



MINUTES

Ordinary Council Meeting

13 December 2022

**MINUTES OF COOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATION OFFICE, 10 FURNEAUX STREET,
COOKTOWN
ON TUESDAY, 13 DECEMBER 2022 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

Brian Joiner, Chief Executive Officer; Jenni James, Acting Director Community, Economy and Innovation; Heather Kelly, Director Organisational Business Services; Peter Tonkes, Director Infrastructure.

3 MEETING OPENED

9:00am

4 APOLOGIES

Nil

5 ACKNOWLEDGEMENT OF COUNTRY

ON BEHALF OF ALL COUNCILLORS, THE CHAIR ACKNOWLEDGED THE WAYMBURR WARRA PEOPLE, TRADITIONAL CUSTODIANS OF THE LAND ON WHICH THE MEETING WAS HELD TODAY, AND PAID RESPECTS TO ALL TRADITIONAL OWNERS, PAST, PRESENT AND EMERGING THROUGHOUT COOK SHIRE.

6 DECLARATIONS OF INTEREST

Cr John Dessmann declared a conflict of interest in Item 16.2.

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.

Council also acknowledged the tragic deaths in the line of duty of two Queensland Police Constables in the recent siege on Monday in Queensland's Darling Downs. Councils thoughts are with the victims families and the Queensland Police Service at this time.

9 LEAVE OF ABSENCE

Councillors noted the following upcoming leave of absences:

- Cr Morris - Personal leave from 2nd January 2023 to 23rd January 2023
- Cr Hale - 17 January 2023 -20 February 2023

10 CONFIRMATION OF PREVIOUS MINUTES**RESOLUTION 2022/280**

Moved: Councillor Marilyn Morris

Seconded: Deputy Mayor Robyn Holmes

That the minutes of the Ordinary Meeting held on 22 November 2022 be confirmed.

CARRIED

11 BUSINESS ARISING

Nil

12 NOTIFIED MOTIONS**12.1 NOTICE OF MOTION - CR MARILYN MORRIS - FORMATION OF THE CHAMBER OF VOLUNTEERS****RESOLUTION 2022/281**

Moved: Mayor Peter Scott

Seconded: Deputy Mayor Robyn Holmes

That Council request Officers prepare a report, by the 28 March 2023 Ordinary Council Meeting, detailing how the concept could be implemented and the costs associated with the concept.

CARRIED

13 COUNCILLORS' REPORTS**13.1 COUNCILLORS' MONTHLY REPORTS****RESOLUTION 2022/282**

Moved: Councillor Larissa Hale

Seconded: Councillor Ross Logan

That Council note and endorse the activities, updates and future travel and leave commitments contained in the individual Councillors' monthly reports tabled on 13 December 2022.

CARRIED

Cr Peter Scott and Cr Larissa Hale tabled their Councillors Monthly Reports.

14 EXECUTIVE SERVICES - REPORTS**14.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT****RESOLUTION 2022/283**

Moved: Councillor John Dessmann

Seconded: Councillor Marilyn Morris

That Council note and endorse the activities contained in the Chief Executive Officer's monthly report tabled on 13 December 2022.

CARRIED

14.2 COOK LOCAL DISASTER MANAGEMENT GROUP - ANNUAL REPORT 2021/2022**RESOLUTION 2022/284**

Moved: Councillor Peter Burns

Seconded: Deputy Mayor Robyn Holmes

That Council endorses the Cook Local Disaster Management Group's Annual Report for 2021/2022.

