



MINUTES

Ordinary Council Meeting

8 December 2020

**MINUTES OF COOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON TUESDAY, 8 DECEMBER 2020 AT 9.00AM**

1 AGENDA CONTENTS

2 ATTENDANCE

Mayor Peter Scott, Councillor Peter Burns, Councillor John Dessmann, Councillor Larissa Hale, Deputy Mayor Robyn Holmes, Councillor Ross Logan, Councillor Marilyn Morris.

Chief Executive Officer Linda Cardew, Director Infrastructure David Klye, Director Community Economy and Innovation Lawrence Booth, and Director Organisational Business Services Heather Kelly.

3 MEETING OPENED

9.01am

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

- Cr Burns noted that he will have a conflict of interest in Item 16.5 as he is a market stall holder. Cr Burns will address this conflict prior to the commencement of this agenda item.
- Cr Hale noted that she has previously declared a conflict in the development application of Item 16.6 as a submitter to this application is related party. Cr Hale will address this conflict prior to the commencement of this agenda item.
- Cr Morris noted that she will have a conflict of interest in Item 15.1 as she is a volunteer at Nature's Powerhouse. Cr Morris will address this conflict prior to the commencement of this agenda item.

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 LEAVE OF ABSENCE**REQUEST FOR LEAVE OF ABSENCE - CR ROSS LOGAN****RESOLUTION 2020/303**

Moved: Councillor Peter Burns

Seconded: Mayor Peter Scott

That the notification of intended leave from Cr Ross Logan for 12 December 2020 to 28 December 2020 be approved.

CARRIED

It was noted that Cr Logan would be an apology for the Special Council Meeting on 15 December 2020.

REQUEST FOR LEAVE OF ABSENCE - CR JOHN DESSMANN**RESOLUTION 2020/304**

Moved: Councillor Ross Logan

Seconded: Councillor Marilyn Morris

That the notification of intended leave from Cr John Dessmann from 10 December 2020 to 24 December 2020 be approved.

CARRIED

It was noted that Cr Logan would be an apology for the Special Council Meeting on 15 December 2020.

REQUEST FOR LEAVE OF ABSENCE - CR MARILYN MORRIS**RESOLUTION 2020/305**

Moved: Councillor John Dessmann

Seconded: Councillor Peter Burns

That the notification of intended leave from Cr Marilyn Morris from 10 December 2020 to 9 January 2021 be approved.

CARRIED

It was noted that Cr Morris would be attending the Special Council Meeting on 15 December 2020 via teleconference.

REQUEST FOR LEAVE OF ABSENCE - MAYOR PETER SCOTT

RESOLUTION 2020/306

Moved: Deputy Mayor Robyn Holmes

Seconded: Councillor Ross Logan

That the notification of intended leave from Mayor Peter Scott from 21 December 2020 to 8 January 2021 be approved.

CARRIED

10 CONFIRMATION OF PREVIOUS MINUTES

ORDINARY COUNCIL MEETING – 10 NOVEMBER 2020

RESOLUTION 2020/307

Moved: Councillor Ross Logan

Seconded: Deputy Mayor Robyn Holmes

That the minutes of the Ordinary Meeting held on 10 November 2020 be confirmed.

CARRIED

11 BUSINESS ARISING

Nil

12 NOTIFIED MOTIONS

Nil

13 COUNCILLORS' REPORTS

13.1 COUNCILLORS' MONTHLY REPORTS

RESOLUTION 2020/308

Moved: Councillor Ross Logan

Seconded: Councillor Larissa Hale

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

CARRIED

As Cr Logan's monthly report was not published with the agenda, it was requested that it be published with the minutes.



