



# **MINUTES**

**Ordinary Council Meeting**

**17 May 2016**

**MINUTES OF COOK SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN  
ON TUESDAY, 17 MAY 2016 AT 9:00AM**

**1 AGENDA CONTENTS**

**2 ATTENDANCE**

**Cr Peter Scott, Cr Kaz Price, Cr Alan Wilson, Cr Robyn Holmes, Cr John Dessmann, Cr John Giese, Cr Larissa Hale**

**3 MEETING OPENED**

The meeting opened at 9:20am.

**4 APOLOGIES**

Nil

**5 MAYORAL MINUTE**

Nil

**6 NOTICE OF BEREAVEMENT**

Advice has been received of the passing of Ronald Sadlier, Rory Timmermans, Ruth Kiely, Frank Polkinghorne and Phillip Lockyer.

As a mark of respect one minute silence was observed.

**7 CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST**

Cr Peter Scott declared a possible conflict of interest or a perceived conflict of interest in item 16.5 as Cr Scott is on the executive of the organisation. Cr Scott remained in the room during the discussion and vote but excluded himself from the discussion and the vote.

Cr John Giese declared a possible conflict of interest or a perceived conflict of interest in item 13.1 as he is related to the proponent who is the Chair of CYWAFa Inc. Cr Giese remained in the room during the discussion and vote but excluded himself from the discussion and the vote.

Cr Kaz Price declared a possible material personal interest or a perceived material personal interest in item 16.8 as she is the CEO of the organisation. Cr Price left the room during the discussion and the vote.

Cr Robyn Holmes declared a possible conflict of interest or a perceived conflict of interest in item 16.8 as Cr Holmes is on the board of the organisation. Cr Holmes remained in the room during the discussion and vote but excluded herself from the discussion and the vote.

**8 CONFIRMATION OF MINUTES**

Moved: Cr Larissa Hale

Seconded: Cr Kaz Price

That the minutes of the Ordinary Meeting of 11 -12 April 2016 be confirmed.

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

**CARRIED**

**9 BUSINESS ARISING**

Nil

**10 NOTIFIED MOTIONS**

Nil

**11 COUNCILLOR - REPORTS****Monthly Activity Report**

**Councillor Peter Scott**

**May 2016**

**Meetings/Events/Constituent Representations**

Date	Venue	Details	Outcome/Action
April 13	Cooktown	Minister Bailey DTMR & Energy	Coast Rd, Lakeland Solar
14	Cairns	NQ Indigenous Investment Forum	Link roads, Karumba, Weipa, CIMA
15	Cooktown	Holy Spirit opening.	
16	Cooktown	RSL Conference Opening	
18	Cairns	FNQROC & RRG; CYRP	See minutes Dixie LRRS
21	Cooktown	LDMG	
25	Cooktown	ANZAC Day address	
26	Cairns	Beef Roads Forum	Western link roads
27	Cooktown	"More than a roof" workshop Foster Carers presentation dinner	
28	Cooktown	PCYC Contract	
29	Cooktown	LGAQ Workshop, ABC Far North	Water, Veg Mgmt
May 2	Weipa	LNP, RIO, Weipa Town Authority	NQBP, SOE
4	Cooktown	Yachting Australia	
6	Cairns	Housing & Homeless forum	Workshop
7	Cooktown	Sports Forum	
9	Cooktown	2020 meeting	Minutes
10	Cooktown	Department Transport Main Roads	Gravel Coen
12	Cairns	Regional Development Australia	Federal Priorities
13	Cooktown	CYIP Teleconference	PDR Work schedule

Upcoming Meetings/ Travel

May 26            Cooktown            Interagency

**Monthly Activity Report**  
**Councillor Alan Wilson**  
**April/May 2016**

**Meetings/Events/Constituent Representations**

<b>Date</b>	<b>Venue</b>	<b>Details</b>	<b>Outcome/Action</b>
14-4-16	Ang-gnarra Office Laura Lakeland Road House	Laura Inter-agency Meeting  Met Minister Bailey and Principals of Solar Farm	Up-date on (AAP) Army Aboriginal Project.  Discussed Future of Lakeland & Solar Farm
18 <sup>th</sup> &19-4-16	Coen Community Hall	Attend Coen Champion Meeting & Coen Advisory Group Meeting	In-company with Cr Giese attended and took note of Community concerns.
26 <sup>th</sup> -4	Lakeland	Citizenship Ceremony Gurjeet Kauer	Conducted at Lakeland Community Hall
27-4-16	Holiday Inn Cairns	Attended (NRM) Cape York Natural Resource Management Launch of Cape York Atlas	The Document contains 9 plans that NRM have compiled on their vision for the future of Cape York.
28 <sup>th</sup> &29 <sup>th</sup> April 16	Council Chambers Cook Town	Attended Council work-shop and LGAQ Councillor Induction Course	A good refresher Course for Recycled Councillors.
3-5-16	Mareeba	Attended Funeral of Noel Treseder passed resident of Laura	
8-5-16	William McCormack Place 5 Sheridan St Cairns	On be-half of Mayor Scott attended a closed meeting with Hon Jackie Trad, MP Deputy Premier and Hon. Dr Steven Miles, MP Minister for Environment and Heritage protection & National Parks. I spoke on the concerns of Cook Shire Council and Land Owners of Cook Shire.	Meeting chaired by Billy Gordon MP, and attended by Indigenise Mayor's from shires of Cape York and the Representative TO's of Cape York Land Council also Chair person Cape York NRM
11-5-16	Olive Vale Station Laura	Attended Farm Field Day	Viewed trial crops planted during wet season.

