

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Centre, 10 Furneaux Street, Cooktown
21-22-23 July 2014**

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ATTENDANCE:

The Mayor, Cr PH Scott, Councillors A Wilson, KG Price, GC Shephard, PL Johnson, R Bowman, S Clark, Chief Executive Officer (S Wilton), Minute Officer (R Norris).

MEETING OPENED

The Mayor, Cr PH Scott declared the meeting open at 9.02 am on 22 July 2014

APOLOGIES:

Nil

NOTICE OF BEREAVEMENT:

Advice has been received of the passing of Heather Willcox, Billy Rootsey, Doug Price, June McDougall, Agnes Walker, Cheryl Stindel (wife of Councillor Paul Stindel of Mackay Regional Council), the victims of Malaysian Airline MH17.

As a mark of respect one minute silence was observed.

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CONFIRMATION OF MINUTES

30777	CONFIRMATION OF MINUTES OF ORDINARY MEETING
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Cr A Wilson moved; seconded Cr R Bowman

That the minutes of the Ordinary Meeting of 16-17-18 June 2014 be confirmed subject to the following insertion –

Councillor Report

Cr R Bowman

Meetings

Date	Type / purpose	Who /where
	General Council Meeting	
	CDCC Board Meeting /	
	Chamber of Commerce	
	Community delegations TCY ,CDCC, Justin Coventry (National Parks permits)	
	Waterfront design / ED Meetings /	
	Cape York Lmac Meeting	

CARRIED

BUSINESS ARISING:

Nil

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Councillors' Reports

Cr S Clark

Meetings

DATE	TYPE	PURPOSE	WHERE	
16-18/06/14	Monthly Meeting	Council	Chambers	
25/06/14	Seniors Housing	Senior Housing	Chambers	
01/07/14	Economic Development	Economic	Chambers	
03/07/14	Regional Water Plan	Water security for Cape York	Cairns State Govt Building	

Events Attended (as Councillor or part thereof)

DATE	TYPE / PURPOSE	WHO / WHERE
19/07/14	Cairns Show CSC tent	Cairns show
20/06/14	Small Schools Sports Carnival	Cooktown

Constituent Representation / Meetings

DATE	PHONE CALLS/ DISCUSSIONS	LETTERS
	Cooktown Cemetery Issues	Email sent
	Rates Issues	Email sent

Cr P Johnson

Date	Type / purpose	Who /where	Action
23/6	Northern Gulf Finance & Audit Committee initial meeting	NGRMG FAC – telephone conference	Discuss financial matters & receive information, recommendations to board
24/6	Northern Gulf & Gulf Horizons Foundation Executive meeting	Teleconference	Discuss all matters relating to activities and management of NGRM & GHF
26/6-29/6	ADC Northern Development Summit	Townsville	Presentations & discussion on development of Northern Aust – express issues/ ideas/ concerns on behalf of CSC/ Cape York NRM & NGRMG
1/7	Economic Development	Councillors & officers	Progress reports on projects & proposed projects, issues/ ideas

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1/7	Towards 2020	Interested parties & Council	Working group to be formed/ continue to participate in liaison role
3/7	On Farm Water efficiency meeting(Sustainable Ag program- Cape York NRM & Landcare)	Lakeland; local growers, water & soil mapping consultants, Mayor, Cr Wilson, Cape York NRM communications officer & Landcare facilitator Andrew Hartwig	Attend, listen & learn, discuss water issues in the region & in context of northern development & environmental considerations
5/7- 9/7	Cape York Natural Resource Management Ltd Board meeting(Local Government Director)	Cape York NRM board, CEO & admin officer	Form Finance & Audit committee ;(FAC) discuss matters relating to operations of the organization – discuss projects & approve funding. Assist with reporting form & participate on FAC
10/7	Towards 2020(informal-brainstorming session only)	Mayor, Mrs S Gibson & self	Mrs Gibson to progress ideas and attend next meeting planned for 7 August
14/7	CY Strategic Land Use – teleconference	AgForce & other invited participants	Participate & Comment on draft communique
17/7	Northern Gulf Resource Management Group- board teleconference	All board & operational staff providing updates & progress reports	Scribe FAC minutes; participate & follow up at August meeting(Mt Molloy)
18/7-20/7	Tropical Environmental Sustainability Science forum	JCU students, professors, Indonesian development management practitioners	Present on behalf of Council a local government – governance in NRM – issues & ideas in Cape York; form network with JCU, Indonesia & PNG

Events Attended (as Councilor or part thereof)

Date	Type / purpose	Who /where	Action
20/6	Small Schools Sports Carnival	Oval	Attend & assist

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Constituent Representation/Meetings

Date	Phone calls/ Discussions/ meeting	Letters/emails minutes	Action
	Ratepayer Request	Shambrook St – prevent runoff down private driveway from quarry & road	Forward to Council for attention when road being graded/ quarry used – before wet season starts preferably
	Jabalbinna – board member	Arrange meeting to discuss activities & opportunities	Confirm date & meet
	Local residents & caravanning visitors	Road conditions & signage towards Mt Cook	Signage request – not suitable for RV's or caravans & trailers; Road should be graded as Mt Cook is promoted as a tourist walk & is used by locals

Future activities:

July

- 24 Recognise event- Lions Park – public event 5pm BBQ
- 24 Australian National Maritime Museum – meeting, visit & dinner @ Bowls Club
- 26 Fancy Dress Family Day & fireworks!
- 29 Careers Expo
- 31 Party Like it's New Years Eve- RV event- Cooktown Racecourse

August

- 1 Cape York Sustainable Futures open forum- Laura; Show opening night at PCYC
- 2 Show day at PCYC
- 3 3-6 Warwick Schiller equestrian clinic- Tepon Centre Wondecla
- 6 NGRMG board meeting- Mareeba
- 7 2020 planning meeting - Cooktown
- 10 Black Mountain Rocks event – Black Mountain
- 11-13 NGRMG board & community meeting- Mt Molloy
- 14 Mary Valley Nature Refuge handover – Mary Valley Station
- 16- 17 Cooktown Horse Sports
- 18-20 Council Meeting
- 22-24 Lakeland Campdraft

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Cr A Wilson

- Attended working bee at Laura Turf Club
- Assisted in DVD project in company with Cape York Tourism and Fred Wright of Caravanners.
- Assisted Laura horse sports at Laura Race Course. Arranged and supervised digging of land-fill hole at Laura Land fill
- Assisted in running Laura Turf Club Race meeting.
- Attended Economic Development Meeting at Cook Shire Chambers
- In company with Mayor Scott attended at Coen 150 year Police celebrations.
- In company with Mayor Scott attended Growers meeting held at Lakeland Hotel
- Travelled to and attended Bramwell Station carnival.

Cr K Price

Meetings

Date	Type / purpose	Who /where	Action reqd
17-19/6/2013	General Council Meeting Chamber		
18/6/2013	Opening – Grassy Hill Summit		
19/6/2013	CYHHS Board and Cooktown Hospital – Shire identification of need		
25/6/2013	Economic Development Meeting – Chamber		

Events Attended (as Councilor or part thereof)

Date	Type / purpose	Who /where	Action reqd
28-30/6/2013	Laura Races and Rodeo		
3/7/2013	FNQ – Youth Forum, Bentley Park		

Constituent Representation/Meetings

Date	Phone calls/ discussions	Letters/ minutes	Councilor requests	Action Req'd
	Constituent/s		Fluoride	Debate meeting requested
	Constituent/s		Boat Ramp	Finalisation??
	Constituent/s		Rossville-Shiptons Flat Road	Congratulations to Shire
	Constituent/s and visitors to the Shire		RV Park	Working well – great feedback

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Issues:

Flagging - the move of large National/multi-National NGO's/NFP's into Rural Remote areas.

A large Not For Profit has been granted funding for the operation of the Cooktown Women's Shelter – despite not being able to flag a cooperative framework into the District towns and communities. This is a trend emerging across Australia (environment of reduction in government funding, and the extremely lean operational budgets for the large organisations) and has dire implications for “grass-root” community, place-based organisation.

Cr R Bowman

Meetings

Date	Type / purpose	Who /where
	General Council Meeting	
	CDCC Board Meeting /	
	Chamber of Commerce Buy Local / discount card for members , membership drive	
	Cooktown Coast Guard meeting (request assistance with repeater on Mt Cook)	
30-31 June	F2F Meeting at Rockhampton ANSA Q	
1-3 July	Attended AFTA Trade Show Goldcoast	

Constituent Representation/Meetings

Date	Phone calls/ Discussions	Letters/ Minutes
	Meeting with rate payer re dust and sealing of May Street	
	Commercial Boats navigation and Dredge (incorrect info from our Wharf Finger)	
	Conversation with Engineer and Cooktown Police re vessels moored on floating Pontoon around having police authorized to enforce local laws (more follow up required)	

Expenses Claimed

Date	Details	Amount
Nil		
Total		

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Cr P Scott – Mayor

Date	Venue	Meeting	Issues /outcome
8/6/14	Cooktown	Discovery festival	Positive coverage in RV magazine despite rain
14/6/14	Canberra	Aust Local Govt Asscn	Fags freeze, NDRRA & RDA continuity. R2R doubling nxt yr.
18/6/14	Brisbane	Minister Crisafulli	Waterfront & reservoir grants. Care about “normal” NDRRA events
19/6/14	Cairns	RDA Cam Charleton Canopy’s Edge	RACQ Community Insce Cam following up Intergenerational Housing
20/6/14	Office	Bluecare interest in retirement village?	John Pead following up
23/6/14	Turf Club	MOU components	Draft completed \$20k Road, lake, levelling
24/6/14	Office	Dreaming Track Sharee Bauld	Nth Shore to Nob Point.
26/6/14	PCYC	JCU - regional community development	Cooktown/ Shire presentation
27/6/14	Chambers	Liveability consultation	Marketing & expansion plans
1/7/14	Hopevale	Multipurpose Centre	Opening
2/7/14	Coen	QPS 150 th celebrations	Community visit.
3/7/14	Lakeland	NRM Growers meeting	Dam proposal viewed positively.
6/7/14	Powerhouse Sovereign	Tour guide audio app launch Classic car rally	T/O tours Need coast road sealed
9/7/14	Chambers	CT Community Hsg	Awaiting NRS registration apprvl
10/7/14	Office	2020 steering committee	Young T/O’s taking lead Series of events inlead up.
11/7/14	Office Teleconf	RIO Weipa Gen Mgr CYIP Feds \$210m, State 50m	Commitment to Weipa normalisation Jardine Bridge, Siesia Wharf, Bamaga Water. Bulk on PDR
17/7/14	Peninsular VP	Royal Geographic Society	Presentation