CARRIED

15 COMMUNITY, ECONOMY AND INNOVATION - REPORTS**15.1 PRESENTATION OF NATURE'S POWERHOUSE STEERING COMMITTEE MEETING MINUTES****RESOLUTION 2022/285**

Moved: Councillor John Dessmann

Seconded: Councillor Larissa Hale

That Council notes the Minutes of the Nature's Powerhouse Steering Committee Meeting held on 10 November 2022

CARRIED

15.2 PRESENTATION OF THE BARRIER REEF CHILDCARE CENTRE STEERING COMMITTEE MEETING MINUTES**RESOLUTION 2022/286**

Moved: Councillor Peter Burns

Seconded: Councillor Larissa Hale

That Council notes the minutes of the Barrier Reef Childcare Centre Steering Committee Meeting held on 10 November 2022.

CARRIED

15.3 CAPE YORK UNITED #1 NATIVE TITLE CLAIM GROUP - AGREEMENT UNDER S 87A OF THE NATIVE TITLE ACT 1993 (CTH) SOUTHERN KAANTJU #2**RESOLUTION 2022/287**

Moved: Councillor Larissa Hale

Seconded: Councillor Peter Burns

That Council:

1. Receives and notes the report;
2. Subject to point 3. Below, that Council agrees to enter the section 87A agreement;
3. Delegates authority to the Chief Executive Officer in accordance with Section 257 of the *Local Government Act 2009* to finalise any minor amendments required to be agreed prior to the Determination;
4. Subject to point 3. above that Andrew Kerr from Moray & Agnew Lawyers be authorised to sign the section 87A agreement on Councils behalf.

In Favour: Crs Peter Scott, Peter Burns, John Dessmann, Larissa Hale, Ross Logan and Marilyn Morris

Against: Cr Robyn Holmes

CARRIED

The Mayor suspended standing orders at 10:00am to break for morning tea.

The Mayor resumed standing orders at 10:33am.

16 ORGANISATIONAL BUSINESS SERVICES - REPORTS**16.1 MONTHLY FINANCIAL REPORT - NOVEMBER 2022****RESOLUTION 2022/288**

Moved: Councillor Peter Burns

Seconded: Councillor John Dessmann

That Council notes the Financial Report for November 2022 as required under section 204 of the *Local Government Regulation 2012*.

CARRIED

DECLARED CONFLICT OF INTEREST – CR JOHN DESSMANN

“I, Councillor John Dessmann, inform this meeting that I have a declared conflict of interest in Item 16.2. The nature of my interest is that I am a committee member of the Cooktown RSL in which the Development Application is associated with in this matter.

I will now leave and stay away from the meeting while the matter is discussed and voted upon.”

At 10:41 am, Councillor John Dessmann left the meeting.

16.2 APPLICATION FOR A DEVELOPMENT PERMIT DA/4499 - MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING (8 X UNITS) ON LOT 918 ON SP297332 - 12 HOGG STREET, COOKTOWN

RESOLUTION 2022/289

Moved: Councillor Larissa Hale

Seconded: Councillor Ross Logan

1. That Council issue an approval for the development application submitted by Cooktown RSL Memorial Club c/- U&i Town Plan for a Development Permit for a Material Change of Use for Multiple Dwelling (8 Units) at 12 Hogg Street, Cooktown, formally described as Lot 918 on SP297332 subject to the following 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*) 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 for Material Change of Use for Multiple Dwelling (8 Units) is an appropriate use to be located on the site and will have no adverse impact on the amenity of the locality or adjoining lots.
3. That an Infrastructure Charges Notice be issued for the amount of \$24,000 for Stage 1, \$12,000 for Stage 2 and \$6,000 for Stage 3 in relation to the development approval for a Development Permit for Material Change of Use for Multiple Dwelling (8 Units) 12 Hogg Street, Cooktown, formally described as Lot 918 on SP297332.
4. That Cook Shire Council refuse the request to waive the Infrastructure Charges associated with the Development Approval for Material Change of Use for Multiple Dwelling (8 dwelling units) on land located at 12 Hogg Street, Cooktown, formally described as Lot 918 on SP297332. That the applicant be advised that Council is currently considering the development of a policy to support and encourage development within the Shire and the waiver or reduction of Infrastructure Charges may be considered in the development of the policy. Should Council adopt a policy that provides for the opportunity to apply for a waiver or reduction of Infrastructure Charges it is recommended you apply in accordance with the policy prior to the payment of the applicable charges.