Upcoming Meetings/ Travel

18-5-16 I will be attending a Fire Forum at Killarney Station Cape York.

26<sup>th</sup>&27<sup>th</sup> May 16 I will be attending a LAWMAC(Local Authority Waste Management Advisory Committee) held at Townsville of which I Chair.

**Monthly Activity Report**  
**Councillor Kaz Price**  
**April 2016**

**Meetings/Events/Constituent Representations**

<b>Date</b>	<b>Details</b>	<b>Venue</b>	<b>Outcome/Action</b>
2.4	Discovery Festival Org Committee	Bowls Club	
4.4	Council In-Service	Chambers	
5.4	Warren Entsch Assistance re- Powerhouse Application	Chambers	Submit Application
9.4	BRDRA Meeting	Bloomfield Hall	
11-12.4	Ordinary Council Meeting	Chambers	
15.4	Opening Holy Spirit College	Holy Spirit College	
21.4	Torres Cape HHS	Weipa MPHS	
25.4	ANZAC Day Dawn Service	Cooktown	
27.4	Roof Over Their Heads	PCYC – Event Centre	Contribution to Crisis Housing Process
28.4	Tourism Meeting with TCY & CCCT	River of Gold	
28.4	CSC Events Forum	PCYC – Event Centre	
29.4	Council-In Service	Chambers	Dept Infrastructure, Local Government Planning
30.4	Discovery Festival Org Committee	Bowls Club	

Upcoming Meetings/ Travel

- Bloomfield Community Visit
- Discovery Festival Organising Committee Meetings
- Cooktown CAN Meeting
- Cooktown and Laura Domestic Violence Events
- TCHHS Meeting (Cooktown)
- Elected Member Updates, Chambers – 9-10<sup>th</sup> June
- Dept Communities (Community Services Forum - Cairns)
- RADF – Kate Costigan – Writers Workshop at CDCC
- Far North Queensland Jobs Creation Forum – Cairns
- Cooktown Discovery Festival and Re-enactment
- East Coast Encounters – Exhibition – Nature’s Powerhouse

**Monthly Activity Report**  
**Councillor John Giese**  
**April 2016**

**Meetings/Events/Constituent Representations**

<b>Date</b>	<b>Venue</b>	<b>Details</b>	<b>Outcome/Action</b>
11-4-16 12-4-16	CSC Office	Council meetings	
15-4-16	Holy Spirit Collage	Official opening of the collage	
16-4-16	Sea View Motel	AG Force layout of new veg management plan	Lead up to public meeting explaining who and how people of the state will be affected by the new proposed laws and the affect it will have on our shire
18-4-16	Coen Town Hall	Coen Volunteer Groups	Meeting with Coen Town Champion ,Coen RFB ,Coen SES and CSC. Update on how groups were progressing and handing out of some well deserved awards for services provided.
18-4-16	Coen Town Hall	Coen Advisory Committee	Issues brought up concerning the Coen area. These issues have been passed on to the relevant heads of dept.
19-4-16	Coen Business Centre	Coen Interagency Committee	Concerns raised during meeting passed on to heads of departments
20-4-16	CSC Office	Financial Management Plan	
21-4-16	CSC Office	Local Disaster Management	
28-4-16	PCYC	Events Management Plan	Outlining a plan system to streamline how to plan your event and protocols needed to be addressed while making these plans
29-4-16	CSC Office	LGAQ Training	
6-5-16	CSC Office	QLD Sport and Rec meeting	Break down of what Sport and Rec have to offer and the officer in town who represents them
7-5-16	PCYC	QLD Sport and Rec Forum	Management and resourcing for local clubs

11-5-16	Hopevale PCYC	Cowboys NRL	Arranged a time and place for a public meet Matty Bowen and see the NRL Trophy won by the Nth QLD Cowboy in Cooktown
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Upcoming Meetings/ Travel

Coen advisory meeting is on the same date as the June Council meeting. Cr Giese endorsed to attend the Coen Advisory meeting.

**Monthly Activity Report**  
**Councillor John Dessmann**  
**April 2016**

**Meetings/Events/Constituent Representations**

Date	Venue	Details	Outcome/Action
18 April	Cooktown	Neil Oliver filming Coast Australia	Great discussion going to air in Feb 2017 overseas and Australia.
	Lions Hall Cooktown	Agforce Meeting	Apologies Robyn
19 April	River of Gold	Fishing & Marine Industry Forum	Great turn-up talking to people afterwards everybody seemed positive re meeting
22 April	Cape Tribulation	Daintree Discovery Festival	Some good thoughts re NPH and Nature Power House
25 April	Cooktown	ANZAC	Breakfast for Armed Forces
28 April	River of Gold	Chamber of Commerce for Festival Event Committee	Strong commitment from Council and Event Organisers
12 May	Bloomfield	Bloomfield Rate Payers Meeting	Met John Corbett Secretary of Rate Payers. Spoke re wharf. Meeting with Kaz re proposals for wharf
13 May	Cooktown	NPH with Kaz	Re contractual arrangement and future planning with CDCC.

