



MINUTES

Ordinary Council Meeting

10 November 2020

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

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

DECLARATION OF INTEREST - CR MARILYN MORRIS - ITEM 15.3

I inform the meeting that I have a prescribed conflict of interest in Item 15.3 (as defined in section 150EI of the *Local Government Act 2009*).

The nature of my interest is as follows:

- i. A close associate of mine is the applicant for this approval;
- ii. The name of my close associate is Allan Morris;
- iii. The nature of my relationship with this close associate is that he is my brother.

In accordance with section 150EM of the *Local Government Act 2009* I will leave the meeting and stay away from the meeting while this matter is discussed and voted on.

7 MAYORAL MINUTE**7.1 MAYORAL MINUTE - ENDORSEMENT OF NOMINATION TO LGAQ POLICY EXECUTIVE FOR DISTRICT NO 10 (FAR NORTH)****RESOLUTION 2020/279**

Moved: Cr Peter Scott (Mayor)

MAYORAL MINUTE

That Council supports my nomination for the position of Executive Representative for District No 10 (Far North), on the Local Government Association Queensland's Policy Executive for the balance of the period 2020-2024.

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 CONFIRMATION OF PREVIOUS MINUTES**ORDINARY COUNCIL MEETING – 13 OCTOBER 2020, SPECIAL COUNCIL MEETING – 27 OCTOBER 2020****RESOLUTION 2020/280**

Moved: Cr Peter Burns

Seconded: Cr Ross Logan

That the minutes of the Ordinary Meeting held on 13 October 2020 and the Special Meeting held on 27 October 2020 be confirmed.

CARRIED

10 BUSINESS ARISING

Nil

11 NOTIFIED MOTIONS

Nil

12 COUNCILLORS' REPORTS**12.1 COUNCILLORS' MONTHLY REPORTS****RESOLUTION 2020/281**

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 requested the following additional meeting dates in his calendar be noted in the minutes.

- 16 November – Cape York Regional Plan teleconference
- 24 November – Roads of Significant Importance teleconference
- 27 November – Official Opening of Reel Planning office in Cairns
- 29/30 November – Northern Alliance of Councils AGM and Workshop in Townsville
- 2 December – Torres and Cape Indigenous Councils Alliance board meeting in Cairns
- 14 December – Far North Queensland Regional Organisation of Councils and Regional Roads and Transport Group meetings in Cairns

13 EXECUTIVE SERVICES - REPORTS

13.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

RESOLUTION 2020/282

Moved: Cr John Dessmann

Seconded: Cr Peter Burns

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

CARRIED

13.2 2021 COUNCIL MEETING DATES

RESOLUTION 2020/283

Moved: Cr Marilyn Morris

Seconded: Cr Peter Burns

That Council resolves to adopt the below meeting dates for Ordinary Monthly Council meetings and Planning and Environment Standing Committee meetings as the 2021 dates for publication as required by Section 254B of the *Local Government Regulation 2012*.

Ordinary Monthly Council meetings

- 9.00am, Tuesday 19 January 2021
- 9.00am, Tuesday 9 February 2021
- 9.00am, Tuesday 9 March 2021
- 9.00am, Tuesday 13 April 2021
- 9.00am, Tuesday 11 May 2021
- 9.00am, Tuesday 8 June 2021
- 9.00am, Tuesday 13 July 2021
- 9.00am, Tuesday 10 August 2021

- 9.00am, Tuesday 14 September 2021
- 9.00am, Tuesday 12 October 2021
- 9.00am, Tuesday 9 November 2021
- 9.00am, Tuesday 7 December 2021

Planning and Environment Standing Committee meetings

- 9.00am, Tuesday 2 February 2021
- 9.00am, Tuesday 23 February 2021
- 9.00am, Tuesday 23 March 2021
- 9.00am, Tuesday 27 April 2021
- 9.00am, Tuesday 25 May 2021
- 9.00am, Tuesday 22 June 2021
- 9.00am, Tuesday 27 July 2021
- 9.00am, Tuesday 24 August 2021
- 9.00am, Tuesday 28 September 2021
- 9.00am, Tuesday 19 October 2021
- 9.00am, Tuesday 23 November 2021

CARRIED**13.3 COUNCIL IN FOCUS - 1 JULY TO 30 SEPTEMBER 2020****RESOLUTION 2020/284**

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Larissa Hale

That Council receives and notes the 'Council in Focus' report for the period July to September 2020.