A. Assessment Manager (Council) Conditions

No.	Condition	Timing
GENERAL		
1.	COMPLIANCE WITH CONDITIONS The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the	At all times

	Developer.	
2.	<p>WORKS – DEVELOPER’S EXPENSE</p> <p>The cost of all works associated with the development and construction of the development, including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.</p>	At all times
3.	<p>WORKS - DAMAGE TO INFRASTRUCTURE</p> <p>The Developer must repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community, must be repaired immediately.</p>	At all times
4.	<p>WORKS – DESIGN & STANDARD</p> <p>Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines, and standards.</p>	At all times
5.	<p>WORKS – SPECIFICATION & CONSTRUCTION</p> <p>All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised, and certified by a Registered Professional Engineer of Queensland (RPEQ).</p>	At all times
6.	<p>COMMENCEMENT OF USE</p> <p>The use must not commence until the conditions of the approval relevant to each stage have been complied with.</p>	At all times
7.	<p>INFRASTRUCTURE CONDITIONS</p> <p>All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 (the Act), should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.</p>	At all times

APPROVED PLANS and DOCUMENTS

8.	APPROVED PLANS and DOCUMENTS				At all times
	Undertake the approved development generally in accordance with the approved plans and documents, including any amendments made in red on the approved plan(s) or document(s):				
	Title	Sheet No.	Date	Prepared By	
	Cover Sheet	PD.00	Dec 2022	Clarke and Prince Architects	
	Site Plan – Existing	PD.01	Dec 2022	Clarke and Prince Architects	
	Site Plan - Proposed	PD.02	Dec 2022	Clarke and Prince Architects	
	Site Sections	PD-03	Dec 2022	Clarke and Prince Architects	
	Street Elevations	PD.04	Dec 2022	Clarke and Prince Architects	
	Floor Plan – 2 Bed Duplex	PD.06	Dec 2022	Clarke and Prince Architects	
	Ground Floor Plan – 2 Bed Townhouse	PD.07	Dec 2022	Clarke and Prince Architects	
	First Floor Plan – 2 Bed Townhouse	PD.08	Dec 2022	Clarke and Prince Architects	
	Roof Plan – 2 bed duplex	PD.09	Dec 2022	Clarke and Prince Architects	
Roof Plan – 2 bed townhouse	PD.10	Dec 2022	Clarke and Prince Architects		
Elevations – 2 Bed Duplex	PD.11	Dec 2022	Clarke and Prince Architects		

	Elevations – 2 Bed Townhouse	PD.12	Dec 2022	Clarke and Prince Architects	
	Section – proposed crossover	PD.90	Dec 2022	Clarke and Prince Architects	
9.	CONDITIONS OF APPROVAL and APPROVED PLANS Where there is a conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval take precedence.				At all times

AMENDMENT TO PLAN

10.	The proposed sheds for Dwellings 5, 6, 7 and 8 must achieve a setback compliant with Queensland Development Code MP1.4 – Building over or near relevant infrastructure.	At all times
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DEVELOPMENT IN STAGES

11.	Undertake the development in accordance with the sequence of staging as indicated on the approved plans and documents, with the stages to be developed in chronological order of each stage as identified on the approved plans. Unless otherwise expressly stated, the conditions must be read as being applicable to all stages. Stages may be undertaken concurrently, unless otherwise specified by a condition of this development approval	At all times
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DEMOLITION /REMOVAL OF EXISTING DWELLING

12.	Stage 3 only The existing dwelling must be demolished or removed from site.	Prior to the commencement of use
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VEHICULAR ACCESS

