



MINUTES

Ordinary Council Meeting

19 May 2020

**MINUTES OF COOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON TUESDAY, 19 MAY 2020 AT 9.00AM**

1 AGENDA CONTENTS

2 ATTENDANCE

Cr Peter Scott (Mayor), Cr Robyn Holmes (Deputy Mayor), Cr Peter Burns, Cr John Dessmann, Cr Larissa Hale, Cr Ross Logan, Cr Marilyn Morris, Ms Linda Cardew (Chief Executive Officer), Mr Lawrence Booth (Director Community, Economy and Innovation), Ms Heather Kelly (Director Organisational Business Services), Mr David Klye (Director Infrastructure)

3 MEETING OPENED

Meeting opened at 9.00am

4 APOLOGIES

Nil

5 ACKNOWLEDGEMENT OF COUNTRY

On behalf of all Councillors, the Mayor acknowledged the Guugu Yimithirr people, Traditional Custodians of the land on which we meet today, and paid respects to their Elders past, present and emerging.

6 DECLARATIONS OF INTEREST

6.1 CONFLICT OF INTEREST DECLARATION - CR M MORRIS

Cr Morris declared a conflict of interest in Item 14.1 (as defined by the *Local Government Act 2009*, section 175D) as follows:

- a) I am an employee of the Cooktown Post Office.

I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must now determine, pursuant to section 175E(4) of the *Local Government Act 2009*:

- a) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- b) If so, whether:
 - i) I must leave the meeting while this matter is discussed and voted on; or
 - ii) I may participate in the meeting in relation to the matter, including voting on the

matter.

RESOLUTION 2020/105

Moved: Cr Peter Burns

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Cr Morris has a real/perceived conflict of interest in the matter and notwithstanding the conflict, Cr Morris may participate in the matter, discuss and vote upon it.

CARRIED

7 MAYORAL MINUTE

Nil

8 NOTICE OF BEREAVEMENT

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

9 CONFIRMATION OF PREVIOUS MINUTES**RESOLUTION 2020/106**

Moved: Cr Ross Logan

Seconded: Cr Larissa Hale

That the minutes of the Ordinary Meeting held on 28 April 2020 be confirmed.

CARRIED

10 BUSINESS ARISING

Nil

11 NOTIFIED MOTIONS

Nil

12 COUNCILLORS' REPORTS**12.1 COUNCILLORS' MONTHLY REPORTS****RESOLUTION 2020/107**

Moved: Cr Larissa Hale

Seconded: Cr Marilyn Morris

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 2020/108**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr John Dessmann

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

CARRIED

13.2 APPOINTMENT OF DEPUTY CHAIR TO LOCAL DISASTER MANAGEMENT GROUP**RESOLUTION 2020/109**

Moved: Cr Larissa Hale

Seconded: Cr Marilyn Morris

That Council appoint Deputy Mayor, Cr Robyn Holmes to the role of Deputy Chair of the Cook Shire Local Disaster Management Group.

CARRIED

13.3 APPOINTMENT OF COUNCILLOR PORTFOLIOS**MOTION**

Moved: Cr Peter Scott (Mayor)

Seconded: Cr Ross Logan

1. That Council endorse the Councillor appointments to portfolio areas for the 2020-2024 term; and
2. The portfolios may from time to time be amended or reallocated by Council.

Cr Holmes moved an amendment to the motion.

RESOLUTION 2020/110

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Larissa Hale

That amendments be made to the Councillor appointments to portfolio areas for the 2020-2024 term, as discussed, and a further report to be submitted to the 9 June 2020 Ordinary Council meeting.

CARRIED

13.4 COUNCIL IN FOCUS - QUARTERLY REPORT - JANUARY TO MARCH 2020**RESOLUTION 2020/111**

Moved: Cr Marilyn Morris

Seconded: Cr Ross Logan

That Council receives and notes the 'Council in Focus' Report for the period January to March 2020.