CARRIED**13.4 UPDATE ON QUEENSLAND RESILIENCE AND RISK REDUCTION FUNDING APPLICATION.****RESOLUTION 2020/285**

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Council note the variation in the funding and co-contribution amounts for the Queensland Resilience and Risk Reduction Funding Program.

CARRIED

14 COMMUNITY, ECONOMY AND INNOVATION - REPORTS**14.1 BUILDING OUR REGIONS ROUND FIVE PROJECT - COEN AIRPORT FACILITIES UPGRADE****RESOLUTION 2020/286**

Moved: Cr John Dessmann

Seconded: Cr Larissa Hale

That Council:

1. Resolves to inform the Department of State Development, Manufacturing, Infrastructure and Planning that Council:
 - Has budgeted its contribution to the project;
 - Is committed to delivering the project; and
 - Acknowledges responsibility for any funding shortfall if costs or other contributors change.
2. Under s. 257 of the Local Government Act delegates authority to the Chief Executive Officer to correspond with the Department to this effect.

CARRIED

At 9:45 am, Cr Larissa Hale left the meeting.

14.2 COOKTOWN & CAPE YORK EXPO 2021 - TENT CITY LOCATION**RESOLUTION 2020/287**

Moved: Cr Marilyn Morris

Seconded: Cr Robyn Holmes (Deputy Mayor)

That Council approves the John Street Oval precinct as the site from which to operate Tent City for the duration of the Cooktown & Cape York Expo 2021.

CARRIED

At 9:50 am, Cr Larissa Hale returned to the meeting.

14.3 QUOTE OR TENDER CONSIDERATION PLAN - PROCUREMENT OF GOODS AND/OR SERVICES FOR COUNCIL RUN EVENTS**RESOLUTION 2020/288**

Moved: Cr Marilyn Morris

Seconded: Cr John Dessmann

That Council resolves to adopt a Quote or Tender Consideration Plan for the procurement of goods and/or services for Council Run Events, none of which to exceed \$200,000, as outlined in this report, in accordance with section 230 of the Local Government Regulations 2012.

CARRIED

14.4 RECONCILIATION ACTION PLAN - WORKING GROUP**MOTION**

Moved: Cr Larissa Hale

Seconded: Cr Marilyn Morris

That:

1. Cook Shire Council endorse the selected nominees for the Reconciliation Action Plan Working Group (RWG) listed hereunder:
 - a. Chief Executive Officer
 - b. Director Community Economy and Innovation
 - c. Project Engineer
 - d. Customer Service Officer
 - e. Media & Communications Officer
 - f. Regional Arts Officer
 - g. Treatment Plant Operator
 - h. Land Tenure & Native Title Coordinator
 - i. Creative Director, Cooktown & Cape York Expo 2021
 - j. Administration Officer
 - k. Indigenous (Bama) Partnership Officer
 - l. Manager Human Resources & Business Services;
2. Cook Shire Council acknowledge that from time to time the membership may change as the need arises; and
3. Cook Shire Council to nominate a Councillor to be a member of the RWG to publically signify recognition of reconciliation as an organisational priority.

Cr Holmes moved an amendment to the motion and was resolved as follows:

RESOLUTION 2020/289

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr John Dessmann

That the recommendation point three (3) be amended to: Cr Larissa Hale to be appointed as the Councillor representative member of Cook Shire Council's Reconciliation Working Group with Cr Marilyn Morris as a proxy.

CARRIED

The new substantive motion was put to the vote.