Monthly Activity Report | Councillor Ross Logan | November 2020

Date	Meetings / Events / Constituent Representations	Venue	Details
03/11/2020	DDMG meeting	Chambers	Interesting meeting. Appears we are beginning to get the message through to Brisbane that we have to deal with issues alien to them.
7/11/2020	Cooktown Markets	Park	General discussion
10/11/2020	Council meeting	Chambers	Agenda
11/11/2020	DLGRMA Workshop	Chambers	Register of Interests, etc. Clearly level of scrutiny only applies to Councillors rather than other levels of government.
11/11/2020	Armistice day	Anzac Park	
12/11/2020	IPAAC meeting	Lakeland Hall	Clear need to combine all groups interested in weeds and pest animals for common effort.
14/11/2020	Opening Lakeland and Laura libraries		
17/11/2020	LGAQ	Chambers	Elected Member Update (EMU) training
19-20/11/2020	LAWMAC	Townsville	Interesting meeting
23/11/2020	LDMG	Chambers	Communications major issue
25/11/2020	Natures Powerhouse	Chambers	Transition
25/11/2020	Go Local Business campaign	PCYC	
26/11/2020	Cooktown Interagency Meeting	Chambers	

14 EXECUTIVE SERVICES - REPORTS

14.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

RESOLUTION 2020/309

Moved: Councillor John Dessmann

Seconded: Councillor Peter Burns

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

CARRIED

14.2 COOK SHIRE COVID19 RECOVERY PLAN**RESOLUTION 2020/310**

Moved: Councillor Ross Logan

Seconded: Deputy Mayor Robyn Holmes

That Council endorses the Cook Shire COVID19 Recovery Plan dated November 2020.

CARRIED

15 COMMUNITY, ECONOMY AND INNOVATION – REPORTS**DECLARATION OF INTEREST - CR MARILYN MORRIS - ITEM 15.1**

I inform the meeting that I have a declarable conflict of interest as a result of my relationship with Nature's Powerhouse. I am a volunteer at the Visitor Information Centre and although I have a declarable conflict of interest I do not believe a reasonable person could have a perception of bias.

Therefore I will choose to remain in the meeting however I respect the decision of the meeting on whether I can remain and participate in the decision.

RESOLUTION 2020/311

Moved: Councillor Peter Burns

Seconded: Deputy Mayor Robyn Holmes

That Cr Morris be allowed to stay.

CARRIED

15.1 NATURE'S POWERHOUSE FACILITY - INTERIM OPERATING ARRANGEMENTS

The Mayor put the officer's recommendation to the meeting, noting a minor typographical error, and was accepted by unanimous vote of Councillors, however a procedural oversight was discovered shortly after the meeting had closed where the officer's recommendation was not formally moved or seconded. For this reason, this report will be resubmitted for Council's consideration at the next available Council meeting.

16 ORGANISATIONAL BUSINESS SERVICES - REPORTS**16.1 ADOPTION OF COOK SHIRE COUNCIL 2019-20 ANNUAL REPORT AND FINANCIAL STATEMENTS****RESOLUTION 2020/312**

Moved: Councillor Larissa Hale

Seconded: Councillor Marilyn Morris

That Council resolve to adopt the 2019-20 Annual Report and audited financial statements.

CARRIED

At 9:57 am, Councillor Ross Logan left the meeting.

At 9:59 am, Councillor Ross Logan returned to the meeting.

The Mayor suspended standing orders at 10.12am.

The Mayor resumed standing orders at 10.31am.

16.2 ANNUAL DELEGATION REVIEW 2020 - 1ST REGISTER - COUNCIL TO CHIEF EXECUTIVE OFFICER

RESOLUTION 2020/313

Moved: Councillor John Dessmann

Seconded: Councillor Peter Burns

That Council:

- (a) delegate under section 257 of the *Local Government Act 2009* (QLD) to the Chief Executive Officer the exercise of Council's powers as specified in the attached Delegations Register dated 8 December 2020, and retain for Council those powers not delegated to the Chief Executive Officer; and
- (b) delegate under section 259 of the *Local Government Act 2009* (QLD) to the Chief Executive Officer the authority to further delegate those powers to Council employees and contractors that have been delegated to the Chief Executive Officer by Council or by way of Act or Regulation; and
- (c) revoke all prior delegations made to the Chief Executive Officer in the previous delegation register as resolved by Council in September 2019.