Upcoming Meetings/ Travel

**Monthly Activity Report**  
**Councillor LARISSA HALE**  
**MAY / 2016**

**Meetings/Events/Constituent Representations**

<b>Date</b>	<b>Venue</b>	<b>Details</b>	<b>Outcome/Action</b>
13-04-16	YBM OFFICE	RADF CATCH UP WITH KATE EASTICK, DISCUSSED RADF PROGRAM AND UPCOMING PROGRAMS AND MEETINGS.	MEETING BOOKED FOR RADF TO MEET MEMBERS 21-04-16
16-04-16	COOKTOWN BOWLS CLUB	DISCOVERY FESTIVAL COMMITTEE MEETING	<ul style="list-style-type: none"> <li>○ EVENT DISCUSSIONS, LOOKING AT COUNCIL IN KIND.</li> <li>○ NEED ORGANISER FOR PARADE.</li> <li>○ RV PARKS FOR WEEKEND – IS IT AT AIRPORT / RACECLUB??</li> </ul>
15/4/16-.	Holy Spirit College		<ul style="list-style-type: none"> <li>○ attended Holy Spirit college opening</li> </ul>
16 to 23 /4/16	ANNAN RIVER WATER	JCU, YBM, NRM, Perth Uni	<ul style="list-style-type: none"> <li>○ Mussel workshop with JCU Dr Andrew Chin, Karin Gerhardt and Perth Uni Specialist Michael Kluzinger looked at water quality and issues in the river system and with fish and mussel populations. Looked at some of the impacts on the Annan River. Also discussed the possibilities of extending this program throughout the Cape.</li> </ul>
20-04-16	COUNCIL CHAMBERS	Financial Management for Local Gov Training	<ul style="list-style-type: none"> <li>○</li> </ul>
21-04-16	COUNCIL CHAMBERS	RADF COMMITTEE MEETING	<ul style="list-style-type: none"> <li>○ DISCUSSED: results of the Arts and Culture Survey, the identified priorities were 1) Activities for youth 2) Inclusive Indigenous arts and culture and 3) Variety ie: Music, dance, performing arts). The following projects have been identified</li> <li>○ Weaving Waste: To follow the beach clean-up (May 2017), a community workshop will be held in Indigenous weaving techniques.</li> <li>○ Celebrating Cooktown Chinese Bring up an instructor to teach children traditional dragon dance and create a dragon, culminating in a performance at the 2017 Multicultural festival.</li> <li>○ At the previous meeting, funds was allocated by the Committee</li> </ul>

			<p>for an awareness raising/community engagement activity for the Reconciliation Rocks precinct. Any activities should be submitted to the RADF Committee for prior approval.</p> <ul style="list-style-type: none"> <li>○ ALSO DISCUSSED THE POSSIBILITY OF LANDSCAPING FOR RECONCILIATION ROCKS PRECINCT.</li> </ul>
20-04-16	KUKU BULKAWAY /SOVEREIGN RESORT	CAPE YORK INSTITUTE	EMPOWERING COMMUNITIES DISCUSSION AND WHERE INDIGENOUS GROUPS WANT TO BE. YBM USED AS MODEL, AND LOOKING AT HOW COMMUNITIES CAN WORK TOGETHER TO GROW.
21-04-16	YBM ARCHER POINT	MEET NRM TEAM PETA STANDLEY AND VICKI WUNDERWITZ	DISCUSSED WATER QUALITY PROGRAMS AND THE EXTENSION OF MUSSEL SURVEY AND EDUCATION THROUGH CAPE.
28-04-16		PHONE CALL FROM DION CREEK FROM COEN FOOTBALL CLUB	COEN FOOTY FIELD AND INFRASTRUCTURE REQUIRED. NEEDS FENCING AND WOULD LIKE TO DISCUSS POSSIBILITY OF CANTEEN. HE DID MENTION AMENITIES AS WELL.
28-04-16	PCYC	attended events forum. PCYC	Over all community ok with forum
29-04-16	COUNCIL CHAMBERS	LGAQ TRAINING	
30-04-16	BOWLS CLUB	DISCOVERY FEST COMMITTEE	PLANNING EVENT.
7-05-16	BOWLS CLUB	DISCOVERY FEST COMMITTEE	PLANNING EVENT.

Upcoming Meetings/ Travel

- INDIGENOUS REGIONAL ADVISORY COMMITTEE MEETING (GBRMPA). MISSION BEACH 23-25<sup>TH</sup> MAY. STILL WAITING ON AGENDA ETC BEFORE CONFIRMATION OF ATTENDANCE.
- DISCOVERY FESTIVAL ONGOING COMMITTEE MEETINGS EACH SATURDAY PRIOR TO EVENT.
- HAVE NOT HAD FULL ACCESS TO MY EMAILS. AM UNAWARE OF WHEN SOME MEETINGS ARE BEING HELD FOR DIFFERENT COMMITTEES.
- 15/6/16: Joint Management meeting with QLD Parks
- 13-14/6/16: workshop with Cape York Partnerships (Noel may not be able to attend). Looking at horticulture indigenous orgs.
- 9-10/6/16: LGAQ training.
- 30/5/16: Cape York NRM Workshop
- 7/6/16: CSC Budget meeting.