RESOLUTION 2020/290

Moved: Cr Peter Scott (Mayor)

Seconded: Cr Robyn Holmes (Deputy Mayor)

That:

1. Cook Shire Council endorse the selected nominees for the Reconciliation Action Plan Working Group (RWG) listed hereunder:
 - a. Chief Executive Officer
 - b. Director Community Economy and Innovation
 - c. Project Engineer
 - d. Customer Service Officer
 - e. Media & Communications Officer
 - f. Regional Arts Officer
 - g. Treatment Plant Operator
 - h. Land Tenure & Native Title Coordinator
 - i. Creative Director, Cooktown & Cape York Expo 2021
 - j. Administration Officer
 - k. Indigenous (Bama) Partnership Officer
 - l. Manager Human Resources & Business Services;
2. Cook Shire Council acknowledge that from time to time the membership may change as the need arises; and
3. Cr Larissa Hale to be appointed as the Councillor representative member of Cook Shire Council's Reconciliation Working Group with Cr Marilyn Morris as a proxy.

CARRIED

15 ORGANISATIONAL BUSINESS SERVICES – REPORTS

DECLARATION OF INTEREST - CR ROBYN HOLMES - ITEM 15.1

I inform the meeting that I have a declarable conflict of interest in Item 15.1 (as defined in Section 150EN of the *Local Government Act 2009*).

The nature of my interest is as follows:

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter.

- i. Name of related parties are William and Laura Reddie;
- ii. The nature of my relationship with these related parties is that they are extended family members;
- iii. The nature of the related party's interests in this matter are that they are the applicants.

I wish to participate in the decision in relation to this matter. I acknowledge that eligible councillors must now determine, pursuant to Section 150ES of the *Local Government Act 2009*, whether I:

- a. May participate in the decision about the matter, including by voting on the matter; or
- b. Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter.

RESOLUTION 2020/291

Moved: Cr Larissa Hale

Seconded: Cr John Dessmann

That Cr Holmes be allowed to stay and vote on the matter.

CARRIED

15.1 REQUEST FOR AN EXTENSION TO THE CURRENCY PERIOD FOR DA/3472 - OPERATIONAL WORKS FOR CONSTRUCTION OF EARTH AND ROCK-FILL DAM EMBANKMENT - LOT 101 ON SP256276 - PENINSULA DEVELOPMENTAL ROAD, LAKELAND**RESOLUTION 2020/292**

Moved: Cr Larissa Hale

Seconded: Cr Marilyn Morris

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

Against: Nil

That Council grant a one (1) year extension to the currency period for Development Permit DA/3472, extending the currency period until 19 October 2021.

CARRIED

15.2 APPLICATION FOR A DEVELOPMENT PERMIT DA/4218 - RECONFIGURATION OF A LOT ONE (1) INTO TWO (2) LOTS - LOT 1 ON PLAN SP282417 - HONEY DAM ROAD, LAKELAND**RESOLUTION 2020/293**

Moved: Cr Ross Logan

Seconded: Cr Peter Burns

1. That the application by PJFM No. 1 Pty Ltd C/- Stuart Ricketts, Urban Sync Pty Ltd for Reconfiguring Lot 1 on SP282417 into Two (2) Allotments, located at 1L Hurse Road, Lakeland, be approved subject to the reasonable and relevant conditions listed below.
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*) in the event that Council decides to approve the application.
 - (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 to the property or the

surrounding environment itself.

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with the Proposal Plan submitted with the application, except for any variations required to comply with the conditions of this approval. This includes:
 - Plan of Subdivision – Reconfiguration of a Lot Proposed Lots 101 & 102 Cancelling Lot 1 on SP282417 Lakeland – PJFM No. 1 Pty Ltd – Drawing No. PR1474487-1 – Issue B – Date: 19/8/2020.

Access

2. Access to proposed Lot 102 must be via the existing access on Honey Dam Road.
3. Access to proposed Lot 101 must be from Honey Dam Road. The access between the property boundary and the kerb and channel and must be dust suppressed and contain ancillary stormwater drainage. Construction must be to the requirements of the FNQROC Development Manual. Plans must be submitted for approval by Council's Director Infrastructure as part of an Operational Works application prior to works commencing.

Operational Works

4. Prior to the endorsement of the survey plan, Council will require approval for an Operational Works application for the following:
 - Dust suppressed access with ancillary stormwater drainage within the Honey Dam road reserve for proposed Lot 101 (see Condition 3).

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

A Traffic Management Plan (prepared by a suitably qualified person for works within the road reserve) must be submitted for approval by Council's Director Infrastructure prior to works commencing.