13.	Access to the proposed development must be provided in accordance with the approved plans of development.	At all times
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14.	The access driveways from the property boundary to the road pavement must be sealed with concrete or bitumen and be constructed to the requirements of the FNQROC Development Manual and subject to a Local Laws Permit 'Make Alterations or Improvements to a Road'. The works must ensure compliance with the conditions of the Exemption Certificate issued by the Department of Environment and Science dated 14 November 2022.	At all times
15.	Stage 1 only The existing access crossover along the Hope Street frontage must be removed. The works must ensure compliance with the conditions of the Exemption Certificate issued by the Department of Environment and Science dated 14 November 2022.	Prior to the commencement of use.
16.	Stage 2 only The existing access crossovers (identified as crossover 2) along the Hogg Street frontage must be removed. The works must ensure compliance with the conditions of the Exemption Certificate issued by the Department of Environment and Science dated 14 November 2022.	Prior to the commencement of use.
17	Stage 3 only The existing access crossovers (identified as crossover 1) along the Hogg Street frontage must be removed. The works must ensure compliance with the conditions of the Exemption Certificate issued by the Department of Environment and Science dated 14 November 2022.	Prior to the commencement of use.

CAR PARKING		
18.	Car parking must be provided in accordance with the approved plan.	At all times
19.	Car parking spaces and internal driveways must be located as per the approved plan of development and be concrete or bitumen sealed and comply with the Australian Standard 2890.1 – Parking Facilities – off-street parking and be constructed to the requirements of the FNQROC Development Manual.	Prior to commencement of use

SERVICES		
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20.	RETICULATED ELECTRICITY SUPPLY The development must be connected to the reticulated electricity supply network in accordance with the standards and requirements of the relevant service provider. Internal reticulation between the dwelling units must be via underground distribution.	Prior to commencement of use
21.	TELECOMMUNICATIONS Telecommunications must be provided to the premises to the standards and requirements of the relevant service provider.	Prior to commencement of use
22.	RETICULATED WATER SUPPLY The development must be connected to the reticulated water supply with a 40mm water service connection. The developer will be responsible for sub metering.	Prior to commencement of use
23.	RETICULATED SEWERAGE SUPPLY The development must be connected to the reticulated sewerage network. Plans must be submitted as part of a plumbing application for approval by Council's Plumbing Inspector prior to works commencing.	Prior to commencement of use
24.	EXISTING SEWERAGE INFRASTRUCTURE (MANHOLES) The existing manholes must be raised and maintained at finished surface level.	Prior to commencement of use

FENCING & LANDSCAPING		
25.	Fencing must be provided in accordance with approved plan of development and: (a) a combination of retaining walls and fencing that achieves a minimum of 1.8 metres high along the front, side and rear boundaries	At all times
26.	Landscaping must be provided and maintained in the landscaped gardens identified on the approved plan of development. The landscaping must include a selection of species that enhance the visual amenity of the site.	At all times
WASTE DISPOSAL		
27.	WASTE STORAGE All bins and waste storage areas must be located on site, and not visible from the street or neighbouring properties as per the approved plan of development.	At all times

STORMWATER		
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28.	LAWFUL POINT OF DISCHARGE Stormwater drainage must be directed to a lawful point of discharge being either Hogg or Hope Street.	At all times
29.	DRAINAGE Site works must not adversely affect flooding or drainage characterises of properties that are upstream, downstream, or adjacent to the development site.	At all times

EROSION & SEDIMENT CONTROL		
30.	The applicant must ensure that no sand, soil or silt runoff occurs from the site during the construction and operational phase of the development and erosion and sediment controls are in place.	At all times

ENVIRONMENTAL		
31.	PEST MANAGEMENT No State declared or environmental pest, plants, and animals are to be introduced onto the property.	At all times

AMENITY		
32.	EXTERNAL IMPACTS The development shall have no adverse impact on the amenity of the surrounding area by way of light nuisance, dust or noise.	At all times

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 currency period for this application is six (6) years. Should the approved use not commence within this time, the approval shall lapse.
3. Infrastructure charges must be paid to Council prior to the commencement of use of the new dwelling house as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment.
4. The construction of the access crossover and removal of existing access crossover are subject to conditions of the Exemption Certificate issued by the Department of Environment and Science dated 14 November 2022.
5. The applicant/owner must notify Council their intention to commence the use after acceptable of and compliance with these conditions or negotiated conditions (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.

6. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act* and in particular 'the duty of care' that it imposes on all landowners.

CARRIED

At 10:55 am, Councillor John Dessmann returned to the meeting

16.3 APPLICATION FOR A DEVELOPMENT PERMIT DA/4569 - MATERIAL CHANGE OF USE - MULTIPLE DWELLING AT 19, 21 AND 23 JOHN STREET, COOKTOWN (LOT 46, LOT 47 AND LOT 48 C17922)

RESOLUTION 2022/290

Moved: Councillor Larissa Hale

Seconded: Councillor Peter Burns

1. That Council issue an approval for the development application submitted by Hongyu Feng c/- RPS AAP Consulting Pty Ltd for a Development Permit for a Material Change of Use for Multiple Dwelling (12 units) at 19, 21 & 23 John Street, Cooktown, formally described as Lot 46, Lot 47 & Lot 48 C17922 subject to the following 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*) 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 for Material Change of Use for Multiple Dwelling (12 units) is an appropriate use to be located on the site and will have no adverse impact on the amenity of the locality or adjoining lots.
3. That an Infrastructure Charges Notice be issued for the amount of \$46,800 in relation to the development approval for a Development Permit for Material Change of Use for Multiple Dwelling (12 units) at 19, 21 & 23 John Street, Cooktown, formally described as Lot 46, Lot 47 & Lot 48 C17922.
4. That Cook Shire Council refuse the request to waive the Infrastructure Charges associated with the Development Approval for Material Change of Use for Multiple Dwelling (12 dwelling units) on land located at 19, 21 & 23 John Street, Cooktown, formally described as Lot 46, Lot 47 & Lot 48 C17922. That the applicant be advised that Council is currently considering the development of a policy to support and encourage development within the Shire and the waiver or reduction of Infrastructure Charges may be considered in the development of the policy. Should Council adopt a policy that provides for the opportunity to apply for a waiver or reduction of Infrastructure Charges it is recommended you apply in accordance with the policy prior to the payment of the applicable charges.

A. Assessment Manager (Council) Conditions

No.	Condition	Timing
GENERAL		
1.	<p>COMPLIANCE WITH CONDITIONS</p> <p>The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the Developer.</p>	At all times
2.	<p>WORKS – DEVELOPER’S EXPENSE</p> <p>The cost of all works associated with the development and construction of the development, including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.</p>	At all times
3.	<p>WORKS - DAMAGE TO INFRASTRUCTURE</p> <p>The Developer must repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community, must be repaired immediately.</p>	At all times
4.	<p>WORKS – DESIGN & STANDARD</p> <p>Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines, and standards.</p>	At all times
5.	<p>WORKS – SPECIFICATION & CONSTRUCTION</p> <p>All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised, and certified by a Registered Professional Engineer of Queensland (RPEQ).</p>	At all times
6.	<p>COMMENCEMENT OF USE</p> <p>The use must not commence until the conditions of the approval relevant to each stage have been complied with.</p>	At all times
7.	<p>INFRASTRUCTURE CONDITIONS</p> <p>All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 (the Act), should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.</p>	At all times