**Monthly Activity Report**  
**Councillor Robyn Holmes**  
**April/May 2016**

- **Meetings/Events/Constituent Representations**

<b>Date</b>	<b>Venue</b>	<b>Details</b>	<b>Outcome/Action</b>
12 April	Chambers	Council Meeting	
20 April	Chambers	Financial Management for Local Government training	
	MPHS	CAN Advisory Network Meeting	Concern re Telstra Black Spots & response time for Rossville fatal.
21 April	Chambers	Local Disaster Management Group Meeting	
25 April	Cooktown	ANZAC	
28 April	Events Centre	PCYC Management Contract Meeting	
	Events Centre	Events & Festivals Forum	
29 April	Chamber	DILGP training	
30 April	Musgrave	General visit in introduction to residents & cricket match	Not Council Approved
5 May	Council	Aged Care Meeting	Placements; Lindsay Cronin & Jacqui Graham
7 May	Events Centre	Sports Forum 1-4pm	Gunguarde Sports Rep absent. Sporting Club Mgt through 1 Mgt body
11 May	CDCC	CDCC Board Meeting	RV Park
15 May	Turf Club	CATC Meeting	CATC want water truck to water track for 7 days prior to race day. In process of engaging caretaker to cater for RV park.

Upcoming Meetings/ Travel

**12 EXECUTIVE SERVICES - REPORTS****12.1 COUNCILLOR APPOINTMENT TO COMMITTEES****RESOLUTION 2016/1**

Moved: Cr Alan Wilson

Seconded: Cr Kaz Price

That the following committees and appointments be made:

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

<b>COUNCIL COMMITTEES</b>	<b>COUNCILLOR/S</b>
<b>Advisory Committees</b>	
Coen Advisory Group	Cr John (Chook) Giese (Chair)
2020 Advisory	Cr Kaz Price
Waterfront Advisory	Cr Peter Scott (Chair) + all Councillors
Regional Arts Development Fund (RADF) Advisory	Cr Larissa Hale
Nature's Powerhouse Advisory	Cr John Dessmann
Waste Management Advisory	Cr Alan Wilson
<b>Standing &amp; Steering Committees</b>	
Planning and Environment Standing	Cr Peter Scott + all Councillors
PCYC Management Committee	Cr Larissa Hale and Cr J Giese
Senior Units	Cr Robyn Holmes
Audit Committee	Cr Kaz Price (Chair) Cr John Dessmann
Risk Management	Cr Alan Wilson (Chair) Cr Robyn Holmes
Roads Committee	Cr John (Chook) Giese
PCYC Steering Committee	Cr Peter Scott and Cr Robyn Holmes
<b>COMMITTEE</b>	<b>COUNCILLOR/S</b>
South Cape York Catchment Inc	Cr Kaz Price; Proxy Cr Alan Wilson
Cooktown MPHS Advisory Network (C.A.N.) - Health	Cr Robyn Holmes Proxy Cr Peter Scott
Chamber of Commerce and Tourism (Cooktown)	Cr John Dessmann + other Councillors where available
Contact Councillor for any progress/ resident/ commerce associations	Cr John (Chook) Giese - Coen, northern regions, Portland Roads Cr Alan Wilson - Lakeland, Laura Cr John Dessmann - Rossville/Bloomfield
Cooktown & District Community Centre Inc - Board Membership	Cr Robyn Holmes

Cape York Sustainable Futures	Cr Alan Wilson
Re-enactment Committee	Cr Peter Scott
Cape York Local Area Marine Advisory Committee	Cr Larissa Hale, Proxy Cr John Dessmann
Cooktown & District Interagency	Cr Peter Scott
Laura Interagency	Cr Alan Wilson
Coen Interagency	Cr John (Chook) Giese
Local Disaster Management Group	Chair - Cr Peter Scott all other Councillors are invitees
Reef Guardian	Cr Larissa Hale
Weary Bay Beach Protection Reserve Management Committee	Cr Peter Scott
Bloomfield District Residents and Ratepayers Assoc.	Cr John Dessmann
Laura Progress Association	Cr Alan Wilson

CARRIED

### 13 INFRASTRUCTURE SERVICES - REPORTS

#### 13.1 REPORT ON CAPE YORK WEEDS AND FERAL ANIMALS INCORPORATION

##### RESOLUTION 2016/2

Moved: Cr Alan Wilson

Seconded: Cr Kaz Price

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, John Dessmann and Larissa Hale

Against: Nil

Abstain: Cr Robyn Holmes

That this position statement along with a cover letter and attached table be sent to CYWafa Inc.

1. All funding was provided to Cook Shire Council as the responsible party for delivering the projects and activities stated in the Agreements/Contracts with Government Departments or their representatives. Council chose to retain the name of the group delivering those activities for operational reasons, not because the group was an entity;
2. Any equipment or materials purchased using grant funds is rightfully and legally the property of Council providing it is used for similar activities to what it was purchased for;
3. Council owns the Intellectual Property generated during the delivery of the various projects.

CARRIED

**14 DEVELOPMENT, ENVIRONMENT AND COMMUNITY – REPORTS****14.1 APPLICATION FOR A DEVELOPMENT PERMIT - DA/3496 - FOR MAKING A MATERIAL CHANGE OF USE FOR AN EDUCATION ESTABLISHMENT ON LOT 2 ON PLAN RP 739948, LOCATED AT 32 QUARANTINE BAY ROAD, COOKTOWN****RESOLUTION 2016/3**

Moved: Cr Larissa Hale

Seconded: Cr Robyn Holmes

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That the application under the current IPA Planning Scheme by Gungarde Community Centre Aboriginal Corporation c/- U&i Town Plan for a Development Permit for making a Material Change of Use for an Educational Establishment on Lot 2 on Plan RP739948, located at 32 Quarantine Bay Road Cooktown, be approved subject to the following Conditions:

**A. Assessment Manager (Council) Conditions****Approved Plan**

1. The development must be carried out generally in accordance with the following plans (Appendix 'A') submitted with the application and in response to Council's Information Request, except for any variations required to comply with the Conditions of this approval:
  - ☐ Floor Plan – Educational Establishment
  - ☐ Site Plan – 32 Quarantine Bay Road
  - ☐ Elevations – Educational Establishment

**Water Supply**

2. The development must be connected to a reliable potable water supply. This would be satisfied by the provision of rainwater tanks with a minimum capacity of 50,000litres. Where an alternative source of supply is available within the allotment, the applicant can provide certified evidence as to flow rates and water quality of bore water or other supply to eliminate or reduce the requirement for on-site water. Details to be provided prior to the use commencing.
3. The applicant must provide the results of a NATA accredited water quality test showing the water is potable prior to the use as an Educational Establishment commencing.