On completion of the works, Council shall require a Certificate of Completion from an RPEQ and a set of as constructed plans submitted to Council.

Effluent Disposal

5. 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 Plumbing and Wastewater Code and AS/NZS 1547:2000 – 'On-site domestic wastewater management'. Details to be provided at the time of a Plumbing and/or Building application.

Water Supply

6. 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 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 for on-site water storage.

Sediment Control

7. The applicant must ensure that effective measures are put in place to ensure construction activity does not cause erosion. A sediment control plan must be submitted to Council for approval prior to works commencing.
8. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.

Stormwater Discharge

9. Stormwater drainage must be directed to a legal point of discharge. Any future buildings must direct stormwater from the roof top, to an approved legal point of discharge via a stormwater pipe.

Electricity

10. Each proposed lot must be provided with a reliable electricity supply at the time of the issue of any Certificate of Classification. Written evidence of such electricity supply must be provided to Council prior to the issue of a Certificate of Classification for building work on the lots created.

Fire Management

11. 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

12. No state declared or environmental pest, plants, or animals are to be introduced onto the property.
13. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.

Public Utilities

14. The developer is responsible for the cost of any alteration to Public Utilities as a result of complying with the condition of this approval.
15. Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines "Utilities".

Compliance

16. All relevant Conditions of this Development Permit must be complied with prior to the Plan of Survey being submitted to Council for endorsement, unless stated otherwise.

Timing of Effect

17. The applicant must submit evidence to Council's Manager Planning and Environment that the Rural Industry (Produce Handling Facility Ref: DA/3999) is at construction Framing Stage prior

to the endorsement of the Survey Plan.

Outstanding Charges

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

Currency Period

19. The reconfiguring a lot approval authorised under 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 the approval will lapse.

B. Assessment Manager (Council) Advice

1. A development permit is required for carrying out any Building work and a Plumbing and Drainage Approval/Compliance Permit is required for plumbing and drainage works prior to any construction on these allotments.
2. The erection and use of any future buildings must comply with the *Building Act 1975* and all other relevant Acts, Regulations and Laws, and these approval conditions.
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

At 10:14 am, Cr Marilyn Morris left the meeting.

15.3 APPLICATION FOR A DEVELOPMENT PERMIT DA/4188 - MATERIAL CHANGE OF USE FOR A TOURIST PARK - OLD DAIRY ROAD, COOKTOWN - LOT 21 ON RP728583

RESOLUTION 2020/294

Moved: Cr Peter Burns

Seconded: Cr John Dessmann

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

Against: Nil

1. That the application by Allan Kenneth Morris for Development Permit DA/4188 – Material Change of Use for a Tourist Park on Lot 21 on RP728583 located at Old Dairy Road, 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 63(4) of the *Planning Act 2016*) if Council decides to approve the application:
 - (a) An assessment was made against the relevant Cook Shire Council Planning Scheme 2017 codes and the proposed development demonstrated compliance.

(b) The proposed use 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:
 - 'Mt Fantastic Nature Camping' – Morris Developments – MCU for Nature based Tourism Lot 21 on RP728583 Old Dairy Road, Cooktown – Sheet 1 of 2;
 - 'Mt Fantastic Nature Camping' – Morris Developments – MCU for Nature based Tourism Lot 21 on RP728583 Old Dairy Road, Cooktown – Sheet 2 of 2.

Access

2. The existing access track is to be upgraded in accordance with the road condition audit prepared by Spencer Civil and dated 11 September 2020. The access track is to be maintained in a condition to ensure that there is permanent 2wd access.
3. Access to the proposed development must be constructed from Old Dairy Road via the existing track (as upgraded in accordance with condition 2).

Water Supply

4. A potable water supply must be provided for the Tourist Park prior to the commencement of the use. This would be satisfied by the provision of a rainwater tank with a minimum capacity of 20,000 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.
5. A water tank is to be provided within 10 metres of each building (other than a Class 10 building) which:
 - Is either below ground or of non-flammable construction; and
 - Has a minimum pressure and flow of 10L per second at 200kPa; and
 - Is fitted with a 50mm male camlock or, if underground, an access hole of a minimum 200mm to accommodation suction lines; and
 - Includes a hardstand area allowing a 15 tonne fire appliance access within 6 metres of the tank.