Upcoming meetings

24/7	Chambers	Interagency
29/7	PCYC	Jobs expo
30/7	Hervey Bay	Regional & Economic Dev Conference.
10/8	Atherton	FNQROC & RDA

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13/8 Richmond NQLGA

	CHIEF EXECUTIVE OFFICERS MONTHLY REPORT	
	<i>Report No.D14/7181 from Chief Executive Officer</i>	

Précis

A report from the Chief Executive Officer showing his activities and providing information regarding ongoing and emerging issues.

Meetings, Seminars, Conferences etc

Crime and Corruption Commission Seminar

On Thursday 19 June the Business Services Manager and I attended a seminar given by the Crime and Misconduct Commission regarding the legislative changes to the Commission (now CCC) that took effect on 1st July 2014.

The main changes are around the referral requirements and the criteria that must be met before a complaint can be referred.

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Department Aboriginal Torres Strait Islander Multicultural Affairs

On 2nd July the Business Services Manager and I attended a teleconference with officers from DATSIMA to discuss the recently adopted principles regarding agreements for Council to access gravel. There was some concern around a couple of the principles such as Councils position on Cultural Heritage issues. It was made clear that the document was not meant for any other party, rather it was Council's internal statement that forms our starting position in any negotiation.

This meeting was followed by a meeting with Balkanu, Cape York Land Council and DATSIMA representatives to discuss the Gravel access leases for the Olkola lands. The discussions went well and agreement was reached around most items based on Council's principles. Balkanu and CYLC took on notice Councils position regarding Cultural Heritage and will come back to Council for further discussion.

The matter of Lessee v. Lessor responsibilities on costs and expenses was extensive and I shall discuss some of these issues with Council In Committee at the meeting (In Committee Report)

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State Land Reforms

On Monday 14th July I attended a workshop by Department Natural Resources and Mines around the Strengthening our Economic Future Discussion Paper on State Land Reforms. The workshop looked at the three areas of possible reform, namely Investment certainty for Leaseholders, Providing greater flexibility and autonomy to Local Governments and a streamlined regulatory environment. The workshop looked at a number of questions around each of the reform proposals and provided a good means of providing input into the State's consultation process. Formal submissions on the discussion paper are open until 31st August 2014. Council will provide a written submission.

Management Agreements

On Wednesday 16th July The Mayor, Director Economic Development & Community Services and I met with representatives of the Cooktown State School to discuss the agreement between Council and the Department of education regarding the Schools ongoing use of the Cooktown PCYC Events Centre. It appears that the processes in place are in accord with the provisions of the agreement. We will also meet with the PCYC and address any issues they may have around School usage of the Centre.

Also on Wednesday the Director Economic Development & Community Services and I met with the operators of Nature's Powerhouse as part of the annual operational review under the Management Agreement. Whilst the start of the season was very slow (Cyclone Ita) and then interrupted (wash out June weekend) the business is now very busy although numbers would appear to be down on previous years and in comparison to numbers recorded at other Cooktown attractions. We will work with the operators to assist them with developing strategies to increase visitation.

Other Meetings

There are a number of meetings that occur on a regular basis. This month they have included Executive Management Team meetings, budget deliberations, Economic Development Projects meeting and Ratepayer meetings over issues such as rates and town planning.

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Directors of Engineering Services, Tony Lickiss, Planning and Environment, Mark Marziale, Corporate Services, Martin Cookson, Town Planning Officers, John Harrison and Lisa Miller and Land Tenure Officers, Michael Edmonds and Leonie Dowding, in attendance.

PLANNING AND ENVIRONMENT

30778	APPLICATION FOR A DEVELOPMENT PERMIT – DA/3242- RECONFIGURATION OF LOT 8 ON PLAN CO19 LOCATED AT 110 TAYLOR STREET, COEN INTO FOUR (4) LOTS.	
	<i>Report No.AD14/2325 from Director Planning and Environment</i>	

Cr G Shephard moved; seconded Cr A Wilson

That the application by the Remote Indigenous Land and Infrastructure Programme Office for a Development Permit for Reconfiguration of Lot 8 on Plan CO19, located at 110 Taylor Street, Coen into four (4) lots be approved subject to the conditions set out in the recommendation contained in Report No. AD14/2325.

Précis

Applicant:	Remote Indigenous Land and Infrastructure Programme Office C/- DATSIMA PO Box 5461 Cairns Qld 4870.
Owner:	State of Queensland (represented by Department of Housing and Public Works)
Location:	110 Taylor Street, Coen Qld.
R.P.D:	Lot 8 on Plan CO19
Area:	9,307 sq metres
Zone:	Community Uses Zone
Proposed Uses:	Residential
Use Classification:	Reconfiguration into four (4) lots
Referral Agencies:	State Assessment & Referral Agency (SARA) Dept. State Development & Infrastructure &

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Planning (any part of the land is within 25 metres
of a State Controlled Road)

Report

Application has been made to Council for the issue of a Development Permit for the Reconfiguration of Lot 8 on Plan CO19 located at 110 Taylor Street Coen into four (4) lots. The application is Code Assessable Development under the Cook Shire Planning Scheme.

