



MINUTES

Ordinary Council Meeting

13 October 2020

**MINUTES OF COOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON TUESDAY, 13 OCTOBER 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)

3 MEETING OPENED

9.00am

4 APOLOGIES

Nil

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 DECLARATION OF INTEREST - ITEM 15.5 - CR LARISSA HALE

I, Councillor Larissa Hale, inform the meeting that I have a prescribed conflict of interest in Item 15.5 as follows:

I am related to the owners of Bowyer Group, who operate the Archer River Quarry. The nature of my relationship with the Bowyer Group is, the business is owned and operated by my uncle, Darcy Bowyer.

I will be dealing with this conflict of interest by leaving the meeting while this matter is discussed and voted on.

6.2 DECLARATION OF INTEREST - ITEM 14.1 - CR MARILYN MORRIS

I, Councillor Marilyn Morris, inform the meeting that I have a prescribed conflict of interest in Item 14.1 as follows:

I am an executive committee member of the Cooktown Re-enactment Association.

I will be dealing with this conflict of interest by leaving the meeting while this matter is discussed

and voted on.

6.3 DECLARATION OF INTEREST - ITEM 15.4 - CR MARILYN MORRIS

I, Councillor Marilyn Morris, inform the meeting that I have a prescribed conflict of interest in Item 15.4 as follows:

I am an executive committee member of the Cooktown Re-enactment Association.

I will be dealing with this conflict of interest by leaving the meeting while this matter is discussed and voted on.

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 PREVIOUS MINUTES

ORDINARY MONTHLY COUNCIL MEETING – 8 SEPTEMBER 2020

RESOLUTION 2020/251

Moved: Cr Larissa Hale

Seconded: Cr Marilyn Morris

That the minutes of the Ordinary Meeting held on 8 September 2020 be confirmed.

CARRIED

10 BUSINESS ARISING

Nil

11 NOTIFIED MOTIONS

Nil

12 COUNCILLORS' REPORTS**12.1 COUNCILLORS' MONTHLY REPORTS****RESOLUTION 2020/252**

Moved: Cr Marilyn Morris

Seconded: Cr John Dessmann

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

CARRIED

Mayor Peter Scott tabled FNQROC AGM and FNQ Regional Roads and Transport Group AGM meeting papers for Councillors interest.

At 9.25am, Cr John Dessmann left the meeting.

13 EXECUTIVE SERVICES - REPORTS**13.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT****RESOLUTION 2020/253**

Moved: Cr Marilyn Morris

Seconded: Cr Ross Logan

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

CARRIED

14 COMMUNITY, ECONOMY AND INNOVATION – REPORTS

Cr Morris reiterated her prescribed conflict of interest in the upcoming matter.

At 9.51am, Cr Marilyn Morris left the meeting.

14.1 COOK SHIRE ECONOMIC RESILIENCY INVESTMENT INITIATIVE**RESOLUTION 2020/254**

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes (Deputy Mayor)

In Favour: Crs Peter Scott (Mayor), Peter Burns, John Dessmann, Larissa Hale, Robyn Holmes (Deputy Mayor) and Ross Logan

Against: Nil

1. That Council approve the following applications for funding under the Cook Shire Economic Resiliency Investment Initiative:

• Beer and Bulldust	\$900
• Bloomfield Escape	\$4,000
• Cape Crusaders	\$1,200
• Cooktown Canvas and Shade	\$2,949
• Cooktown Chamber of Commerce	\$4,000
• Cooktown Holiday Park	\$3,765
• Cooktown Re-enactment Association	\$4,000
• Driftwood Café	\$3,595
• Frog Dogs Australia	\$4,000
• Green Hoose	\$2,042
• Learning from Nature	\$1,680
• MC Cleaning and Landscaping	\$1,600
• Portland Roads Out of the Blue Café	\$4,000
• U&i Town Plan	\$3,250
• Riverbend Tours	<u>\$1,680</u>

To a total value of **\$42,661**

CARRIED

At 10.01am, Cr Marilyn Morris returned to the meeting.

14.2 SOLE SUPPLIER - TOURISM TRAILS BROCHURES AND Z CARDS

RESOLUTION 2020/255

Moved: Cr Ross Logan

Seconded: Cr Peter Burns

That Council resolves that, because of the specialised nature of the goods and services sought and it is impractical to invite quotes from other suppliers, Z-CARD PocketMedia Solutions is appointed as an approved sole supplier, for the reproduction of regional trail brochures and Z cards.