CARRIED

14 COMMUNITY, ECONOMY AND INNOVATION - REPORTS**14.1 CHARLOTTE STREET STREETScape INVESTMENT INITIATIVE****RESOLUTION 2020/112**

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Council approve the following applications for funding under the Charlotte Street Streetscape Investment Initiative:

- Ferrari Building - \$2,500
- Cooktown Post Office - \$2,500
- Cooktown Orchid Travellers Park – \$1,122
- Seagren's Building - \$2,500
- Croc Shop - \$2,500
- 148 Charlotte Street - \$2,500

CARRIED

15 ORGANISATIONAL BUSINESS SERVICES - REPORTS**15.1 FINANCIAL STATEMENTS - APRIL 2020****RESOLUTION 2020/113**

Moved: Cr Peter Burns

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Council resolves to:

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

CARRIED

15.2 FEES AND CHARGES 2020/2021**RESOLUTION 2020/114**

Moved: Cr Ross Logan

Seconded: Cr Peter Burns

That Council:

- 1) Adopts the 2020/21 Fees and Charges Schedule, effective from 1 July 2020 by:
 - a. Fixing the cost-recovery fees as indicated in the 2020/21 Fees and Charges Schedule in accordance with section 97(1) of the *Local Government Act 2009*.
 - b. Fixing all other fees and charges contained in the 2020/21 Fees and Charges Schedule.
- 2) Delegates authority to the Chief Executive Officer to set or vary any fee or charge, other than those that are cost-recovery fees, in accordance with section 257(1)(b) of the *Local Government Act 2009*.

CARRIED

15.3 REQUEST FOR AN EXTENSION TO THE CURRENCY PERIOD FOR DA/3902 - OPERATIONAL WORKS FOR DRIVEWAY ACCESS CONSTRUCTION - LOT 21 ON SP279559 - PENINSULA DEVELOPMENT ROAD, LAKELAND**RESOLUTION 2020/115**

Moved: Cr Marilyn Morris

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Council grant a one (1) year extension to the currency period for Development Permit DA/3902, extending the currency period until 17 April 2021.

CARRIED

15.4 REQUEST FOR AN EXTENSION TO THE CURRENCY PERIOD FOR DA/3721 - MATERIAL CHANGE OF USE FOR A PUBLIC UTILITY (SOLAR FARM & BATTERY STORAGE) AND RECONFIGURATION OF A LOT (ONE (1) LOT INTO TWO (2) LOTS) - LOT 26 ON SP287489 - 7725 MULLIGAN HIGHWAY, LAKELAND**RESOLUTION 2020/116**

Moved: Cr Larissa Hale

Seconded: Cr Marilyn Morris

That Council grant a two (2) year extension to the currency period for Development Permit DA/3721, extending the currency period until 1 December 2023.

CARRIED

SUSPENSION OF STANDING ORDERS

RESOLUTION 2020/117

Moved: Cr Larissa Hale

Seconded: Cr Marilyn Morris

That Council suspends standing orders 9.47am.

CARRIED

At 9.47am Councillors suspended standing orders to attend, via teleconference, a District Disaster Management Group meeting regarding Covid-19 travel and restriction matters.

RESUMPTION OF STANDING ORDERS

RESOLUTION 2020/118

Moved: Cr Larissa Hale

Seconded: Cr Peter Burns

That Council resumes standing orders at 11.02am.

CARRIED

15.5 APPLICATION FOR A DEVELOPMENT PERMIT DA/4150 - MATERIAL CHANGE OF USE FOR A PLACE OF WORSHIP - LOT 106 ON C1793 - 86 CHARLOTTE STREET, COOKTOWN**RESOLUTION 2020/119**

Moved: Cr Larissa Hale

Seconded: Cr Marilyn Morris

1. That the application by the Brisbane Congregation of Jehovah's Witnesses Incorporated as Bare Trustee for the Cooktown Congregation of Jehovah's Witnesses C/- U&i Town Plan for Development Permit DA/4150, for a Material Change of Use for a Place of Worship on Lot 106 on C1793 be approved subject to the listed 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 assessment benchmarks and the proposed development demonstrated compliance.
 - (b) The proposed development for a Material Change of Use for a Place of Worship will have no detrimental impact on the surrounding land uses.