Proposal

The application proposes the Reconfiguration of Lot 8 on Plan CO19, located at 110 Taylor Street, Coen into four (4) lots. The areas of the proposed lots are as follows:

- Proposed Lot 1 - 1,706 sq metres
- Proposed Lot 2 - 2,461 sq metres
- Proposed Lot 3 - 3,284 sq metres
- Proposed Lot 4 - 1,855 sq metres

Proposed Lots 2, 3 and 4 will take access from the unnamed road while proposed Lot 1 will take access from the Peninsula Development Road as per Concurrence Agency (State Department, Infrastructure and Planning) requirements. All proposed lots are located within the Coen reticulated Water and Sewerage Area and can be connected to Reticulated electricity.

The Site

Lot 8 is located at 110 Taylor Street, Coen. Council has previously approved the following developments:

- Proposed Lot 1 - Vacant
- Proposed Lot 2 - House
- Proposed Lot 3 - Vacant
- Proposed Lot 4 - House

The development site has frontage to the bitumen sealed Taylor Street and the gravel sealed unnamed road. Lot 8 is within the Coen reticulated water, sewerage and electricity area. Existing houses on proposed lots 2 and 3 are currently connected to reticulated water, sewerage and electricity. Lot 8 has an area of 9,307 sq metres.

Town Planning Considerations

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Lot 8 on Plan CO 19 is zoned Community Uses Zone under the Cook Shire Planning Scheme and Reconfiguration of the lot is Code Assessable development.

The purpose of the Community Uses Zone is to achieve the following overall outcomes for the Community Uses Zone:

- *The Shire is well served with community based facilities and services, including education facilities, emergency services, health care services and the like;*
- *Community uses are conveniently located and easily accessible to the targeted community group;*
- *The built form of community and other uses is consistent in scale, height and bulk with surrounding development;*
- *The community benefits associated with these uses are provided without impacting on the amenity of the adjoining neighbours or the locality;*
- *Community uses retain and enhance semi-natural and natural habitats and/or the landscape values of the locality;*
- *Commercial waterfront uses consistent with the purposes of the reserves may occur on waterfront reserve land along Charlotte Street and Webber Esplanade in Cooktown; and*
- *Complementary community uses are clustered for efficient use of land and infrastructure.*

Code Requirements for Reconfiguring a Lot in the Community Uses Zone

The following Codes are identified as applicable to DA/3242, Reconfiguration of Lot 8 on Plan CO 19 into four (4) lots:

- Community Uses Zone Code
- Reconfiguration of a Lot Code
- Works, Services and Infrastructure Code
- Natural Hazards Code

As a general overview the proposed development is acceptable from a planning point of view and complies with the performance criteria of the relevant codes, including the Village Zone Code. The proposed development also complies with the overall outcomes of the Reconfiguration of a Lot Code.

Referral Agencies

The Department of State Development, Infrastructure and Planning is a Concurrence Agency for the purpose of this application as the development is within twenty five (25) metres of a State Controlled Road (Taylor Street).

Discussion

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While Lot 8 is currently zoned Community Uses Zone under the Cook Shire Planning Scheme it should be noted that this zoning reflects its previous land tenure which was a Reserve for Housing, Local Government and Planning. The tenure of Lot 8 has now been changed to freehold (14th September 2000), so when considering development consideration must be given to the more appropriate zoning of Village Zone. Further the Department of Housing has already constructed two (2) houses on the development site. The purpose of the reconfiguration is to provide for the sale of the existing two (2) houses and one (1) of the vacant lots for residential development. This will make these houses and the vacant lot available for much needed home ownership purposes in Coen. The proposed reconfiguration of Lot 8 on Plan CO 19 located at 110 Taylor Street, Coen is recommended by Council officers for approval with conditions.

Recommendation

That the application by the Remote Indigenous Land and Infrastructure Programme Office for a Development Permit for Reconfiguration of Lot 8 on Plan CO19, located at 110 Taylor Street, Coen into four (4) lots 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 Proposal Plan SP262059 (Appendix "C") and relevant documentation submitted with the application and in response to Council's Information Request, except for minor variations required to comply with the conditions of this approval.

Water Supply

2. Proposed lots 2, 3 and 4 must be connected to the Coen Reticulated Water Supply via separate metered connections.
3. Mains extensions must be to the requirements of the FNQROC Manual. Plans must be submitted to Council for approval by Council's Director Engineering Services as part of an Operational Works application prior to works commencing.

Effluent Disposal

4. Proposed lots 2, 3 and 4 must be connected to the Coen Reticulated Sewerage Scheme.

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5. Mains extensions must be to the requirements of the FNQROC Manual. Plans must be submitted to Council for approval by Council's Director Engineering Services as part of an Operational Works Application prior to works commencing.