CARRIED

Mayor Peter Scott suspended standing orders at 10.03am.

Mayor Peter Scott resumed standing orders at 10.19am.

15 ORGANISATIONAL BUSINESS SERVICES - REPORTS**15.1 SOLE SUPPLIERS - STORES****RESOLUTION 2020/256**

Moved: Cr Larissa Hale

Seconded: Cr Peter Burns

That Council resolves that, because of the specialised nature of the goods and services that are sought it is impractical to invite quotes from other suppliers and the following suppliers are approved as sole suppliers for a period of twelve (12) months:

- ROADSIDE PRODUCTS PTY LTD for the supply and delivery of guide posts; and
- BORAL CONSTRUCTION for the supply and delivery of pre-mix asphalt and emulsion.

CARRIED

15.2 COUNCILLOR EXPENSE REIMBURSEMENT POLICY**RESOLUTION 2020/257**

Moved: Cr Peter Burns

Seconded: Cr Marilyn Morris

That Council adopt the Councillor Expense Reimbursement Policy (Version 1) dated October 2020.

CARRIED

At 10.24am, Cr John Dessmann returned to the meeting.

15.3 ASSET DISPOSAL POLICY**RESOLUTION 2020/258**

Moved: Cr Peter Burns

Seconded: Cr Marilyn Morris

That Council adopts the Asset Disposal Policy dated 13 October 2020.

CARRIED

Cr Morris reiterated her prescribed conflict of interest in the upcoming matter.

At 10.40am, Cr Marilyn Morris left the meeting.

15.4 APPLICATION FOR A DEVELOPMENT PERMIT DA/4207 - MATERIAL CHANGE OF USE FOR A COMMUNITY USE - 121 CHARLOTTE STREET COOKTOWN - LOT 5 ON C17973**RESOLUTION 2020/259**

Moved: Cr Peter Burns

Seconded: Cr Robyn Holmes (Deputy Mayor)

In Favour: Crs Peter Scott (Mayor), Peter Burns, John Dessmann, Larissa Hale and Ross Logan

Against: Cr Robyn Holmes (Deputy Mayor)

1. That the application by Cook Shire Council c/- Planz Town Planning Pty Ltd, for Development Permit DA/4207 – Material Change of Use for a Community Use on Lot 5 on C17973, located at 121 Charlotte Street Cooktown, be approved subject to the following 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 6394) of the *Planning Act 2016*) in the event that Council decides to approve the application:
 - (a) An assessment was made against the relevant Cook Shire Council Planning Scheme 2017 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 Plan**

1. The development must be carried out generally in accordance with the following Proposal Plan (Appendix A) submitted with the application, except for any variations required to comply with the conditions of this approval:
 - Reconciliation Rocks and Boathouse Cooktown - Ground Floor Area Plan – CA Architects – Project 1829 Stage CD SD-104 – Dated: 10/09/2020 – Revision 2;
 - Reconciliation Rocks and Boathouse Cooktown – Site Plans Boathouse Existing & Demolition, Stage 1 & 2 – CA Architects – Project 1829 Stage CD Discipline A – Drawing No. A-001 Issue 7 – 20/09/20;
 - Cooktown Boathouse – Demolition Plan – July 2020 – CA Architects – Plan No. P5;
 - Cooktown Boathouse – Ground Floor Plan – July 2020 – CA Architects – Plan No. P6;
 - Cooktown Boathouse – Roof Plan – July 2020 – CA Architects – Plan No. P7;
 - Cooktown Boathouse – Staging & Construction Plan – July 2020 – CA Architects – Plan No. P8;
 - Cooktown Boathouse – Elevations Plan – July 2020 – CA Architects – Plan No. P9;
 - Cooktown Boathouse – Materials – July 2020 – CA Architects – Plan No. P10;
 - Cooktown Boathouse – 3D Visualisation – July 2020 – CA Architects – Plan No. P11, P12, P13.

Staged Development

2. This Material Change of Use approval is a staged development approval comprising of two (2) stages. Any aspect completed within the currency period is lawful and any stages not completed lapse. Staging of the Community Use facility must be in accordance with the approved plans.