CARRIED

16.3 COOK SHIRE COUNCIL CLOSED CIRCUIT TELEVISION (CCTV) POLICY - VERSION 1

RESOLUTION 2020/314

Moved: Councillor Marilyn Morris

Seconded: Councillor John Dessmann

That Council adopt the Closed Circuit Television (CCTV) Policy dated December 2020.

CARRIED

16.4 SALE OF SURPLUS AMMUNITION

MOTION

Moved: Councillor John Dessmann

Seconded: Deputy Mayor Robyn Holmes

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 via a closed tender process.

Cr Holmes moved an amendment to the motion.

RESOLUTION 2020/315

Moved: Deputy Mayor Robyn Holmes

Seconded: Councillor Larissa Hale

That the matter be returned to Council for the decision to award any contracts that are intended to be made with regard to the tender process.

CARRIED

The new substantive motion was formalised and tabled.

RESOLUTION 2020/316

Moved: Deputy Mayor Robyn Holmes

Seconded: Councillor Marilyn Morris

1. 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 via a closed tender process; and
2. That the matter be returned to Council for the decision to award any contracts that are intended to be made with regard to the tender process.

CARRIED

DECLARATION OF INTEREST - CR PETER BURNS - ITEM 16.5

I'll declare a prescribed conflict of interest in Item 16.5 because I am a stall holder at the markets and stand a possible chance of benefitting from the decision. I will leave the room.

At 10:58 am, Councillor Peter Burns left the meeting.

16.5 COOKTOWN MARKET**MOTION**

Moved: Councillor Marilyn Morris

Seconded: Councillor John Dessmann

1. That Council provide a concession on Cooktown market fees for the 2020-21 financial year equal to the increase from the adopted 2019-20 market fees as detailed in the body of the report.
2. No concessions be applied to roadside vending fees.
3. No additional fee be charged to market stall holders or roadside vendors registered with Council as of December 1 2020, for trade during the Cooktown and Cape York Expo 2021.
4. All stall holders be required to provide evidence of public liability insurance to the value of \$20 million prior to establishing a market stall from 1 January 2021.
5. No further market stall permits that require electricity be issued this financial year and that the number of permits allowable in the future be capped at an amount equal to the capacity of the power supply.
6. Council revise the allocated area for the Cooktown Saturday market to include the road reserve adjacent to Lions Park and Endeavour Park.
7. A market stall site plan be developed in conjunction with the stall holders and that the site plan excludes the use of the Lions Park barbecue area.
8. Council refer the development of the market site for consideration in the 2021-22 budget and operational planning process.

Cr Hale moved an amendment to the motion.

RESOLUTION 2020/317

Moved: Councillor Larissa Hale

Seconded: Deputy Mayor Robyn Holmes

In Favour: Crs Peter Scott, John Dessmann, Larissa Hale, Robyn Holmes and Ross Logan

Against: Cr Marilyn Morris

That the following points form the new substantive motion:

1. No additional fee be charged to market stall holders or roadside vendors registered with Council as of December 1 2020, for trade during the Cooktown and Cape York Expo 2021.
2. All stall holders be required to provide evidence of public liability insurance to the value of \$20 million prior to establishing a market stall from 31 January 2021.
3. No further market stall permits that require electricity be issued this financial year and that the number of permits allowable in the future be capped at an amount equal to the capacity of the power supply.
4. Council revise the allocated area for the Cooktown Saturday market to include the road reserve adjacent to Lions Park and Endeavour Park.
5. A market stall site plan be developed in conjunction with the stall holders and that the site

plan considers the use of the Lions Park barbecue area.

CARRIED

The new substantive motion was formalised and tabled.

RESOLUTION 2020/318

Moved: Councillor Larissa Hale

Seconded: Deputy Mayor Robyn Holmes

In Favour: Crs Peter Scott, John Dessmann, Larissa Hale, Robyn Holmes and Ross Logan

Against: Cr Marilyn Morris

That:

1. No additional fee be charged to market stall holders or roadside vendors registered with Council as of December 1 2020, for trade during the Cooktown and Cape York Expo 2021.
2. All stall holders be required to provide evidence of public liability insurance to the value of \$20 million prior to establishing a market stall from 31 January 2021.
3. No further market stall permits that require electricity be issued this financial year and that the number of permits allowable in the future be capped at an amount equal to the capacity of the power supply.
4. Council revise the allocated area for the Cooktown Saturday market to include the road reserve adjacent to Lions Park and Endeavour Park.
5. A market stall site plan be developed in conjunction with the stall holders and that the site plan considers the use of the Lions Park barbecue area.