Access

6. Access to proposed lots 2, 3 and 4 must be via the unnamed road.
7. Access to proposed lots 2, 3, and 4 must be bitumen sealed between the property boundary and the new road pavement, and include ancillary storm water drainage. Construction must be to the requirements of the FNQROC Manual. Plans to be submitted to Council for approval by Council's Director Engineering Services as part of an Operational Works application prior to works commencing.
8. Access to proposed Lot 1 must be to the requirements of the Department of State Development, Infrastructure and Planning (see Concurrence Agency response dated 26/05/2014).

Road Works

9. The unnamed road must be bitumen sealed for the full frontage of the proposed development including the intersection with the Peninsula Development Road and must include ancillary stormwater drainage. Construction must be to the requirements of the FNQROC Manual. Plans must be submitted for approval by Council's Director Engineering Services as part of an Operational Works application prior to works commencing.

Electricity

10. Proposed lots 2, 3 and 4 must be connected to the reticulated electricity supply. A Certificate of Electricity Supply from Ergon Energy must be provided to Council by the applicant, prior to Council endorsement of the Plan of Survey.

Telecommunications

11. Telecommunication services must be supplied to proposed Lots 2, 3 and 4.

Footpaths

12. The Footpath/nature strip between the proposed Lots 2, 3 and 4 property boundary and the new unnamed road pavement must be formed, and grassed and left in an easily mown condition.

Stormwater

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

Public Utilities

14. The applicant is responsible for the cost of any alterations to public utilities as a result of complying with conditions of this development permit. Repairs or alterations must satisfy the relevant Design Guidelines set out in Section D8 of the FNQROC Manual.

Cultural Heritage

15. Proposed Lot 1 must remain vacant pending discussions with Traditional Owners and any significant aboriginal cultural heritage identified on site must be protected as per the requirements of the Aboriginal Cultural Heritage Act 2003.

Infrastructure Charges

16. Infrastructure Charges for water, sewerage and public open space must be paid to Council prior to Council endorsement of the Plan of Survey, as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment (see Appendix 'B')

Compliance with Conditions

17. All relevant Conditions of the Development Permit must be complied with prior to the Plan of Survey being endorsed by Council.

Outstanding Charges

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

Signing and Sealing

19. The reconfiguring of a lot proposal 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 the approval will lapse.

B. Advice (Council)

- Should proposed Lot 1 be developed at a future date Council will require connection to services and payment of relevant head works charges at the time of Building Application.

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**C. Concurrence Agency Response (Department of State Development,
Infrastructure and Planning) Appendix 'A'**

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SDA-0414-009368



Department of
State Development,
Infrastructure and Planning

Our reference: SDA-0414-009368
Your reference: LM:DA/3242:AD2014/0001776

Date: 26/05/2014

Steve Wilton
Chief Executive Officer
Cook Shire Council
PO Box 3
Cooktown Q 4895

Dear Mr Wilton

Concurrence agency response—with conditions
110 Taylor St (Peninsula Development Road), Coen, QLD
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 9 April 2014.

Applicant details

Applicant name:	Remote Indigenous Land & Infrastructure Program Office
Applicant contact details:	PO Box 5461 Cairns, Qld, 4870

Site details

Street address:	110 Taylor Street Coen QLD
Real property description:	Lot 8 on CO19
Site area:	9307m2
Local government area:	Cook Shire Council

Application details

Proposed development:	Development Permit for Reconfiguring a lot, 1 lot into 4 lots
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Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Description of Proposal	Level of Assessment
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SDA-0414-009368

Reconfiguring a Lot	Development permit	Reconfiguration of 1 lot into 4 lots to enable sale of social housing dwellings and a vacant lot (2 future lots already contain existing social housing dwellings)	Code Assessment
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Referral triggers

The development application was referred to the department under the following provisions of the Sustainable Planning Regulation 2009:

Referral trigger Schedule 7.2.2 – reconfiguring a lot within 25m of a state
controlled road

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the department requires that the conditions set out in Attachment 1 attach to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department is required to set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Relevant period

This development approval will lapse if development is not started within the relevant periods stated in section 341 of SPA.

Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

A copy of this response has been sent to the applicant for their information.

If you require any further information, please contact Julie Colman, Principal Planner on 40481118, who will be pleased to assist.

Yours sincerely



Angela Foster
Manager Planning – Far North Queensland

cc: DATSIMA, PO Box 5461, CAIRNS, QLD 4870
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice

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SDA-0414-009368

Our reference: SDA-0414-009368

Your reference: LM:DA/3242:AD2014/0001776

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit – Reconfiguring a Lot - 1 Lot into 4 lots		
State controlled roads – development within 25 metres of a state controlled road		
Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the <i>Sustainable Planning Act 2009</i> nominates the Director-General of Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	Development must be carried out generally in accordance with the following plan and report, except as modified by these concurrence agency conditions: # RPS Survey Plan SP262059 'Plan of lots 1 - 4', Cancelling Lot 8 on CO19, dated 21/02/214. # Planning and Assessment Report to Council, Ref: Coen DA002, prepared by DATSIMA, dated March 2013.	Prior to submitting the Plan of Survey to the local government for approval.
2.	(a) The permitted road access location for proposed Lots 2, 3 and 4 on SP262069 shall be via the existing access location via the unnamed road and the Peninsula Development Road. AND (b) Road access to proposed Lot 1 on SP262069 shall be between the Peninsula Development Road and proposed Lot 1 via a new access location, located at the northern boundary of the subject land.	(a) Prior to submitting the Plan of Survey to the local government for approval. (b) Prior to the commencement or an intensification of a future land use over the subject site and to be maintained at all times.
3.	The applicant must provide vehicular access to proposed Lot 1 on SP262059 comprising of a rural property access at the permitted road access location. The vehicular access must be designed and constructed in accordance with FNQROC Development Manual standards and specifications.	Prior to the commencement or an intensification of a future land use over the subject site and to be maintained at all times.
4.	All vehicles must enter and exit proposed Lot 1 on SP262059 in a forward direction.	To be maintained at all times.