APPROVED PLANS & DOCUMENTS

8.	<p>APPROVED PLANS & DOCUMENTS</p> <p>Undertake the approved development generally in accordance with the approved plans and documents, including any amendments made in red on the approved plan(s) or document(s):</p> <table border="1" data-bbox="271 365 1043 1055"> <thead> <tr> <th>Title</th> <th>Sheet No.</th> <th>Date</th> <th>Prepared By</th> </tr> </thead> <tbody> <tr> <td>Perspective 1 and Perspective 2</td> <td>A-01</td> <td>10/12/2021</td> <td>EDR Building Designs</td> </tr> <tr> <td>Site Plan – Amendments made by S Leggerini for RPS</td> <td>A-04</td> <td>10/12/2021</td> <td>EDR Building Designs</td> </tr> <tr> <td>Floor Plan – Amendments made by S Leggerini for RPS</td> <td>A-05</td> <td>10/12/2021</td> <td>EDR Building Designs</td> </tr> <tr> <td>Dimensions Plan</td> <td>A-06</td> <td>10/12/2021</td> <td>EDR Building Designs</td> </tr> <tr> <td>Elevations 1, 2, 3 & 4</td> <td>A-07</td> <td>10/12/2021</td> <td>EDR Building Designs</td> </tr> <tr> <td>Architectural Sections</td> <td>A-08</td> <td>10/12/2021</td> <td>EDR Building Designs</td> </tr> </tbody> </table>	Title	Sheet No.	Date	Prepared By	Perspective 1 and Perspective 2	A-01	10/12/2021	EDR Building Designs	Site Plan – Amendments made by S Leggerini for RPS	A-04	10/12/2021	EDR Building Designs	Floor Plan – Amendments made by S Leggerini for RPS	A-05	10/12/2021	EDR Building Designs	Dimensions Plan	A-06	10/12/2021	EDR Building Designs	Elevations 1, 2, 3 & 4	A-07	10/12/2021	EDR Building Designs	Architectural Sections	A-08	10/12/2021	EDR Building Designs	At all times
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9.	<p>CONDITIONS OF APPROVAL & APPROVED PLANS</p> <p>Where there is a conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval take precedence.</p>	At all times																												

DEVELOPMENT IN STAGES		
10.	The development may be undertaken in stages. Each stage comprising of four (4) units wholly contained within the boundary of the subject lot. Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.	At all times

DEMOLITION /REMOVAL OF EXISTING DWELLING		
11.	<p>Stage – development on Lot 47 C17922</p> <p>The existing dwelling must be demolished or removed from site.</p>	Prior to the commencement of use

VEHICULAR ACCESS		
12.	Access to the proposed development must be provided in accordance with the approved plans of development.	At all times

13.	Access from the property boundary to the road pavement must be 3.5 metres wide, sealed with concrete or bitumen and be constructed to the requirements of the FNQROC Development Manual Drawing S1015E (commercial/industrial standard), and Design Manual D1, Road Geometry, section D1.17 and subject to a Local Laws Permit 'Make Alterations or Improvements to a Road'.	At all times
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CAR PARKING		
14.	NUMBER OF PARKING SPACES A minimum of five (5) car parking spaces must be provided on each lot (4 resident spaces and 1 visitor space) in accordance with the approved plan of development.	At all times
15.	SEALING Car parking spaces and internal driveways must be located as per the approved plan of development and be concrete or bitumen sealed and comply with the Australian Standard 2890.1 – Parking Facilities – off-street parking and be constructed to the requirements of the FNQROC Development Manual.	Prior to commencement of use

SERVICES		
16.	RETICULATED ELECTRICITY SUPPLY The development must be connected to the reticulated electricity supply network in accordance with the standards and requirements of the relevant service provider. Internal reticulation between the dwelling units must be via underground distribution.	Prior to commencement of use
17.	TELECOMMUNICATIONS Telecommunications must be provided to the premises to the standards and requirements of the relevant service provider.	Prior to commencement of use
18.	RETICULATED WATER SUPPLY The development must be connected to the reticulated water supply with a 32mm water service connection on each lot. The developer will be responsible for sub metering.	Prior to commencement of use
19.	RETICULATED SEWERAGE SUPPLY The development must be connected to the reticulated sewerage network. A separate connection per lot. Plans must be submitted as part of a plumbing application for approval by Council's Plumbing Inspector prior to works commencing.	Prior to commencement of use