Effluent Disposal

6. 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/or Building application.

Timing of Effect

7. The conditions of this development permit must be complied with the satisfaction of Council's Manager Planning and Environment prior to the commencement of the use.
8. 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

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

Fire Management

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

Stormwater

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

Environmental Protection

12. During the construction stage of the Tourist Park, the applicant must ensure that no sand, soil, or silt runoff occurs from the site. Erosion and sediment controls must be in place.
13. 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 tourist park is complete.

Public Utilities

14. 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

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

Currency Period

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

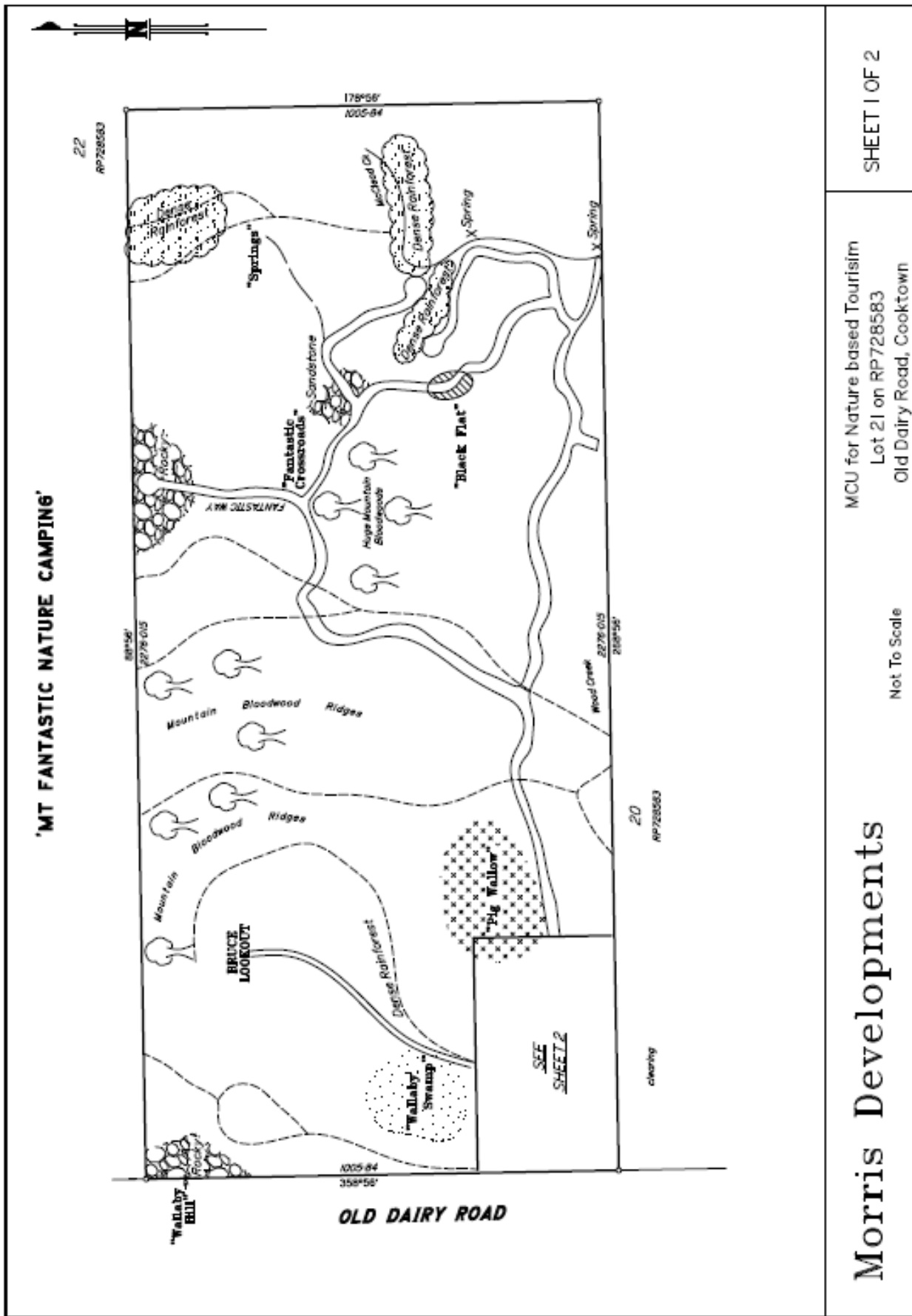
Outstanding Charges

17. All rates, service charges, interest and other charges levied on the land are to be paid prior to the commencement of the use.

