dated: 23/05/19;
 - Drawing No. PR144085-2 – Issue C – Proposal Plan with Aerial Overlay - Peter Huybers – Reconfiguration of a Lot with Aerial Overlay, Plan of Lots 51, 52, 53, 61, 62 & 63, Cancelling Lots 5 & 6 on SP270844 Lockhart River Road Lockhart River – Prepared by RPS Australia East Pty Ltd – Dated: 23/05/19;
 - Drawing No. PR144085-3 – Issue C – Proposal Plan with RE Overlay - Peter Huybers – Reconfiguration of a Lot, Plan of Lots 51, 52, 53, 61, 62 & 63, Cancelling Lots 5 & 6 on SP270844 Lockhart River Road Lockhart River – Prepared by RPS Australia East Pty Ltd – Dated: 23/05/19;

Building Envelopes

2. Designated Building Envelopes within each new lot must be in the location identified on the approved plans and must satisfy the following criteria:
 - Maximum area of actual Building Envelopes to be 3,000m² for Lots 51 and 52, and 4,200m² for Lots 53, 61, 62 and 63; and
 - Location within areas comprising either Rainforest Incurred or Grassland Incurred Woodland, as identified within 4 Elements Environmental Constraints Assessment Report, dated 5/11/2018. Council shall place a notice upon the Rates Record for each lot once created which confirms that any built development upon each lot is to be

wholly contained within the identified Building Envelope.

Access

3. Access to proposed Lots 51, 52, and 61 must be via Lockhart River Road and must be constructed prior to the endorsement of the Plan of Survey. Where lots front the sealed section of Lockhart River Road, access is to be bitumen or concrete sealed and constructed to the requirements of the FNQROC Manual.

Where lots front the unsealed section of Lockhart River Road, access is to be gravel sealed and constructed to the requirements of the FNQROC Manual. Plans showing the location of each access must be submitted prior to construction to Council's Director Infrastructure for approval.

4. Access to proposed Lots 53, 62, and 63 from Lockhart River Road must be via a 6m wide access easement as identified on the approved plans.

Internal Driveway (Access Easement)

5. The internal driveway which is to provide access to proposed Lots 53, 62, and 63 must be located within a 6m wide access easement over proposed Lots 61 and 62 and be constructed to an all-weather gravel standard, and contain all necessary stormwater drainage. A copy of the Easement documentation must be provided prior to the endorsement of the Plan of Survey.

Operational Works

6. Prior to the commencement of construction of external works, an application must be submitted for a development permit for Operational works for the following:
 - Access works to Lockhart River Road (refer Condition 3).
7. This application will need to include plans prepared by a Registered Professional Engineer Queensland (RPEQ) in accordance with the FNQROC Manual and are to be to the satisfaction of Council's Director Infrastructure Services.
8. On completion of the works, one (1) copy of the final design and a Certificate of Completion from a Registered Professional Engineer Qld must be submitted to Council.

Certificate and Maintenance

9. Upon completion of the works required by Condition 3, a Certificate from a qualified Engineer is to be submitted to Council stating that the works have been carried out properly and in accordance with the plans and specifications approved by Council. The certificate shall set out all plans and specifications approved by Council. The certificate shall show all relevant survey data and levels, together with a bond for five (5) percent of the total works costs, to meet the costs of any maintenance required for maintenance period not exceeding (12) months.

Effluent Disposal

10. Each lot must be provided with a wastewater treatment and disposal system, prior to the construction of a dwelling house. Any application for wastewater treatment and disposal must include details of the proposed wastewater disposal systems and calculation demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS1547:2000 – 'On-site domestic wastewater management'. Details to be provided at the time of a Plumbing and/or Building Application.

Water Supply

11. A separate source of water supply must be provided to each of the proposed allotments, at the time of construction of a dwelling house. This would be satisfied by the provision of rainwater tanks with a minimum capacity of 50,000 litres for each lot. Where an alternative source of supply is available within the allotment, the applicant can provide certified evidence as to the flow rates and water quality of the bore water or other supply to eliminate or reduce the requirement for on-site water storage.