**Effluent Disposal**

4. Wastewater treatment and disposal application 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 must be provided at the time of lodgement of a Plumbing or Building application.

**Access**

5. Access to the proposed development must be via the existing Quarantine Bay Road Access.

6. The access must be upgraded to a concrete or bitumen seal from the existing bitumen road pavement to the property boundary and include ancillary stormwater drainage if required. Construction must be to the requirements of the FNQROC Manual. Engineering drawings must be submitted for approval by Council's Director Infrastructure Services as part of an Operational Works application prior to works commencing.

#### **Internal Driveways and Car Parking**

7. The development must make provision for a minimum of three (3) off street car parking spaces, including one (1) disabled person car parking space. The disabled person's car parking space must be concrete or bitumen sealed. The remaining car parking spaces must be minimum gravel sealed and must be maintained in a dust suppressed state at all times. Car parking must be located as shown on approved plan Site Plan – 32 Quarantine Bay Road, with the disabled person car parking space to be located in close proximity to the entrance. Car parking spaces must be constructed to the Australian Standard.
8. The internal driveway and manoeuvring areas must be gravel sealed and located as per approved Site Plan (Site Plan – 32 Quarantine Bay Road). Construction must be to the requirements of the FNQROC Manual , and must be kept in a dust suppressed state at all times.

#### **Capacity**

9. The combined number of students and teachers must not exceed twenty (20) at any one time.

#### **Building Classification**

10. A change of Building Classification must be obtained prior to the use of the Educational Establishment commencing.

#### **Electricity**

11. The proposed development must be connected to the reticulated electricity supply.

#### **Stormwater**

12. Stormwater drainage must be to a legal point of discharge.

#### **Operational Works**

13. Prior to construction commencing, Council will require approval of an Operational Works application for the following:

- ☐ Access construction (see Condition 6)

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

Council will require that one (1) copy of the design drawings be submitted to Council for preliminary assessment. Three (3) copies of the final design are to be submitted to Council for approval prior to the commencement of the works. On completion of the works, the Council shall require a Certificate of Completion from a Registered Professional Engineer, and a set of as constructed plans must be deposited at Council's Office.

#### **Nuisance**

14. The applicants must ensure that no noise, dust or water runoff nuisance is caused to

the surrounding properties by this development.

### **Fire Management**

15. The proposed development area must be maintained at all times by the owners so as not to create a fire hazard.

### **Public Utilities**

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

### **Compliance**

17. All relevant Conditions of this Development Permit must be complied with prior to the use commencing.

### **Infrastructure Charges**

18. Infrastructure charges must be paid to Council at the time of application for the change of Building Classification for the Educational Establishment as indicated on the attached Adopted Infrastructure Charges Notice (Appendix 'B'), at the rate applicable at the time of payment.

### **Outstanding Charges**

19. All rates, service charges, interest and other charges levied on the land must be paid prior to the issue of the change of Building Classification.

### **Currency Period**

20. The currency period for this Development Approval is four (4) years. Should the Educational Establishment not be established within this time, the approval shall lapse.

**CARRIED**

## **14.2 REQUEST TO EXTEND THE CURRENCY PERIOD FOR DEVELOPMENT PERMIT DA/2941 - FOR A BOUNDARY REALIGNMENT BETWEEN LOTS 162 ON BS154 & 165 ON BS164 INCLUDING AN AMALGAMATION OF LOT 175 ON BS154 WITH LOT 162 ON BS154, TERMINUS STREET & UNNAMED ROAD, LAURA**

### **RESOLUTION 2016/4**

Moved: Cr Alan Wilson

Seconded: Cr Kaz Price

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council grants a two (2) year extension to the currency period applicable to the Development Permit for DA/2941 until 20 March 2018 – to enable compliance.

**CARRIED**

**14.3 REQUEST TO EXTEND THE CURRENCY PERIOD FOR DEVELOPMENT PERMIT DA/2924 - MATERIAL CHANGE OF USE FOR A CARAVAN PARK - LOT 24 ON PLAN RP888375, 410 HURSE ROAD, LAKELAND**

**RESOLUTION 2016/5**

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council grants a two (2) year extension to the currency period applicable to the Development Permit for DA/2924 - making a Material change of Use for a Caravan Park, until 23 July 2018 to enable compliance.