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 the 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.

Appendix ‘A’

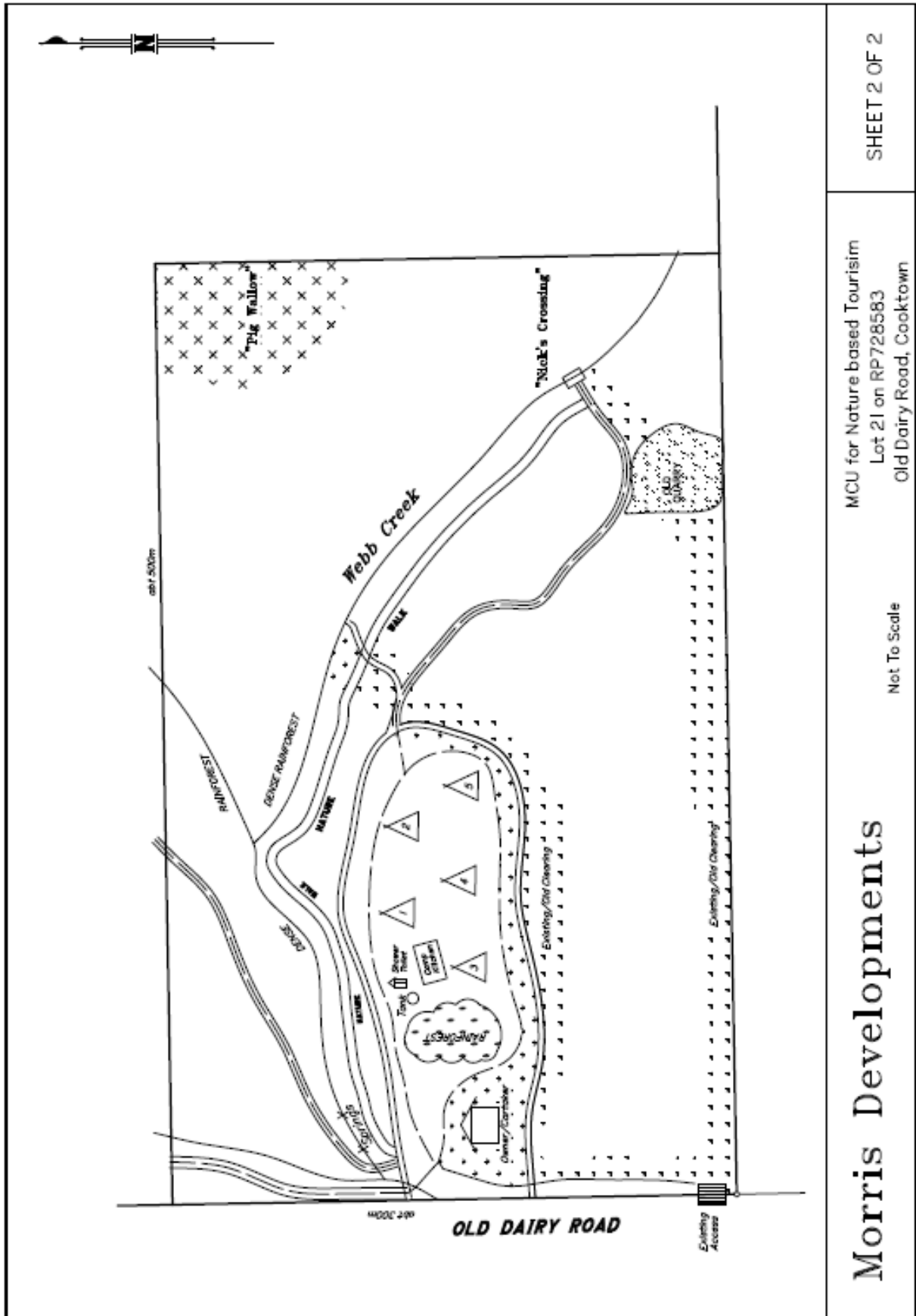


SHEET 1 OF 2

MCU for Nature based Tourism
 Lot 21 on RP728583
 Old Dairy Road, Cooktown

Not To Scale

Morris Developments



Morris Developments

Not To Scale

MCU for Nature based Tourism
 Lot 21 on RP728583
 Old Dairy Road, Cooktown

SHEET 2 OF 2

CARRIED

At 10:19 am, Cr Marilyn Morris returned to the meeting.

Mayor Peter Scott suspended the meeting at 10.19am.

Mayor Peter Scott resumed the meeting at 10.35am.

15.4 APPLICATION FOR A DEVELOPMENT PERMIT DA/4203 - MATERIAL CHANGE OF USE FOR NON-RESIDENT WORKFORCE ACCOMMODATION AND CARETAKER'S ACCOMMODATION - PALMERVILLE STATION, PALMER - LOT 14 ON SP250040

RESOLUTION 2020/295

Moved: Cr Peter Burns

Seconded: Cr Ross Logan

That the application by Diversified Agriculture Pty Ltd C/- U&i Town Plan for a Material Change of Use for a Non-Resident Workforce Accommodation and Caretaker's Accommodation on Lot 14

on SP250040, located at Palmerville Station, Palmer, be approved subject to the reasonable and relevant conditions listed below.

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*) in the event that Council decides to approve the application.
 - (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 property or the surrounding environment itself.

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with the Proposal Plans submitted with the application, except for any variations required to comply with the conditions of this approval. This includes:
 - Site Access Plan – Prepared by: U&i Town Plan – Plan No: M10/19 (2) – Date: 12/12/2019;
 - Site Plan for Development – Prepared by: U&i Town Plan – Plan No: M10/19 (1) – Date: 12/12/2019;
 - DONGA 1 – Standard Room and Accommodation Layout – Prepared by U&i Town Plan – Plan No: M10/19 (3) – Date: 12/12/2019; and
 - Kitchen Layout – Prepared by U&i Town Plan – Plan No: M10/19 (4) – Date: 12/12/2019.

Water Supply