Access

3. Access to the proposed facility must be gravel sealed and contain ancillary stormwater drainage from the property boundary to the road verge, and be constructed to the requirements of the FNQROC Manual.
4. Plans showing the location of access to the proposed facility must be submitted to Council's Manager Engineering for approval prior to construction of the Stage 2 building. This application must be supported by a Traffic Management Plan undertaken by a suitably qualified person for works within the road reserve.
5. Access must be constructed prior to the issue of a Certificate of Classification for the Stage 2 building.
6. The future driveway shall:
 - Avoid reversing movement into or out of the development;
 - Provide safety for pedestrians by ensuring adequate site distance; and
 - Provide adequate clearance between vehicles turning path and physical constraints within the property.

On Site Car Parking

7. The development must make provision for two (2) on-site car parking spaces. The car parking spaces must comply with the relevant Australian Standard and be constructed to the requirements of the FNQROC Manual.
8. Plans showing the location of the on-site car parking area must be submitted to Council's Manager Engineering for approval prior to the construction of the Stage 2 building, and must be constructed prior to the issue of a Certificate of Classification for the Stage 2 building.

Building/Demolition and Plumbing and Drainage Approvals

9. All new structures must obtain the necessary permits for building/demolition works and plumbing and drainage approvals prior to any construction commencing on the site.

Water Supply

10. The development must be connected to the reticulated water supply at the time of construction of Stage 1 at full cost to the applicant.
11. Water service connection must be a minimum 20mm service.

Sewerage

12. The development must be connected to the reticulated sewerage scheme at the time of construction of Stage 1, at full cost to the applicant. Plans must be submitted for approval by Council's Plumbing Inspector prior to works commencing.

Amenity

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

Stormwater

14. Stormwater drainage must be directed to a legal point of discharge.

Electricity

The development must be connected to the reticulated electricity supply at the time of issue of a Certificate of Classification for the new building work.

Landscaping

15. Landscaping must be provided as follows:

- 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; and
- Landscaping must enhance the amenity of the development.

Refuse Bins

16. Refuse bins must not be stored on the Charlotte Street frontage for any period greater than twenty-four (24) hours.
17. All bins and waste storage areas are to be located on site and screened so as to not be visible from the street and adjoining properties.

Outstanding Charges

18. All rates, service charges, interest and other charges levied on the land are to be paid prior to the issue of any Certificate of Classification.

Infrastructure Charges

19. Infrastructure Charges must be paid to Council prior to the issue of any Certificate of Classification, as indicated on the Adopted Infrastructure Charges Notice (Appendix 'B') at the rate applicable at the time of payment.

Public Utilities

20. 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

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

Environmental Protection

22. 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.
23. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.
24. No State Declared or Environmental pest plants and pest animals are to be introduced onto the property.

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 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.
4. This development approval has been issued during the COVID-19 applicable event declared under 275F of the *Planning Act 2016*. The period for undertaking the approved development may be subject to a further extension of time under section 275R of the *Planning Act 2016*.

CARRIED

At 11.05 am, Cr Marilyn Morris returned to the meeting.

Cr Hale reiterated her prescribed conflict of interest in the upcoming matter.

At 11.05am, Cr Larissa Hale left the meeting.

15.5 APPLICATION FOR A DEVELOPMENT PERMIT DA/4144 - MATERIAL CHANGE OF USE FOR AN EXTRACTIVE INDUSTRY AND CARETAKER'S ACCOMMODATION, AND OPERATIONAL WORKS FOR VEGETATION CLEARING - LOT 7 ON SP171860 - PENINSULA DEVELOPMENTAL ROAD, COEN

RESOLUTION 2020/260

Moved: Cr Marilyn Morris

Seconded: Cr Ross Logan

In Favour: Crs Peter Scott (Mayor), Peter Burns, John Dessmann, Robyn Holmes (Deputy Mayor), Ross Logan and Marilyn Morris

Against: Nil

1. That Council issue an approval for the development application submitted by Kalan Enterprises c/- Groundwork Plus for a Material Change of Use for Extractive Industry and Caretaker's Accommodation and a development permit for Operational Works for Clearing Vegetation over land described as Lot 7 on SP171860, subject to the listed 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.
- c. The applicant has submitted a needs analysis which concludes that the proposed use will have benefits in terms of choice, competition and convenience for part of the Cape York community.