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Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- # To ensure the development is carried out generally in accordance with the submitted plan and development application.
- # To reduce and ensure that any impacts from the development on the state-controlled road are controlled and minimised and that safety and efficiency is maintained.
- # The development will have a minimal impact on the Peninsula Development Road and the recommended conditions in table 4.1 will satisfy the department's concerns regarding safety and efficiency of the state-controlled road.

Findings on material questions of fact

- # The proposed development is for a Reconfiguration of a Lot (1 Lot into 4 Lots) and the intensity and scale of the development is considered low.
- # The subject site has road frontage to the Peninsula Development Road, a state-controlled road.
- # Vehicle access for proposed Lots 2, 3, 4 will be gained from the existing road access via the unnamed road and the Peninsula Development Road.
- # Proposed Lot 1 on SP262069 is identified by the traditional owners as having 'cultural significance' as an 'old dance ground' and will remain vacant.
- # TMR notes that even though proposed Lot 1 on SP262069 is proposed to remain vacant, the department must ensure road access to proposed Lot 1 is possible in the event a new or future use is undertaken on the subject site (Lot 1).
- # Access to proposed Lot 1 shall be via a new access location from the Peninsula Development Road.
- # The reconfiguration proposal will not generate a significant increase in traffic volumes.
- # Given the scale of the development, TMR is satisfied that the development will not impact or compromise the safety and efficiency of the state-controlled road.

Evidence or other material on which the findings were based

- # The Department of Transport and Main Roads assessment of the development application was undertaken on the basis of the cited documents and plan submitted with the application.
- # State Development Assessment Provisions (SDAPv1.2).
- # Sustainable Planning Act 2009.
- # Sustainable Planning Regulation 2009
- # Transport Infrastructure Act 1994.

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Our reference: SDA-0414-009368
Your reference: LM:DA/3242:AD2014/0001776

Attachment 3—Further advice

General advice	
1.	Cook Shire Council, in its role as Assessment Manager, must assess the application against the State Planning Policy December 2013, in particular the interim development assessment provisions (such as the bushfire, flood, matters of state environmental significance, including wild rivers and water quality), to the extent it is relevant to the development and where not appropriately reflected in council's planning scheme.
2.	Council is reminded of the requirements of the <i>Aboriginal Cultural Heritage Act 2003</i> in its consideration of the development application.

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Appendix 'B'

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
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Our ref: JH:lm:DA/3242
Your ref: 110 Taylor Street, Coen

10 July 2014

Remote Indigenous Land & Infrastructure Programme
C/- DATSIMA
PO Box 5461
CAIRNS QLD 4870

Dear Sir / Madam

ADOPTED INFRASTRUCTURE CHARGES NOTICE
DEVELOPMENT APPLICATION DA/3242
110 TAYLOR STREET, COEN

Proposal: Reconfiguration four (4) lots

Applicant: Remote Indigenous Land & Infrastructure
Programme
C/- DATSIMA
PO Box 5461
CAIRNS QLD 4870

Location of Site: 110 Taylor Street, COEN QLD 4871

Real Property Description: Lot 8 on Plan C019

Type of Development: Reconfiguration

Infrastructure Charges Calculation:

Development Class	Charge	Unit of Measure	No of Units	Amount of Charge
Reconfiguration	\$1,700.00 (Water)	Equivalent domestic connection	x 3	\$5,100.00
Reconfiguration	\$1,420.00 (Sewerage)	Equivalent domestic connection	x 3	\$4,260.00
Reconfiguration	\$900.00 (Public Open Space)	Equivalent number of Residential Units	x 3	\$2,700.00
Total Charges				\$12,060.00

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Credit Calculation:

Development Class	Charge	Unit of Measure	No of Units	Amount of Credit
Reconfiguration	\$1,700.00 (Water)	Equivalent domestic connection	x 2	\$3,400.00
Reconfiguration	\$1,420.00 (Sewerage)	Equivalent domestic connection	x 2	\$2,840.00
Reconfiguration	\$900.00 (Public Open Space)	Equivalent number of Residential Units	1	\$900.00
Total Credit				\$7,140.00

Net Adopted Infrastructure Charges Summary:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$12,060.00	\$7,140.00	\$4,920.00

(Note: The Total Infrastructure Charge = Total Charges – Total Credit for Existing Use)

Due Date for Payment:

Payment of the total infrastructure charge must be made at the time of lodgement of the Plan of Survey to Council for endorsement.