**CARRIED**

**14.4 APPLICATION FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR TOURIST ACCOMMODATION AT 39 REGENT STREET, COEN - LOT 11 ON CP907238 (DA/3571)**

**RESOLUTION 2016/6**

Moved: Cr John Giese

Seconded: Cr Robyn Holmes

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

**CARRIED**

That Council issue an approval for the development application submitted by ADAI Cape York Investments Pty Ltd c/- Planz Town Planning Pty Ltd for a Material Change of Use for Tourist Accommodation at 39 Regent Street, Coen (Lot 11 on CP907238), subject to the following conditions:

**A. Assessment Manager (COUNCIL) Conditions**

**Approved Plan**

1. The development must be carried out generally in accordance with the following proposal plans (refer to Appendix A) except for any modifications required to comply with the conditions of this approval:
  - 2107-S1 –Site Plan, Prepared by PD Designs, Dated December 2015; and
  - 2107-S2 –Elevations, Prepared by PD Designs, Dated December 2015.

**Footpaths**

2. Provision of a two (2) metre wide concrete pedestrian pathway for the full frontage of the

development to Regent Street. Construction must be to the requirements of the FNQROC Manual.

The remainder of the footpath nature strip must be formed, grassed and left in a condition easily mowed.

3. Engineering plans must be submitted for approval by Council's Director Infrastructure Services as part of an Operational Works application, prior to works commencing.

### **Upgrading Access**

4. The entrance from Regent Street, between the road pavement and the site boundary shall be bitumen or concrete sealed and constructed to the requirements of the FNQROC Manual prior to the commencement of the use.

### **Internal Driveway and Car Parking**

5. The Development must make provision for fifteen (15) car parking spaces to be located generally in accordance with the plans titled *2107-S1 –Site Plan, Prepared by PD Designs, Dated December 2015*. At least one (1) parking space must be designated for persons with disability.
6. Construction of internal driveways and car parking must be to the requirements of the FNQROC Manual. Car parking spaces and internal driveways must be sealed with either bitumen or concrete. Car parking spaces must be line marked and comply with the Australian Standard. Engineering drawings must be submitted for approval by Council's Director Infrastructure Services prior to works commencing.

### **Construction Waste Management Plan**

7. The applicant is to prepare and submit to the Council a Construction Waste Management Plan. The plan is to be approved by the Director Development, Environment and Community Services before the development permit for the building works is issued and is to be implemented prior to the commencement of the use.

### **Landscaping**

8. Prior to the issue of a Development Permit for Building Works, the applicant is to prepare and submit to the Council a Landscape Plan for approval by the Council's Director Development, Environment and Community. The plan should include details about how the use will present attractively to the road frontage. The plan should also show how existing mature vegetation is to be retained. The Applicant is to undertake the landscaping in accordance with the approved plan prior to the commencement of the use.

### **Air Conditioning**

9. Air conditioners shall be designed, selected, located and installed to achieve no more than 40 dB(A) at the closest sensitive receptor. Evidence is to be provided to the Director Development, Environment and Community prior to commencement of the use.

### **Services**

10. The proposal is to be connected to the reticulated water system, reticulated sewerage system and electricity supply prior to the commencement of the use at full cost to the applicant. Internal electricity reticulation must be via underground connection.
11. Sewerage and Water Main extensions or upgrades must be designed and constructed in accordance with the FNQROC Manual requirements at full cost to the applicant. Engineering plans to be submitted for approval by Council's Director Infrastructure Services as part of an Operational Works application prior to works commencing.

### **Storm Water**

12. The applicant/owner must ensure that the flow of all external stormwater from the property is directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of Council's Director Infrastructure Services.

### **Operational Works**

13. Prior to construction commencing, Council will require approval of an Operational Works application for the following:
  - Footpaths (See Condition 2);
  - Accesses including ancillary stormwater drainage (see Condition 4);
  - Erosion and sediment control plan for access works; and
  - Any water or sewer main extensions (see Condition 11).

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

Council will require that one (1) copy of the design drawings be submitted to Council for preliminary assessment. Three (3) copies of the final design are to be submitted to Council for approval prior to the commencement of the works. On completion of the works, the Council shall require a Certificate of Completion from a Registered Professional Engineer and a set of as constructed plans must be deposited at Council's office.

### **Certificate and Maintenance**

14. Upon completion of the works subject to the requirement for an Operational Works application in Condition 13 of this approval, a certificate from a qualified engineer is to be submitted to Council stating that the works have been carried out properly and in accordance with the plans and specifications approved by Council.

The certificate shall set out the full engineering details of the works as completed.

### **Refuse**

15. Refuse storage areas are to be screened from view from the road. Collection is to be via kerbside collection to the satisfaction of the Director Infrastructure Services.

### **Fences**

16. Any fences along the street frontage must be no higher than 1.8m above ground level where they have regular openings providing at least 50% transparency, or a maximum of

1.2m in height above ground level otherwise.

### **Noise and Dust**

17. The Applicant must ensure that during the construction stage no nuisance is caused to the surrounding properties by way of noise or dust emissions.

### **Public Utilities**

18. 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".

### **Environmental**

19. The applicant must ensure that no sand, soil or silt runoff occurs from the site during the construction and operational phase of the development.

20. No State Declared or environmental pest plants and pest animals are to be introduced onto the property. The applicant/owner shall be responsible for the complete removal and destruction of any noxious weed or plants existing on the land the subject of the Development Permit.

### **Compliance**

21. All relevant Conditions of this Development Permit are to be complied with prior to the use commencing.

### **Outstanding Charges**

22. All rates, service charge, interest and other charges levied on the land are to be paid prior to the use commencing.

### **Infrastructure Charges**

23. Infrastructure charges must be paid to Council prior to the commencement of the use, as indicated on the attached Adopted Infrastructure Charges Notice (refer to Appendix B) at the rate applicable at the time of payment.