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with the following Proposal Plan (Appendix 'A') submitted with the application, except for any variations required to comply with the conditions of this approval:
 - 2141.DRG.007 - Site Layout Plan prepared by Groundwork Plus, dated 24/07/20, reference, revision 6.
 - 2141.DRG.008 – Conceptual Layout Plan prepared by Groundwork Plus, dated 23/07/20, reference, revision 2.
 - 2141.DRG.008A - Site Office and Caretakers Accommodation Elevations prepared by Groundwork Plus, dated 20/09/19.
 - 2141.DRG.008B – Crib and Amenities Room Elevations prepared by Groundwork Plus, dated 20/09/19.
 - 2141.DRG.008C – Storage Facility Elevations prepared by Groundwork Plus, dated 20/09/19.
 - 2141.DRG.014 – Erosion and Sediment Control Plan prepared by Groundwork Plus, dated 12/08/20, revision 2.
 - 2141.DRG.010 – Rehabilitation Management Plan prepared by Groundwork Plus, dated 07/04/20.
 - 2141.DRG.011 – Schematic of Quarry Bench Rehabilitation prepared by Groundwork Plus, dated 01/04/20.
 - 2141.DRG.012 – Batter Treatments prepared by Groundwork Plus, dated 01/04/20.

Maximum Extraction Rate

2. A maximum quantity of 100,000 tonne of material may be extracted, screened and exported from the site per annum.

Operating Hours

3. No operations in association with the quarry involving the movement of equipment, loading of vehicles, movement of vehicles, the operation of crushing or screening equipment, shall occur outside of the hours of 6:00am to 6:00pm.

Vehicle Access

4. Vehicle access to the proposed use must be via the proposed Internal Haul road.
5. The internal Haul Road is to be constructed on the alignment shown on the approved plans, to an all-weather gravel standard and contain ancillary stormwater drainage. It must be a minimum of 3.5m in width and contain at least two (2) passing bays measuring at least 8m by 3.5m, evenly spaced between the stockpile area and the site access.

Stormwater

6. The applicant is to implement an approved Erosion and Sediment Control Plan prior to the

commencement of the use.

Operational Works

7. Prior to the commencement of construction an application must be submitted for a development permit for Operational Works for the following:

- Erosion and sediment control (Condition 6)

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

Certificate and Maintenance

8. Upon completion of the works required by Condition 7, a certificate from a Registered Professional Engineer Queensland 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 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

9. Parking is to be provided on site in locations shown on the approved plans and is to be in accordance with the FNQROC manual and the relevant Australian Standard.

Public Utilities

10. 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

11. 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 are to be completed to the satisfaction of Council's Manager Planning and Environment Services, prior to the commencement of the use.
12. If applicable, the applicant must obtain an ERA permit for an onsite sewage system exceeding 21 EP. Upon receiving this ERA license, confirmation is to be provided to Council's Manager Planning and Environment Services.

Water Supply

13. The development must be connected to a reliable potable water supply for the accommodation facilities (caretaker's dwelling). 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.
14. 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.

15. 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

16. The applicant is to ensure that the caretaker's dwelling has a reliable electricity supply, prior to the commencement of the use.

Bushfire

17. The caretaker's dwelling is to be provided with a total capacity of minimum 50,000L water tank(s) for firefighting purposes which:
- Is either below ground or of non-flammable construction;
 - Provides the capacity of at least 20KL; and
 - Has a minimum pressure and flow of 10L per second at 200kpa.
18. The development must be maintained at all times to a standard so as not to create a fire hazard.
19. 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

20. The applicant is to 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.
21. Following cessation of the use, rehabilitation of the site is to occur in accordance with the approved rehabilitation plan. The applicant/owner must notify Council of their intention to cease operating the use and the timeframe for completion of rehabilitation.
22. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.
23. No State Declared or environmental pest plants and pest animals are to be introduced onto the property.

Compliance

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

Outstanding Charges

25. All rates, service charges, interest and other charges levied on the land are to be paid prior to construction.

Currency Period

26. The currency period for this application is six (6) years. Should the approved Extractive

Industry and Caretakers Residence 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. Referral Agency (Department of State Development, Manufacturing, Infrastructure and Planning (now Queensland Treasury) Response:

See the attached (Appendix 'B') letter from the Queensland Treasury dated 28 August 2020.

CARRIED

At 11.22am, Cr Larissa Hale returned to the meeting.