FENCING & LANDSCAPING		
20.	Fencing must be provided in accordance with approved plan of	At all times

	development and: (a) the provision of a solid screen fence of a minimum 1.8 metres high along the northern side boundary of each lot; and (b) fencing a minimum of 1.8 metres high along the side and rear boundaries.	
21.	Landscaping must be provided and maintained in the landscaped gardens identified on the approved plan of development. The landscaping must include a selection of species that enhance the visual amenity of the site.	At all times

WASTE DISPOSAL		
22.	WASTE STORAGE All bins and waste storage areas must be located on site, and not visible from the street or neighbouring properties as per the approved plan of development.	At all times

STORMWATER		
23.	LAWFUL POINT OF DISCHARGE Stormwater drainage must be directed to a lawful point of discharge being John Street.	At all times
24.	DRAINAGE Site works must not adversely affect flooding or drainage characterises of properties that are upstream, downstream, or adjacent to the development site.	At all times

EROSION & SEDIMENT CONTROL		
25.	The applicant must ensure that no sand, soil or silt runoff occurs from the site during the construction and operational phase of the development and erosion and sediment controls are in place.	At all times

ENVIRONMENTAL		
26.	PEST MANAGEMENT No State declared or environmental pest, plants, and animals are to be introduced onto the property.	At all times

AMENITY		
27.	EXTERNAL IMPACTS The development shall have no adverse impact on the amenity of the surrounding area by way of light nuisance, dust or noise.	At all times

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 currency period for this application is six (6) years. Should the approved use not commence within this time, the approval shall lapse.
3. Infrastructure charges must be paid to Council prior to the commencement of use of the new dwelling house as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment.
4. The applicant/owner must notify Council their intention to commence the use after acceptable of and compliance with these conditions or negotiated conditions (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.
5. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act* and in particular 'the duty of care' that it imposes on all landowners.

CARRIED**16.4 RFT T05622 - AC10 REPLACEMENT (COOKTOWN EVENTS CENTRE)****RESOLUTION 2022/291**

Moved: Councillor Marilyn Morris

Seconded: Councillor Ross Logan

That Council:

1. Approve the award of RFT T05622 – AC10 Replacement (Cooktown Events Centre), to **ESSENTIAL AIR SOLUTIONS**, in the amount of **\$302,950.00 (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**16.5 RFQ Q06422 - HYBRID TOILET SYSTEM (STARKE BOAT RAMP)****RESOLUTION 2022/292**

Moved: Councillor Larissa Hale

Seconded: Councillor Peter Burns

That Council resolves in accordance with the Other Exceptions of the *Local Government Act, Local Government Regulation* section 235(b), because of the specialised nature of the goods that are sought, it would be impractical to invite quotes; and that the following suppliers are approved as sole suppliers:

1. GOUGH PLASTICS for the supply and delivery of hybrid toilets, and
2. ADVANCED ENVIRO-SEPTIC (AES) for the supply and delivery of an Advanced Secondary Wastewater Treatment System.

CARRIED

17 INFRASTRUCTURE - REPORTS

17.1 RFT T10021 - DESIGN, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF SELF-BUNDED AVIATION TANKS (COEN AIRPORT)

RESOLUTION 2022/293

Moved: Councillor Marilyn Morris

Seconded: Councillor Peter Burns

That Council:

1. Approve the award of RFT T10021 – Design, construction, installation and maintenance of self-bunded aviation tanks (Coen Airport), to **IOR PETROLEUM PTY LTD**, in the amount of **\$ 421,940.00 (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

18 CONFIDENTIAL REPORTS

Nil

The Meeting closed at 11:25am

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 24 January 2023.

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CHAIRPERSON