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

1. The development must be carried out generally in accordance with the following plans submitted with the application, except for any variations required to comply with the conditions of this approval:
 - Proposed Site Plan – Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA01;
 - Proposed Floor Plan - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA02;
 - Proposed Elevations - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA03;
 - External Signage - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA04;
 - External Finishes - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA05;
 - Civil Cover Sheet - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: C00;
 - Proposed Site Grading Plan - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: CO1;
 - Proposed Stormwater Management Plan - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: CO2;
 - Civil Details - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: CO3.

Water Supply

2. The development must be connected to the reticulated water supply at the time of construction at full cost to the applicant.
3. Water service connection for the development must be a minimum of 25mm service.

Sewerage

4. The development must be connected to the reticulated sewerage scheme at the time of construction, at full cost to the applicant. Plans must be submitted for approval by Council's Plumbing Inspector prior to works commencing.

Amenity

5. There shall be no adverse impact on the amenity of the surrounding area by reason of light, nuisance, dust or noise.

Access

6. Access to the proposed development must be from Charlotte Street and be located as per the approved 'Proposed Site Plan – Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA01'.
7. Access from the property boundary to the Charlotte Street frontage must be sealed with concrete and be constructed to the requirements of the FNQROC Development Manual Drawing S1015, and Design Manual D1, Road Geometry, section D1.17.
8. Access construction must not damage or disturb the existing Queensland Heritage Place – the Early Granite Kerbing and Channelling.
9. The applicant must submit a Traffic Management Plan written by a suitably qualified person for the works on the road reserve. This must be submitted for approval by Council's Director Infrastructure prior to works commencing.

Internal Car Parking

10. The development must make provision for nine (9) off-street car parking spaces (including one (1) Persons with Disability (PWD) accessible car park). The PWD car park must be marked as such.
11. The internal car parking spaces must be located as per the approved 'Proposed Site Plan – Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA01', and be concrete sealed. Car parking spaces must comply with the Australian Standard and be constructed to the requirements of the FNQROC Manual. Engineering drawings must be submitted as part of an Operational Works application for approval by Council's Director Infrastructure prior to works commencing.

Internal Driveway

12. The internal driveway must be located as per the approved 'Proposed Site Plan – Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: DA01'. The internal driveway must be concrete sealed, a minimum of three (3) metres wide, and constructed to the requirements of the FNQROC Manual. Engineering drawings must be submitted as part of an Operational Works application for approval by Council's Director Infrastructure prior to works commencing.

Operational Works

13. Prior to construction commencing, Council will require approval of an Operational Works application for the following:
- Access Construction (Condition 7);
 - Internal Driveway and Car Parking (Condition 11 and 12).
14. The application will need to include plans prepared by a Registered Professional Engineer Queensland (RPEQ) in accordance with the FNQROC Development Manual that are to the satisfaction of Council's Director Infrastructure.

Stormwater

15. Stormwater drainage must be in accordance with the approved 'Proposed Stormwater Management Plan - Brisbane Congregation of Jehovah's Witnesses Inc. – Proposed Place of Worship 86 Charlotte Street Cooktown QLD 4895 – Revision: P2 – DWG No: CO2' and be directed to a legal point of discharge.

Electricity

16. The development must be connected to the reticulated electricity supply.

Fencing

17. The development must be provided with a 1.8 metre high solid screen fencing along the side and rear boundaries of the development site.

Landscaping

18. Landscaping must be provided as follows:
- A landscaping strip minimum width of one (1) metre must be provided along the side and rear boundaries;
 - Plantings must be in accordance with Council's Landscaping Planning Scheme Policy;
 - Landscaped areas must be subject to regular and on-going maintenance, including the timely replacement of damaged or dead plants;
 - Landscaping must enhance the residential amenity of the development; and
 - A detailed Landscaping Plan must be provided to Council for approval by Council's Manager Planning and Environment at the time of application for carrying out Building Work.