15.6 ADOPTION OF AMENDING SUBORDINATE LOCAL LAW NO. 3 (MISCELLANEOUS SUBORDINATE LOCAL LAWS) 2020 AND ASSOCIATED CONSOLIDATED SUBORDINATE LOCAL LAWS

RESOLUTION 2020/261

Moved: Cr John Dessmann

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Council resolves:

1. to approve and adopt the "Review of Anti-Competitive Provisions - Amending Subordinate Local Law No. 3 (Miscellaneous Subordinate Local Laws) 2020";
2. pursuant to section 29(2) of the *Local Government Act 2009*, to adopt *Amending Subordinate Local Law No.3 (Miscellaneous Subordinate Local Laws) 2020*;
3. to delegate to the Chief Executive Officer, the power to take all steps necessary to publish the new Local Law in accordance with section 29B of the *Local Government Act 2009*; and
4. to adopt consolidated versions of the following subordinate local laws that incorporate amendments made to those local laws to date:
 - a. *Subordinate Local Law No. 1 (Administration) 2016*.
 - b. *Subordinate Local Law No. 2 (Animal Management) 2016*.
 - c. *Subordinate Local Law No. 4 (Local Government Areas, Facilities and Roads) 2016*.

CARRIED

15.7 SALE OF SURPLUS OF AMMUNITION**MOTION**

Moved: Cr Marilyn Morris

Seconded: Cr Peter Burns

That Council lift the matter from the table and, in accordance with section 236(2) of the *Local Government Regulation 2012*, approve the disposal of surplus ammunition to The Lure Shop, Cooktown, at a negotiated rate that would be acceptable to both parties.

Cr Robyn Holmes moved a new motion that was resolved as follows:

RESOLUTION 2020/262

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Larissa Hale

That Council let this matter lay on the table pending further enquiries relating to the disposal of the ammunition.

CARRIED

15.8 2020/2021 1ST QUARTER OPERATIONAL PLAN REVIEW**RESOLUTION 2020/263**

Moved: Cr Marilyn Morris

Seconded: Cr Ross Logan

That:

1. Council note the first quarter review of the 2020/2021 Operational Plan; and
2. The Operational Initiative "Refurbishment of the Backwash Dams at the Annan Water Treatment Plant" itemised under Key Strategic Priority: Environment, be re-categorised as a Funding Dependant operational initiative; and
3. Funding Dependant operational initiatives, when progressed and/or funded, be moved to the main body of the Operational Plan to be updated at each quarterly review.

CARRIED

15.9 FINANCIAL STATEMENTS - SEPTEMBER 2020**RESOLUTION 2020/264**

Moved: Cr Larissa Hale

Seconded: Cr Peter Burns

That Council resolves to:

Note the financial report, as required under section 204 of the *Local Government Regulation 2012* (QLD), for September 2020.

CARRIED

16 INFRASTRUCTURE - REPORTS**16.1 CAPITAL WORKS PROGRAM 2020/2021 - QUARTERLY REPORT, JULY TO SEPTEMBER 2020****RESOLUTION 2020/265**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Peter Burns

That Council receive and note the first quarter 2020/21 FY (July to September) Capital Works Infrastructure Quarterly Report.

CARRIED

16.2 INFRASTRUCTURE - ASSET MANAGEMENT TEAM QUARTERLY UPDATE**RESOLUTION 2020/266**

Moved: Cr Peter Burns

Seconded: Cr Marilyn Morris

That Council receive and note the first quarter 2020/21 F/Y Infrastructure - Asset Management Team Quarterly Report / Update.

CARRIED

At 12.12pm, Cr Peter Scott (Mayor) left the meeting.

At 12.16pm, Cr Peter Scott (Mayor) returned to the meeting.

16.3 DISASTER RECOVERY FUNDING ARRANGEMENTS - QUARTERLY REPORT**RESOLUTION 2020/267**

Moved: Cr Peter Burns

Seconded: Cr John Dessmann

That Council receives and notes the Disaster Recovery Funding Arrangements Quarterly Report – for the 2020/21 first quarter - July to Sep 2020.

CARRIED

16.4 EXTENSION OF LAKELAND AND LAURA SERVICE AGENT CONTRACTS**RESOLUTION 2020/268**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Peter Burns

That Council:

1. Approve a five (5) months extension of Contract T0218 for the Lakeland Services Agent to Auswaste FNQ Pty Ltd in the total amount of \$37,266.79 (excluding GST);