2. A potable water supply must be provided prior to the commencement of the use. This would be satisfied by the provision of a rainwater tank with a minimum capacity of 100,000 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

3. 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/or Building application.

Amenity

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

Fire Management

5. The development must be maintained at all times to a standard so as not to create a fire hazard. Specifically, a cleared buffer of must be maintained between the approved structures and adjacent vegetation equal to 1.5 times the height of the tallest adjacent tree or 20m (whichever is greatest).

Electricity Supply

6. The applicant is to ensure that the non-resident workforce accommodation and caretaker’s accommodation have a reliable electricity supply, prior to the commencement of the use.

Stormwater

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

Recreation

8. The recreation space between the accommodation buildings must be roofed and sealed with concrete and/or formally landscaped prior to the commencement of the use.

Facilities

9. One building is to contain a kitchenette, laundry and storage facilities suitable for the proposed use, with a separate outdoor clothes drying area.

Kitchenette Living Conditions

10. The kitchenette must be designed and constructed to the requirements of the Australia New Zealand Food Standards Code- Standard 4.2.3 - Food Premises and Equipment.
11. The kitchenette must be roofed and enclosed by 4 walls and a solid wall must be used to separate the kitchenette from any area that is not used for food preparation and storage.

Environmental Protection

12. During the construction phase of the development, the applicant must ensure that no sand, soil, or silt runoff occurs from the site. Erosion and sediment controls must be in place.

Compliance

13. The conditions of this development permit must be complied with to the satisfaction of Council’s Manager Planning and Environment prior to the commencement of the use.
14. The applicant must notify Council that all the conditions of the development permit have been complied with prior to the commencement of the use.