Refuse Bins

19. Refuse bins must not be stored on the Charlotte Street frontage for any period greater than twenty-four (24) hours.

Colour Scheme

20. The colour scheme used on the development must be sympathetic to the buildings architectural style and the streetscape generally. Details of the colour scheme to be used must be submitted to Council's Manager Planning and Environment for approval at the time of building application.

Outstanding Charges

21. All rates, service charges, interest and other charges levied on the land are to be paid prior to the certificate of classification.

Public Utilities

22. The developer is responsible for the cost of any alterations to public utilities as a result of complying with the conditions of this approval.

Currency Period

23. The currency period for this development approval is six (6) years. Should the use of the Place of Worship not be established within this time, the approval shall lapse.

Environmental Protection

24. The development is to comply with the provisions of the *Environmental Protection Act 1994* in relation to dust, noise, wastewater and any other contaminants that may cause environmental harm or nuisance, particularly during construction activities.

Filling and Excavation

25. Filling and excavation works are to comply with the FNQROC Development Manual.

B. Assessment Manager (Council) Advice

1. A development permit is required for carrying out Building Works, and a Plumbing and Drainage Approval/Compliance Permit is required for plumbing and drainage works prior to construction of any buildings associated with this development.
2. The applicant/owner must notify Council of their intention to commence the use after acceptable of and compliance with these conditions, or negotiated decisions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.
3. 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

15.6 APPLICATION FOR A DEVELOPMENT PERMIT DA/4158 - MATERIAL CHANGE OF USE FOR AQUACULTURE, CARETAKER'S ACCOMMODATION AND RURAL WORKERS ACCOMMODATION - OPERATIONAL WORKS FOR TIDAL WORKS (PUMP STATION) - 349-351 MULLIGAN HIGHWAY COOKTOWN - LOT 4 ON RP887249

RESOLUTION 2020/120

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Peter Burns

That Council issue an approval for the development application submitted by Aquatec Pty Ltd c/- 3ScienceSolutions Pty Ltd for a Material Change of Use for Aquaculture (Prawn Farm), Caretaker's Accommodation and Rural Workers' Accommodation and a development permit for Operational Works for Tidal Works (Pump Station) over land described as Lot 4 on RP887249 and Lot A on AP23422 (Permit to Occupy 0/241196), 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 plans except for any modifications required to comply with the Conditions of this approval:

- Concept Aerial View prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 21/01/20, reference AQU18001-SK2, revision E;
- Concept Typical Production Pond prepared by Maddocks & Associates Pty Ltd consulting engineers dated 10/12/19, reference AQU18001-SK10 revision D;
- Concept Layout (Sheet 1 of 4) prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 13/12/19, reference AQU18001-SK3, revision D;
- Concept Layout (Sheet 2 of 4) prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 26/07/19, reference AQU18001-SK4, revision C;
- Concept Layout (Sheet 3 of 4) prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 26/07/19, reference AQU18001-SK5, revision C;
- Concept Layout (Sheet 4 of 4) prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 10/12/19, reference AQU18001-SK6, revision D;
- Section A prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 13/05/19, reference AQU18001- SK7, revision B;
- Section B prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 13/05/19, reference AQU18001- SK8, revision B;
- Sections C - F prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 13/05/19, reference AQU18001- SK9, revision B;
- Concept Existing Pump Station Upgrade prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 10/12/19, reference AQU18001-SK16, revision D;
- Concept New Outlet Drain prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 21/01/20, reference AQU18001-SK17, revision E;
- Floor Plan prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 21/12/18, reference AQU18001-A01, revision A;
- Roof Plan prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 21/12/18, reference AQU18001-A02, revision A;
- Elevation Plan prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 21/12/18, reference AQU18001-A03, revision A;
- Concept Proposed Hatchery prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 10/12/18, reference AQU18001-SK15, revision D;
- Concept Proposed Processing and Feed Storage Buildings (1 of 3) prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 13/12/19, reference AQU18001-SK13, revision D;
- Concept Proposed Processing and Feed Storage Buildings (2 of 3) prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 13/12/19, reference AQU18001-SK13A, revision D;
- Concept Proposed Processing and Feed Storage Buildings (3 of 3) prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 13/12/19, reference AQU18001-SK14, revision D;
- First Floor Plan prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 30/12/19, reference AQU19001-B01, revision B;
- Elevations 1 prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 30/12/19, reference AQU19001-B02, revision B;
- Elevations 2 prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 30/12/19, reference AQU19001-B03, revision B;
- Concept Proposed Managers Residence prepared by Maddocks & Associates Pty Ltd consulting engineers, dated 13/12/19, reference AQU18001-SK12, revision D;
- Concept Intersection of Proposed New Access Road with Mulligan Highway prepared by