### **Currency Period**

24. The currency period for this application is four (4) years. Should the approved Tourist Accommodation not be established within this time, the approval shall lapse.

### **B. Assessment Manager (COUNCIL) Advice**

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 works assessable under the *Building Act 1975* associated with this development.

#### 14.5 APPLICATION FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR THE PURPOSE OF A CARAVAN PARK ON LOT 13 ON PLAN SD21, UNNAMED ROAD, COEN (DA/3399)

##### RESOLUTION 2016/7

Moved: Cr Alan Wilson

Seconded: Cr John Giese

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council issue an approval for the development application submitted by Lama Lama Land Trust Pty Ltd for the Material Change of Use for a Caravan Park over Lot 13 on SD21, subject to the following conditions:

##### A. Assessment Manager (COUNCIL) Conditions

##### Approved Plan

1. The development must be carried out generally in accordance with the following proposal plans (refer to Appendix A) except for any modifications required to comply with the conditions of this approval:
  - LL00, 'Safari Camp Lot Plan', Issue 01, prepared by Centre for Appropriate Technology, Received by Council on 13 February 2015; and
  - LL002, 'Proposed Infrastructure and Campsites', Issue 02, prepared by Centre for Appropriate Technology, dated 14/06/2011.

##### Flood Management

2. Prior to the commencement of the use, the applicant is to submit for approval by the Town Planning Officer, a flood management plan, containing the following information:
  - a description of the triggers to close the site and a procedure for preventing persons accessing the site;
  - a plan of development and site showing evacuation routes and assembly areas (where relevant);
  - a description of the triggers to activate evacuation plans and other emergency flood management measures;
  - a description of relevant signage and proposed locations in the building;
  - a list of any procedures required to manage evacuation; and
  - the contact numbers of relevant local Emergency Services.

##### Use

3. The use of the site is limited to temporary camping with a tent, camper trailer or caravan. No permanent occupation is approved.

### **Site Capacity**

4. The site is limited to a maximum of fourteen (14) individual camp sites.

### **On Site Sewage Capacity**

5. Any onsite sewage treatment system must have a design capacity of no more than 20 EP. Council notes that the installation of a larger treatment system represents assessable development under the *Environmental Protection Act 1994* and will require a separate approval.
6. At the time of lodging a Plumbing and Drainage application for the Waste Treatment System, the applicant must lodge a report prepared by a suitable professional demonstrating;
  - (a) The type and capacity of the proposed waste treatment system; and
  - (b) The number of people able to be accommodated by the proposed waste treatment system based on evidence of the likely demand of one camping guest.

The report must be approved by Council's Master Plumber and the Environmental Health Officer prior to the issue of a development permit for Plumbing and Drainage Work. In the event that Council issues a development permit for Plumbing and Drainage Work in the absence of the required report, the maximum site capacity is twenty (20) persons on the site at any one time.

### **Building Works**

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

### **Effluent Disposal**

8. 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.

### **Refuse**

9. Refuse storage areas are to be screened and made easily accessible by visitors and for collections. Refuse is to be stored and disposed of off-site to the satisfaction of Council's Environmental Health Officer.

### **Public Utilities**

10. The development must be connected to a reliable electricity supply. Details to be provided at the time of building application.

11. 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".

### **Environmental**

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

### **Compliance**

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

### **Outstanding Charges**

15. All rates, service charge, interest and other charges levied on the land are to be paid prior to the use commencing

### **Currency Period**

16. The currency period for this application is four (4) years. Should the approved Caravan Park not be established within this time, the approval shall lapse.

### **B. Assessment Manager (COUNCIL) Advice**

- a. 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.

### **C. Concurrence Agency (Department Of Infrastructure Local Government & Planning) Response:**

See the attached (Appendix B) letter from the Department of Infrastructure Local Government and Planning (then the Department of State Development Infrastructure and Planning) dated 21 May 2015.

**CARRIED**

**15 CORPORATE SERVICES - REPORTS****15.1 REVENUE AND EXPENDITURE - APRIL 2016****RESOLUTION 2016/8**

Moved: Cr Robyn Holmes

Seconded: Cr John Giese

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Giese and Larissa Hale

Against: Nil

That the Revenue and Expenditure Statements for April 2016 be adopted.

**CARRIED**

At 12:32 pm, Cr John Dessmann left the meeting.

At 12:34 pm, Cr John Dessmann returned to the meeting.

Lunch was declared 12:34pm.

Council returned from lunch at 1:45pm.

**16 CONFIDENTIAL REPORTS****RESOLUTION 2016/9**

Moved: Cr Alan Wilson

Seconded: Cr Robyn Holmes

That Council moves into Closed Council.

**RESOLUTION 2016/10**

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

That Council moves out of Closed Council into Open Council.

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2009:

**16.1 LEASE E - EXPRESSION OF INTEREST - SUB-LEASE****RESOLUTION 2016/11**

Moved: Cr John Giese

Seconded: Cr Kaz Price

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council passes a resolution to call for Expressions of Interest in the leasing of these areas.

**CARRIED**

**16.2 REQUEST TO WRITE OFF EXCESS WATER CHARGES****RESOLUTION 2016/12**

Moved: Cr Alan Wilson

Seconded: Cr Larissa Hale

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council grant a concession of the total costs (\$1125.25) less average costs (\$189.00) divided by 2 = \$468.12

**CARRIED**

**16.3 REQUEST TO WRITE OFF ALL RATES AND CHARGES****RESOLUTION 2016/13**

Moved: Cr Kaz Price

Seconded: Cr John Giese

This matter is considered to be confidential under Section 275(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

**MOTION**

Moved: Cr John Giese

Seconded: Cr Alan Wilson

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council Grant a full concession of \$203.45 for all Rates and Charges as agreed with Bluewater committee.