2. Approve a five (5) months extension of Contract T0318 for the Laura Services Agent to Auswaste FNQ Pty Ltd in the total amount of \$28,549.57 (excluding GST); and
3. Delegates authority to the Chief Executive Officer, under section 257 of the *Local Government Act 2009 (QLD)*:
 - (a) the authority to execute the Contract extensions, negotiate and finalise minor administrative or financial amendments and approve any variations if required,
 - (b) the authority to execute an additional twelve (12) months extension based on satisfactory performance and continued need for Contract T0218 for the Lakeland Services Agent to Auswaste FNQ Pty Ltd in the total amount of \$89,368.80 (excluding GST)
 - (c) the authority to execute an additional twelve (12) months extension based on satisfactory performance and continued need for Contract T0318 for the Laura Services Agent to Auswaste FNQ Pty Ltd in the total amount of \$68,464.20 (excluding GST)

CARRIED

The Mayor suspended standing orders at 12.39pm

The Mayor resumed standing orders at 2.37pm

16.5 RFT T0420 - ENTRY ROAD AND CARPARK UPGRADE (COOKTOWN AIRPORT)

RESOLUTION 2020/269

Moved: Cr Marilyn Morris

Seconded: Cr Peter Burns

That Council:

1. Approve the award of RFT T0420 – Entry Road and Carpark Upgrade (Cooktown Airport) to **LDI CONSTRUCTIONS** in the total amount of **\$ 865,013.00 (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 any variations, if so required.

CARRIED

16.6 RFT T0620 - PEDESTRIAN PATHWAYS AND GARDENS UPGRADE (BOTANIC GARDENS)**RESOLUTION 2020/270**

Moved: Cr John Dessmann

Seconded: Cr Peter Burns

That Council:

1. Approve the award of RFT T0620 – Pedestrian Pathways and Gardens Upgrade to **BRENDAN GRANT HOMES** in the total amount of **\$ 739,271.00 (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 any variations, if so required.

CARRIED

Cr Hale noted a prescribed conflict of interest in the upcoming matter.

DECLARATION OF INTEREST - ITEM 16.7 - CR LARISSA HALE

I, Councillor Larissa Hale, inform the meeting that I have a prescribed conflict of interest in Item 16.7 as follows:

I am related to the owners of Bowyer Group, who operate the Archer River Quarry. The nature of my relationship with the Bowyer Group is, the business is owned and operated by my uncle, Darcy Bowyer.

I will be dealing with this conflict of interest by leaving the meeting while this matter is discussed and voted on.

At 2.47pm, Cr Larissa Hale left the meeting.

16.7 SUPPLY AND DELIVERY OF GRAVEL (MEIN/BATAVIA ROAD)**RESOLUTION 2020/271**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Marilyn Morris

That Council:

1. Approve the award of a purchase order to **BOWYER GROUP MINING AND CIVIL** for the supply and delivery of 9,675 tonnes of 2.2 grade road base under PSA T10919, in the amount of **\$589,788.00 (including GST)**, and;
2. Delegate authority to the Chief Executive Officer, under section 257 of the Local Government Act 2009 (QLD), the ability to authorise payments and finalise any minor administrative or financial variations.

CARRIED

At 2.53pm, Cr Larissa Hale returned to the meeting.

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 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.

17.2 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.

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.

CONSIDERATION OF CONFIDENTIAL REPORTS – MOVING INTO CLOSED SESSION**RESOLUTION 2020/272**

Moved: Cr Marilyn Morris

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Council moves into Closed Session.

CARRIED

CONSIDERATION OF CONFIDENTIAL REPORTS – MOVING INTO OPEN SESSION**RESOLUTION 2020/273**

Moved: Cr Larissa Hale

Seconded: Cr Peter Burns

That Council moves out of Closed Session into Open Session.

CARRIED

17.1 REQUEST FOR CONCESSION ON WATER CONSUMPTION**RESOLUTION 2020/274**

Moved: Cr Marilyn Morris

Seconded: Cr Ross Logan

That Council grant the concession of \$727.03 for Assessment 10030229.

CARRIED

17.2 REQUEST FOR CONCESSION ON WATER CONSUMPTION**RESOLUTION 2020/275**

Moved: Cr John Dessmann

Seconded: Cr Larissa Hale

That Council grant the concession of \$7,640.08 for Assessment 10012136.

CARRIED

17.3 REQUEST FOR CONCESSION ON WATER CONSUMPTION**RESOLUTION 2020/276**

Moved: Cr Peter Burns

Seconded: Cr Larissa Hale

That Council grant the concession of \$1,964.79 for Assessment 10031698.

CARRIED

The Meeting closed at 3.05pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 10 November 2020.

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CHAIRPERSON