Maddocks & Associates Pty Ltd consulting engineers, dated 13/05/19, reference AQU18001-SK11, revision B.

Vehicle Access

2. Vehicle access to the site must be via the proposed access road.

Road Works

3. The applicant must construct the access road from the Mulligan Highway intersection to the property access to a Rural Road Standard in accordance with the approved drawings. Construction must be in accordance with the FNQROC Development Manual requirements. Engineering drawings must be submitted for approval by Council's Director Infrastructure as part of an Operational Works application prior to work commencing.

Operational Works

4. Prior to the commencement of construction of external works other than by Council, an application must be submitted for a development permit for Operational Works for the following:
 - Road works; and
 - Erosion and sediment control.

This application will need to include Operational Works plans prepared by a Registered Professional Engineer Queensland (RPEQ) in accordance with the FNQROC Development Manual standards, and are to be to the satisfaction of Council's Director Infrastructure.

Certificate and Maintenance

5. Upon completion of the works required by Condition 4, a certificate from a Registered Professional Engineer Queensland must 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 the full engineering details of the works as completed and 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 period not exceeding twelve (12) months.

Parking

6. Parking must be provided on site in locations shown on the approved plans and is to be in accordance with the FNQROC Development Manual and the relevant Australian Standard.

Public Utilities

7. 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 Development Manual D8 Operational Works Design Guidelines "Utilities".

Effluent Disposal

8. Wastewater treatment and disposal applications must include details of proposed wastewater disposal systems and calculations demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – On-site Domestic Wastewater Management. Details to be provided at the time of lodgement of a Plumbing or Building application and prior to the issue of a Development Permit for Building Works. The works must be completed

to the satisfaction of Council's Plumbing Inspector, prior to the commencement of the use.

9. The applicant is required to obtain the necessary ERA permit for an on-site sewage system exceeding 21 EP. Upon receiving this ERA license, confirmation is to be provided to Council's Manager Planning and Environment.

Water Supply

10. The development must be connected to a reliable potable water supply for the accommodation facilities (Caretaker's residence and Rural Worker's accommodation). If rain water tanks are proposed, they must have a minimum capacity of 50,000 litres and the proposed rain water collection system must be fitted with sufficient first flush diverters to divert the first 2mm of rainfall over the entire area of roof used for rainwater harvesting. The inlets and outlets of the rain water collection tanks must be fitted with insect screens.
11. The roof material and sealant used must be suitable for the collection of drinking water. All guttering used for rain water harvesting must be fitted with leaf screens.
12. Prior to the commencement of the use and if rain water tanks are proposed to service the accommodation facilities, the applicant is to submit to Council a report prepared by a qualified expert demonstrating the proposed water source complies with the Australian Drinking Water Guidelines. The report is to also detail proposed water treatment devices, including operating parameters and quality testing regimes.

Electricity Supply

13. The applicant is to ensure that the Caretaker's dwelling and Rural Workers' accommodation have a reliable electricity supply, prior to the commencement of the use.

Flooding

14. Buildings must have a minimum floor level 0.3m above Q100.

Bushfire

15. The Caretaker's dwelling and Rural Workers' Accommodation must be provided with a 50,000L water tank each, for firefighting purposes.
16. Firebreaks from hazardous vegetation (of 1.5 times the predominant mature canopy tree height or 10 m, whichever is the greater) must be maintained by the owners at all times and flammable material must not be allowed to build up around the buildings so as not to create a fire hazard.