CARRIED

At 11:26 am, Councillor Peter Burns returned to the meeting.

DECLARATION OF INTEREST - CR LARISSA HALE - ITEM 16.6

I Larissa Hale, inform the meeting that I have a declarable conflict of interest in 16.6.

A close associate of mine has made a submission in relation to this application. The name of the close associate is, Bowyer Enterprises which is owned and operated by my Uncle. My close associate has previously lodged a submission against approval of this application.

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

At 11:27 am, Councillor Larissa Hale left the meeting.

16.6 CHANGE REPRESENTATIONS FOR DEVELOPMENT PERMIT DA/4144 - MATERIAL CHANGE OF USE FOR AN EXTRACTIVE INDUSTRY, ANCILLARY ACTIVITIES AND CARETAKER'S ACCOMMODATION AND OPERATIONAL WORKS FOR VEGETATION CLEARING - PENINSULA DEVELOPMENTAL ROAD, COEN - LOT 7 ON SP171860**RESOLUTION 2020/319**

Moved: Councillor John Dessmann

Seconded: Councillor Marilyn Morris

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

Against: Nil

That the request for a Negotiated Decision Notice by Kalan Enterprises c/- Groundwork Plus for DA/4144 - 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 be approved and the applicant be issued with a Negotiated Decision Notice, subject to the conditions listed below.

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. Implement an Erosion and Sediment Control Plan generally in accordance with the approved Erosion and Sediment Control Plan (2141.DRG.041 R2 – Erosion and Sediment Control Plan prepared by Groundwork Plus, dated 12/08/20) for the stormwater treatment system prior to the commencement of the use. Details of the system (including perimeter bunds and/or catch drains, batter treatments, inlet and outlet scour protection and sizing calculations) required to facilitate the initial site workings and future upgrades are to be provided as part of an operational works application.

Approved amendments/upgrades to the storm water treatment systems are to be endorsed by a Registered Professional Engineer Queensland (RPEQ) and a copy of the updated Erosion and Sediment Control Plan provided to Council for their records.

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.

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 site must obtain the necessary 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 11:35 am, Councillor Larissa Hale returned to the meeting.

16.7 APPLICATION FOR A DEVELOPMENT PERMIT DA/4199 - RECONFIGURATION OF A LOT ONE (1) INTO TWO (2) LOTS - 285 JENSENS CROSSING ROAD, COOKTOWN - LOT 1 ON RP744512

RESOLUTION 2020/320

Moved: Councillor Ross Logan

Seconded: Councillor John Dessmann

1. 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 environment or surrounding land uses.

2. That the application by Robert Bradley C/- U&i Town Plan for Development Permit DA/4199, Reconfiguring Lot 1 on RP744512, located at 285 Jensens Crossing Road Cooktown, into two (2) allotments be approved subject to the following reasonable and relevant conditions.

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:
 - AMENDED Plan of Development – 1 into 2 Lots @ 285 Jensens Crossing Road, Cooktown – Council Ref: DA/4199 / SARA Ref: 2007-17929 SRA (Print Date 01/10/2020)

Access

2. Access to proposed Lot 1 must be via the existing crossover on Poison Creek Road and via the existing driveway, as marked on the approved plan.
3. Access to proposed Lot 2 must be via the existing crossover on Poison Creek Road and via the driveway marked on the approved plan.