Fire Management

12. All lots, access driveways and fire breaks must be maintained by the owners at all times so as not to create a fire hazard.

Environmental Protection

13. No State Declared or environmental pest plants and animals are to be introduced onto the property.

Stormwater Drainage

14. All stormwater must be directed to a legal point of discharge.

Electricity Supply

15. Each proposed lot must be provided with a reliable electricity supply at the time of construction of a house. Written evidence of such electricity supply must be provided at the time of lodgement of a building application for a house.

Public Utilities

16. The developer is responsible for the cost of any alteration to public utilities as a result of complying with the conditions of this approval.
17. Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines "Utilities".

Compliance

18. All conditions of this development permit are to be complied with prior to the Plan of Survey being submitted to Council for endorsement.

Outstanding Charges

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

Currency Period

20. The reconfiguration of a lot approval authorised by this Development Permit must be completed and the Plan of Survey submitted to Council for endorsement within four (4) years from the commencement of this approval or this approval will lapse.

ADVICE (COUNCIL)

1. The applicant/owner be advised that a further Development Permit is required for carrying out Building Works, along with Plumbing and Drainage Approval/Compliance Permits required for any Plumbing and Drainage works, prior to any building construction associated

with this development.

2. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act 2003* and in particular 'the duty of care' that it imposes on all landowners.

CARRIED

14.4 AUDIT AND RISK COMMITTEE MEETING MINUTES

RESOLUTION 2020/78

Moved: Cr Kaz Price

Seconded: Cr Alan Wilson

Council notes the minutes of the Audit and Risk Committee Meeting held on 10 February 2020.

CARRIED

At 10.12am, the meeting adjourned.

At 10.36am, the meeting resumed.

14.5 AMENDED PLAQUES, MEMORIALS AND MONUMENTS POLICY. V3

RESOLUTION 2020/79

Moved: Cr Kaz Price

Seconded: Cr Alan Wilson

That Council adopts the Plaques, Memorials and Monuments Policy dated March 2020.

CARRIED

14.6 COOK SHIRE COUNCIL DRUG AND ALCOHOL POLICY FOR ADOPTION

RESOLUTION 2020/80

Moved: Cr John Dessmann

Seconded: Cr John Giese

That Council resolves to adopt the Alcohol and Other Drugs Policy dated March 2020.

An amendment to the Motion was moved as follows:

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes

That Council agree that Item 14.6 lie on the table, pending:

- 1 further clarification of the responsibilities of operating a commercial vehicle required. Policy to include definition of 'Commercial' vehicle; and
- 2 further report be brought back to Council.

The amended Motion was then put to the vote.

CARRIED

14.7 COMMUNITY ENGAGEMENT POLICY REVIEW

Item 14.7 was removed from Agenda and was not considered by Council.

14.8 COOKTOWN 2020 ADVISORY COMMITTEE, DECEMBER 2019 & FEBRUARY 2020 MEETING MINUTES

RESOLUTION 2020/81

Moved: Cr Kaz Price

Seconded: Cr John Dessmann

That the Minutes from the Cooktown 2020 Advisory Committee meeting on 2 December 2019 and 3 February 2020 be noted.

CARRIED

15 INFRASTRUCTURE - REPORTS

15.1 REPEAL LIMITS TO WORKS ON COUNCIL ROADS POLICY

RESOLUTION 2020/82

Moved: Cr Alan Wilson

Seconded: Cr John Giese

That Council repeals the Limits to Works on Council Roads Policy which was last reviewed in November 2014.

CARRIED

16 CONFIDENTIAL REPORTS

Nil

The Meeting closed at 10.59am

The minutes of this meeting will be confirmed at the Ordinary Council Meeting to be held on 15 April 2020.

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CHAIRPERSON