Environmental

17. The applicant must submit for approval, a rehabilitation plan identifying the areas to be replanted and/or rehabilitated including ongoing weeding and maintenance programs and the proposed timing of works.
18. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.
19. No State Declared or Environmental pest plants and pest animals are to be introduced onto the property.

Compliance

20. All conditions of this Development Permit are to be complied with prior to the use commencing and, where relevant, maintained during operation.

Outstanding Charges

21. All rates, service charges, interest and other charges levied on the land must be paid prior to the use commencing.

Currency Period

22. The currency period for this application is six (6) years. Should the approved Aquaculture, Caretaker's Residence and Rural Workers' Accommodation not be established within this time, the approval shall lapse.

B. Advice (Council)

A development permit is required for carrying out Building Works (including demolition), and a Plumbing and Drainage Approval/compliance permit is required for Plumbing and Drainage Works prior to construction of any buildings associated with this development.

C. Concurrence Agency (Department of Infrastructure, Local Government & Planning) Response:

See the attached (Appendix B) letter from the Department of State Development, Manufacturing, Infrastructure and Planning, dated 6 April 2020.

CARRIED

15.7 AUDIT & RISK COMMITTEE APPOINTMENTS - MAY 2020 COUNCIL REPORT**RESOLUTION 2020/121**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Larissa Hale

That Council appoint Mayor Peter Scott and Deputy Mayor Robyn Holmes as members of the Cook Shire Council Audit and Risk Committee and that Cr Marilyn Morris and Cr Peter Burns be appointed as proxy members.

CARRIED

16 INFRASTRUCTURE - REPORTS

Nil

17 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 Regulation 2012:

17.1 Tender T9319 - Port Stewart Road Landslip

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Cook Shire Council.

17.2 Extension of Lakeland and Laura Service Agent Contracts

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Cook Shire Council.

17.3 Request for Concession on Water Consumption

This matter is considered to be confidential under Section 275(d) 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 rating concessions.

RESOLUTION 2020/122

Moved: Cr Marilyn Morris

Seconded: Cr Peter Burns

That Council moves into Closed Session.

CARRIED

RESOLUTION 2020/123

Moved: Cr Marilyn Morris

Seconded: Cr Larissa Hale

That Council moves out of Closed Session into Open Session.

CARRIED

17.1 TENDER T9319 - PORT STEWART ROAD LANDSLIP**RESOLUTION 2020/124**

Moved: Cr Ross Logan

Seconded: Cr Peter Burns

That Council:

1. Approve the award of a contract for the reconstruction of the Port Stewart Road Landslip to **S & SG AHLERS** in the total amount of **\$ 557,805.22 (excluding GST)** subject to QRA's approval of the market value, 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, negotiate and finalise minor administrative or financial amendments and approve any variations to the contract including any variations due to latent conditions, if so required.

CARRIED

17.2 EXTENSION OF LAKELAND AND LAURA SERVICE AGENT CONTRACTS**RESOLUTION 2020/125**

Moved: Cr Marilyn Morris

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Council:

1. Approve a four (4) month extension of the Laura Service Agent Contract and the Lakeland Service Agent Contract to Auswaste FNQ Pty Ltd in the total amount of \$79,360.00 (excluding GST); and
2. Delegates authority to the Chief Executive Officer, under section 257 of the *Local Government Act 2009 (QLD)*, the ability to execute the Contract extension, negotiate and finalise minor administrative or financial amendments and approve any variations if required.

CARRIED

17.3 REQUEST FOR CONCESSION ON WATER CONSUMPTION**RESOLUTION 2020/126**

Moved: Cr John Dessmann

Seconded: Cr Larissa Hale

That Council grant the concession of \$677.54 for Assessment 10012078.

CARRIED

The Meeting closed at 11.52am.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 9 June 2020.

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CHAIRPERSON