



# **MINUTES**

## **Planning and Environment Standing Committee Meeting**

**28 July 2020**

**MINUTES OF COOK SHIRE COUNCIL  
PLANNING AND ENVIRONMENT STANDING COMMITTEE MEETING  
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN  
ON TUESDAY, 28 JULY 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), Mr David Klye (Director Infrastructure), Ms Lisa Miller (Manager Planning and Environment).

**3 MEETING OPENED**

9.04am

**4 APOLOGIES**

Nil

**BEREAVEMENT**

Mayor Peter Scott mentioned the recent passing of 102 year-old Cooktown resident, Mrs Sylvia Geraghty, and called for a moment of silence out of respect for her passing.

Mr Booth also noted the recent passing of Ms Doreen Jones.

**5 ACKNOWLEDGEMENT OF COUNTRY**

On behalf of all Councillors, the Mayor acknowledged the Waymburr Warra 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 MORRIS**

Cr Marilyn Morris declared a conflict of interest in Item 9.1, (as defined by *Local Government Act 2009*, section 175D) as follows:

- a) I am an employee of the applicant.

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 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 sections 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.

**COMMITTEE RESOLUTION 2020/54**

Moved: Cr Peter Scott (Mayor)

Seconded: Cr John Dessmann

That Councillor Morris can stay in the room.

**CARRIED**

**7 CONFIRMATION OF PREVIOUS MINUTES****PLANNING AND ENVIRONMENT STANDING COMMITTEE MEETING – 23 JUNE 2020****COMMITTEE RESOLUTION 2020/55**

Moved: Cr Ross Logan

Seconded: Cr Marilyn Morris

That the minutes of the Planning and Environment Standing Committee meeting held on 23 June 2020 be confirmed.

**CARRIED**

**8 BUSINESS ARISING**

Nil

**9 AGENDA ITEMS****9.1 APPLICATION FOR A DEVELOPMENT PERMIT DA/4186 - MATERIAL CHANGE OF USE FOR A DWELLING HOUSE (EROSION PRONE AREA) - LOT 7 ON SP152471 - 17 SLAUGHTER YARD ROAD MARTON****COMMITTEE RESOLUTION 2020/56**

Moved: Cr Peter Burns

Seconded: Cr Robyn Holmes (Deputy Mayor)

1. That the application by Paul and Rebecca Buldo C/- U&i Town Plan for Development Permit DA/4186 for a Material Change of Use for a Dwelling House on Lot 7 on SP152471, located at 17 Slaughter Yard Road, 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 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:
  - Development Plan – Proposed Dwelling House – Prepared by: U&i Town Plan – Plan # M4-20 (1) – Dated: 08.06.20; and
  - Proposed Floor Plan – Submitted by U&i Town Plan – Dated: 05.06.20.

##### **Access**

2. Access to the proposed development must be constructed from the unnamed road and be constructed in accordance with the requirements of the FNQROC Development Manual.

##### **Water Supply**

3. A potable water supply must be provided to the property at the time of construction of a dwelling house. This would be satisfied by the provision of a rainwater tank with a minimum capacity of 50,000 litres. Where an alternative source of water 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 of on-site water storage.

##### **Effluent Disposal**

4. 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/NZS, 1547:2000 – ‘On-site domestic wastewater management’. Details are to be provided at the time of lodgement of a Plumbing and Building application.

##### **Electricity**

5. The proposed development must be connected to reticulated electricity at the time of building application. If the development is proposed to be connected to another means of electricity supply, details of this supply must be provided for Council approval at the time of building application.

##### **Timing of Effect**

6. The conditions of this development permit must be complied with to the satisfaction of Council’s delegated officer prior to the commencement of the use.
7. The applicant must notify Council that all the conditions of the development permit have been complied with prior to the commencement of the use.

##### **Amenity**

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

**Fire Management**

9. The development must be maintained at all times to a standard so as not to create a fire hazard.

**Stormwater**

10. Stormwater must be directed to a legal point of discharge.

**Environmental Protection**

11. During the construction stage of the dwelling house, the Applicant must ensure that no sand, soil, or silt runoff occurs from the site. Erosion and sediment controls must be in place.

**Erosion Protection**

12. The development site must be landscaped with appropriate native trees and shrubs to prevent erosion and silt runoff from the site once construction of the dwelling house is complete.

**Public Utilities**

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

**Compliance**

14. All relevant conditions of this development permit must be complied with prior to the use commencing.

**Currency Period**

15. The currency period for this Development Approval is six (6) years. Should the use not be established within this time, the approval shall lapse.

**Outstanding Charges**

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

**A. 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 acceptance 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**

**10 CONFIDENTIAL REPORTS**

Nil

**11 GENERAL BUSINESS**

Nil

**The Meeting closed at 9.17am.**

**The minutes of this meeting will be confirmed at the Planning and Environment Standing Committee Meeting held on 25 August 2020.**

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**CHAIRPERSON**