**CARRIED**

**16.4 REQUEST FOR CONCESSION FOR EXCESS WATER CHARGES**

This matter is considered to be confidential under Section 275(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions

**RESOLUTION 2016/14**

Moved: Cr Robyn Holmes

Seconded: Cr Larissa Hale

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That That Council grant a concession of total costs (1251.25) less average costs (278.25) divided by 2 = \$486.50

**CARRIED**

**16.5 REQUEST TO WRITE OFF EXCESS WATER CHARGES**

This matter is considered to be confidential under Section 275(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

**RESOLUTION 2016/15**

Moved: Cr Alan Wilson

Seconded: Cr Kaz Price In Favour: Crs Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Due to the long delay in being able to obtain the services of a plumber the excess water consumption was out of the control of the CCHA therefore it is recommended a concession of \$8,195.25.

**CARRIED**

**16.6 LEASE RENEWAL – 01**

This matter is considered to be confidential under Section 275(e) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by Cook Shire Council.

**RESOLUTION 2016/16**

Moved: Cr Alan Wilson

Seconded: Cr Kaz Price

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council continue with the current level of community service obligation increasing the rent by CPI of 1.5% and offer a 3 year lease for 121A Charlotte St (the old Planning building) (with a single option to renew for another 3 years) to Cooktown Reenactment Association at a subsidised annual rental of \$1,903.20 (ex GST) (per annum \$158.60 per month).

**CARRIED**

**16.7 LEASE RENEWAL – 02**

This matter is considered to be confidential under Section 275(e) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by Cook Shire Council.

**RESOLUTION 2016/17**

Moved: Cr John Giese

Seconded: Cr Alan Wilson

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council offer a 3 year lease for 121 Charlotte St (the Old Council Chambers) (with a single option to renew for another 3 years) to Cooktown & District Historical Society at a subsidised rate of \$3,615.60 (ex GST) per annum (\$301.30 per month).

Electricity to charged at the current method until a separate meter is installed.

**CARRIED**

At 2:28 pm, Cr Kaz Price left the meeting.

At 3:27 pm, Cr Kaz Price left the meeting.

### **16.8 LEASE RENEWAL – 03**

This matter is considered to be confidential under Section 275(e) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by Cook Shire Council.

#### **RESOLUTION 2016/18**

Moved: Cr John Dessmann

Seconded: Cr John Giese

In Favour: Crs Peter Scott, Alan Wilson, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council offer a 3 year lease for 11 &13 Charles St (with a single option to renew for another 3 years) to Cooktown & District Community Centre at a subsidised rate \$10,259(ex GST) per annum (\$855 per month)

With an option to reassess rental rate if Cooktown & District Community Centre can provide documentation showing that no funding is available to help subsidise rent.

**CARRIED**

At 2:49 pm, Cr Kaz Price returned to the meeting.

At 3:29 pm, Cr Kaz Price returned to the meeting.

### **16.9 RENEWAL OF SPECIAL LEASE 14/49900 - LOT 201 ON SURVEY PLAN 154004 - LAKELAND CAMPING RESERVE, RESERVE 77-045**

#### **RESOLUTION 2016/19**

Moved: Cr Alan Wilson

Seconded: Cr John Giese

In Favour: Crs Peter Scott, Kaz Price, Alan Wilson, Robyn Holmes, John Dessmann, John Giese and Larissa Hale

Against: Nil

That Council resolves

1. To confirm that the reserve is still required for its gazetted purpose.
2. On expiry of the existing Lease, Council as Trustee would be prepared to offer the current Lessee a Trustee Lease or Trustee Permit over the subject area in accordance with section 57 of the *Land Act 1994* and Policy PUX/901/210 Leases over Reserves and subject to the terms and conditions satisfactory to Council.

**CARRIED**

**17 EXECUTIVE SERVICES - INFORMATION**

Nil

**18 INFRASTRUCTURE SERVICES - INFORMATION**

**18.1 INFRASTRUCTURE SERVICES REPORT - APRIL 2016**

**RECOMMENDATION**

That the information be noted.

**18.2 BIOSECURITY MONTHLY REPORT - MAY 2016**

**RECOMMENDATION**

That the information be noted.

**19 CORPORATE SERVICES - INFORMATION**

**19.1 FINANCE STATUS APRIL 2016**

**RECOMMENDATION**

That the information be noted.

**19.2 OVERVIEW OF COUNCIL OWNED PROPERTY EXPENSES**

**RECOMMENDATION**

That the information be noted.

**19.3 BUSINESS SERVICES REPORT**

**RECOMMENDATION**

That the information be noted.

**19.4 SENIOR UNITS MONTHLY REPORT - APRIL 2016**

**RECOMMENDATION**

That the information be noted.

**20 DEVELOPMENT, ENVIRONMENT AND COMMUNITY – INFORMATION**

**20.1 DEVELOPMENT, ENVIRONMENT AND COMMUNITY DIVISIONAL REPORT - APRIL 2016**

**RECOMMENDATION**

That the information be noted.

At 3:39 pm, Cr Alan Wilson left the meeting.

At 3:42 pm, Cr Alan Wilson returned to the meeting.

**The Meeting closed at 4.24pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 June 2016.**

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**MAYOR**