Payment Details:

Payment of the adopted infrastructure charge must be made to Cook Shire Council, either in person at 10 Furneaux Street, Cooktown or via mail at PO Box 3, Cooktown, Qld, 4895.

Goods and Services Tax:

The federal government has determined that rates and utility charges levied by a local government will be GST free. Accordingly, no GST is included in this infrastructure charge notice.

Adopted Infrastructure Charge is Subject to Price Variation:

The amount of the adopted infrastructure charge is subject to variations in the Consumer Price Index (C.P.I.). All groups from the reference date stated in this notice until the date the payment is made.

This notice will lapse if the development approval stops having effect.

RIGHTS OF APPEAL:

Pursuant to the provisions of Chapter 7 of *The Sustainable Planning Act 2009*, a person may appeal to the Planning & Environment Court against the decision of this Council.

Please refer to www.dip.qld.gov.au/spa to access the *Sustainable Planning Act 2009*. Please refer to sections 478, 535, 675 and 680 which detail your appeal rights regarding this notice.

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Should you require any further information or assistance please contact Council's Town
Planning Officer, Mr John Harrison on, (07) 4069 5444.

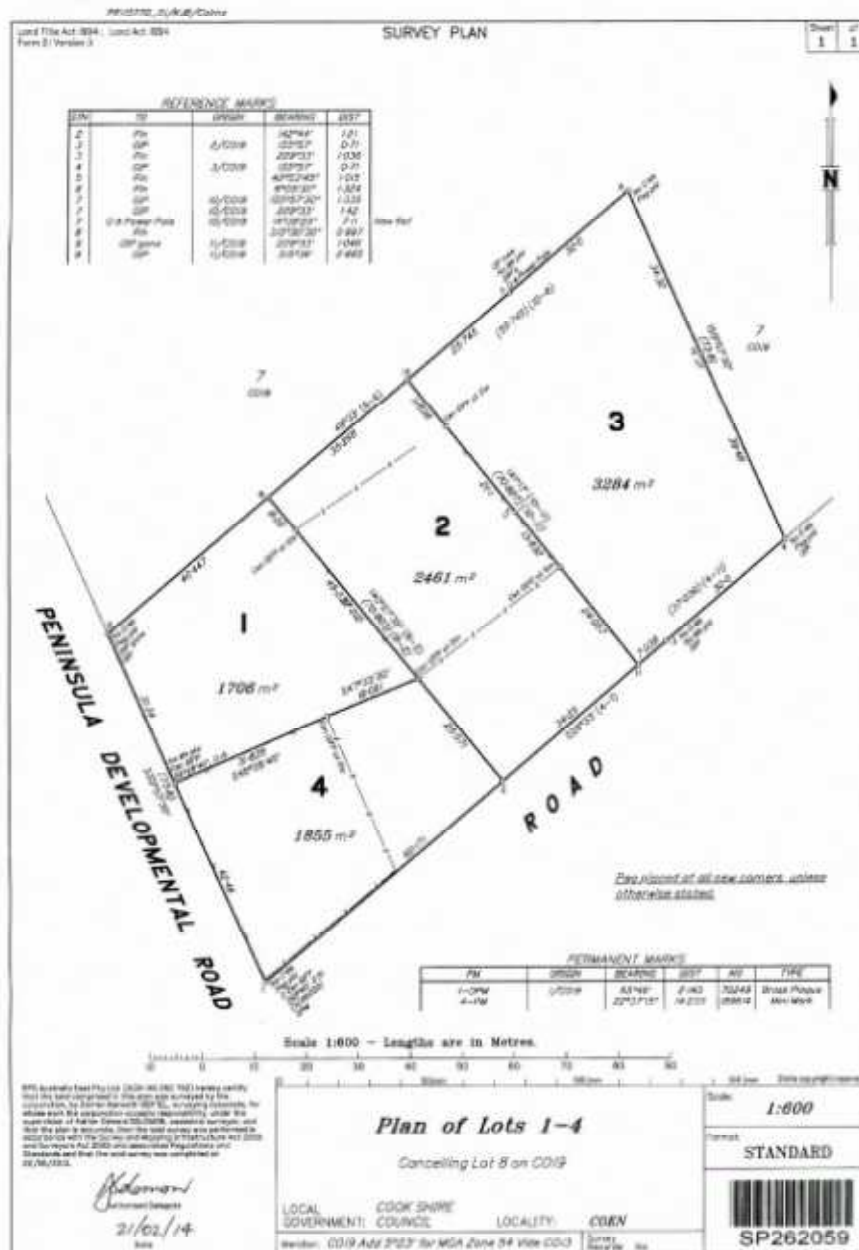
Yours faithfully

Stephen Wilton
Chief Executive Officer

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
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Appendix 'C'

Appendix 2: Proposed Lot Reconfiguration



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30779	APPLICATION FOR A DEVELOPMENT PERMIT DA/3254 – MATERIAL CHANGE OF USE FOR A CARAVAN PARK (RV PARK) ON LOT 133 ON PLAN BS 135, ENDEAVOUR VALLEY ROAD COOKTOWN	
	<i>Report No.AD14/3492 from Director Planning and Environment</i>	

Cr R Bowman moved; seconded Cr P Johnson

That the application under the IPA Planning Scheme by Farlaw No 10 Pty Ltd c/- Planz Town Planning for a Development Permit for making a Material Change of Use for Caravan Park (RV Camping only) on Lot 133 on Plan BS135, located at 1133 Endeavour Valley Road, be approved subject to the conditions set out in the recommendation contained in Report No. AD14/3492.