Water Supply

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

Effluent Disposal

5. 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

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

Fire Management

7. The development must be maintained at all times to a standard so as not to create a fire hazard.
8. Any new building (other than a class 10a) erected on any of the proposed lots shall:

- Be sited in locations of lowest bushfire hazard within the lot;
- Achieve setbacks from fire hazardous vegetation of 1.5 times the predominant mature canopy tree height or ten (10) metres, whichever is the greater;
- Be provided with a source of water for fire-fighting purposes of not less than 10,000 litres. This must be satisfied by the provision of an accessible dam, swimming pool, or water tank. In the case of a tank supply, delivery of the water should be provided through a 50mm male Camlock fitting. The outlet from the tank water supply or the dam/pool shall be located within an accessible position within forty (40) metres from the habitable buildings. Details are to be provided at the time of building application.

Environmental Protection

9. No State Declared or environmental pests, plants and animals are to be introduced onto the property.
10. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.

Stormwater Drainage

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

Public Utilities

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

Compliance

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

Outstanding Charges

15. 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

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

B. Advice (Council)

1. The applicant be advised that a further Development Permit is required for carrying out Building works for any proposed or existing structure on-site, along with Plumbing and Drainage Approval/Compliance Permits required for any Plumbing and Drainage works, prior to any building construction associated with this development.
2. The 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 be advised that any future vegetation clearing of regulated vegetation identified on the approved plan of development must be approved by the Department of

Natural Resources, Mines, and Energy prior to works commencing.

4. 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.

C. Concurrence Agency (Queensland Treasury) Response:

See Attachment 2 letter from the Queensland Treasury dated 18 November 2020.

CARRIED

16.8 CLOSURE OF ROAD FOR CREATION OF RESERVE - PORT STEWART

RESOLUTION 2020/321

Moved: Councillor Larissa Hale

Seconded: Councillor Peter Burns

That Council resolves to:

1. Close the portion of unnamed road located in road Segment Parcel 8102197.
2. Delegate authority to the Chief Executive Officer pursuant to s 257 of the Local Government Act to take all steps necessary to effect the closure of the portion of unnamed road.
3. Delegate authority to the Chief Executive Officer pursuant to s 257 of the Local Government Act to take all steps necessary to progress and finalise the dedication of a community purpose reserve over the portion of road to be closed.

CARRIED

16.9 FINANCIAL STATEMENTS - NOVEMBER 2020

RESOLUTION 2020/322

Moved: Councillor Peter Burns

Seconded: Councillor Marilyn Morris

That Council resolves to:

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

CARRIED

17 INFRASTRUCTURE - REPORTS

17.1 ROAD CLOSURE - ROAD SECTION

RESOLUTION 2020/323

Moved: Councillor John Dessmann

Seconded: Councillor Peter Burns

That Council resolves to:

1. Advise the Department of Natural Resources, Mines and Energy via the returning of the attached Part C that Council does not object to the identified road being permanently

closed, and;

2. Delegate authority to the Chief Executive Officer pursuant to s 257 of the Local Government Act to progress the proceedings in the Council's interest.

CARRIED

17.2 COOK SHIRE COUNCIL AERODROME ADVERTISING AND SIGNAGE POLICY

RESOLUTION 2020/324

Moved: Councillor Ross Logan

Seconded: Councillor Marilyn Morris

That Council adopt the draft Cook Shire Aerodrome Advertising and Signage Policy as the Council policy for airport signage.

CARRIED

17.3 BUREAU OF METEOROLOGY AGREEMENTS - COOKTOWN & COEN AIRPORTS

RESOLUTION 2020/325

Moved: Councillor Peter Burns

Seconded: Councillor Ross Logan

1. That Council resolve to enter into an agreement with the Commonwealth Bureau of Meteorology generally in the terms specified in the draft agreement in Appendix A for ongoing maintenance of equipment located at the Cooktown Airport.
2. That Council resolve to enter into a lease agreement with the Commonwealth Bureau of Meteorology generally in the terms specified in the draft agreement in Appendix B for the Automatic Weather Station at Coen Airport.
3. Delegate authority to the Chief Executive Officer pursuant to s 257 of the *Local Government Act* to progress and finalise the Agreements in Council's interests.

CARRIED

18 CONFIDENTIAL REPORTS

Nil

The Meeting closed at 11.53am.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 19 January 2021.

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CHAIRPERSON