Currency Period

15. The currency period for this Development Permit 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 commencement of the use.

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 the 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

DECLARATION OF INTEREST - CR ROBYN HOLMES - ITEM 15.5

I inform the meeting that I have a declarable conflict of interest in Item 15.5 (as defined in Section 150EN of the *Local Government Act 2009*).

The nature of my interest is as follows:

This declarable conflict of interest arises because I am an employee of the Queensland Police Service, whom are mentioned via the Queensland Police Reserve land in the Coen Master Plan.

I wish to participate in the decision in relation to this matter. I acknowledge that eligible councillors must now determine, pursuant to Section 150ES of the *Local Government Act 2009*, whether I:

- a. May participate in the decision about the matter, including by voting on the matter; or
- b. Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter.

RESOLUTION 2020/296

Moved: Cr Peter Scott (Mayor)

Seconded: Cr Larissa Hale

That Cr Holmes stay and participate and vote on the matter.

CARRIED

15.5 PROPOSAL TO ENDORSE THE COEN MASTER PLAN**RESOLUTION 2020/297**

Moved: Cr Marilyn Morris

Seconded: Cr Larissa Hale

1. That Council support the Coen Master Plan in principle, subject to the following

amendments:

- Page 33 to be updated to remove 'draft' from master plan.
- Figure 14 on Page 34 (the Regent Street Precinct Plan) to be updated to be consistent with the plan on Page 33.
- Lot 20 SP224313 to be noted as protected for Sport and Recreation.
- The 'Police' reserve to be partially reconfigured as residential land.
- Removal of maps with notes from meeting with Council and Inter Agency Meeting.

CARRIED

15.6 PRESENTATION OF AUDIT AND RISK COMMITTEE MINUTES

RESOLUTION 2020/298

Moved: Cr Robyn Holmes (Deputy Mayor)

Seconded: Cr Peter Burns

That Council note the minutes of the Audit and Risk Committee Meeting held 28 September 2020.

CARRIED

15.7 FINANCIAL STATEMENTS - OCTOBER 2020

RESOLUTION 2020/299

Moved: Cr Marilyn Morris

Seconded: Cr Larissa Hale

That Council resolves to:

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

CARRIED

16 INFRASTRUCTURE - REPORTS**16.1 DEPOT MASTER PLAN - MACHINERY SHED BUDGET REQUEST****RESOLUTION 2020/300**

Moved: Cr Ross Logan

Seconded: Cr Marilyn Morris

That Council resolves to approve a budget amendment to the 2020/21 budget of \$205,000.00, to provide for:

1. The construction of the earthworks for the shed pad;
2. The construction of the machinery shed and;
3. The completion of the design and production of drawings for the depot master plan.

CARRIED

16.2 FNQROC REGIONAL DEVELOPMENT MANUAL PLANNING SCHEME POLICY - REVIEW OF SUBMISSIONS AND ADOPTION OF AMENDMENTS FOR VERSION 11/19 (ISSUE 8)**RESOLUTION 2020/301**

Moved: Cr John Dessmann

Seconded: Cr Peter Burns

That Council:

1. Adopt the proposed amendments for Version 11/19 (Issue 8) to the FNQROC Development Manual Planning Scheme Policy, having regard to the submissions received in accordance with Section 22 of the *Planning Act 2016* and Chapter 3 Minister's rules for making and amending a planning scheme policy (PSP).
2. Resolves that the amended (Issue 8) FNQROC Development Manual Planning Scheme Policy shall take effect immediately and,
3. Place a notice in the Council website and social media, and in Cape and Torres News advising of Council's decision to adopt the amendments and the effective date of Version 11/19 (Issue 8).

CARRIED

16.3 COOKTOWN AIRPORT - CODE 3 COMPLIANCE WORKS IN 2021.**RESOLUTION 2020/302**

Moved: Cr Marilyn Morris

Seconded: Cr John Dessmann

That Council commits to providing \$150,000 in the 2021/22 budget for tree clearing and threshold works required to meet the grandfathered Code 3 requirements.

CARRIED

17 CONFIDENTIAL REPORTS

Nil

The Meeting closed at 11.33am.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 8 December 2020.

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CHAIRPERSON