CARRIED

Précis

Applicant: Farlaw No 10 Pty Ltd
c/- Planz Town Planning

Owner: Farlaw No 10 Pty Ltd

Location: 1133 Endeavour Valley Road, Cooktown Qld 4895

RPD: Lot 133 on Plan BS 135

Area: 140.52 Hectares

Zone: Rural

Proposed Use: RV Park (Caravan Park)

Use Classification: Caravan Park

Referral Agencies: State Assessment & Referral Agency
(SARA)
Dept. State Development & Infrastructure & Planning
PO Box 2358
Cairns Qld 4895.

(Making a Material Change of Use of premises if any part
of the land –

(a) is within 25m of a State Controlled Road;
or

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(b) abuts a road that intersects with a State – controlled road within 100m of the land.

Submissions: Nil.

Report

Application has been made to Council under the current IPA Planning Scheme for the issue of a Development Permit for making a Material Change of Use for a Caravan Park (RV Camping Ground) on Lot 133 on Plan BS 135, located at 1133 Endeavour Valley Road via Cooktown. Council issued an Acknowledgement Notice on the 19th May 2014 and an Information Request on the 28th May 2014. The applicant responded to Council's Information Request on the 29th May 2014. The application is Impact Assessable Development under the Cook Shire Planning Scheme and required Public Notification.

Proposal

The application is for a Caravan Park (RV Camping) consisting of approximately sixty five (65) self-sufficient RV Camp Sites, to accommodate a total of approximately sixty five (65) self-sufficient Recreational Vehicles. The development is made up of five (5) separate camping areas consisting of the following:-

- Area A - 10 camp sites
- Area B - 15 camp sites
- Area C - 15 camp sites
- Area D - 20 camp sites
- Area E - 5 camp sites

Each of the five camping areas will have their own BBQ area and garbage bins. Total camping area is approximately eight (8) hectares .

The Caravan Park will be run in conjunction with the existing Lodge. The lodge will act as an administration centre for the camping area, with a front desk for check in and other management functions. The lodge also has ablution facilities available for use in emergencies. Access to the development will be via Endeavour Valley Road. The development will operate from May to October (inclusive).

The Site

The development site is Lot 133 on Plan BS 135, located at 1133 Endeavour Valley Road approximately 13 kilometres west of Cooktown. Lot 133 is truncated by Endeavour Valley Road, with the development to be located on the twenty (20) hectare southern section. The northern portion of Lot 133 is vacant while the southern portion is the site of Paradise Lodge which consists of the following:-

- Six twin share rooms with single and double beds;
- Guest Lounge with commercial kitchen;
- Expansive Queensland style wrap-around veranda;

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- In-ground pool with enormous thatched gazebo;
- Large boat/machinery shed with caretakers accommodation.

Lot 133 has an area of 140.52 hectares and is zoned Rural under the Cook Shire Planning Scheme. The development site has frontage to the State Controlled Endeavour Valley Road (see concurrency agency conditions).

Town Planning Considerations

The proposed Caravan Park (RV Camping Ground) is best defined under the Cook Shire Planning Scheme as:

“Caravan Park – means the use of premises for the parking and/or sitting of two or more mobile campervans, caravans, cabins, relocatable homes or tents for the purpose of providing accommodation. This use may include any manager’s office/residence, amenity buildings, recreational and entertainment facilities and shop which cater exclusively for the occupants of the caravan park.”

Lot 133 is zoned Rural under the Cook Shire Planning Scheme and under that zoning a Material Change of Use for Caravan Park (RV Camping) is Impact Assessable. Council must consider the provisions of the Planning Scheme as a whole including the strategic elements when assessing the application.

The purpose of the Rural Zone Code is to achieve the following overall outcomes for the Rural Zone:

- *The Rural Zone incorporates a range of agricultural, animal husbandry, forestry, aquaculture and supporting uses which strengthen the rural economy and service the rural community while preserving the amenity and character of rural land;*
- *Good Quality Agricultural Land is protected and is not alienated or fragmented;*
- *Rural zoned land identified as Future Urban Land provides for the long term expansion of the township and is protected from inappropriate subdivision or changes of use, which could jeopardise its functionality as Future Urban Land. Subdivision of Future Urban Land for urban purposes only occurs where there is a demonstrated community need;*
- *The rural economy and community is serviced by adequate infrastructure (particularly roads);*
- *Intensive rural activities are located away from sensitive land uses and do not have a detrimental impact on the amenity of adjoining land;*
- *Scenic landscape values and the rural character of the land is preserved for enjoyment of residents, visitors and tourists;*
- *New extractive industry operations utilise significant local resources and are appropriately located and designed to mitigate any significant environmental impacts; and*

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- *Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.*

The following Codes are identified under the Cook Shire Planning Scheme as being applicable to a Caravan Park (RV camping) in the Rural Zone:

- Rural Zone Code
- Caravan Park Code
- Parking and Access Code
- Works, Services & Infrastructure Code
- Natural Hazards Code

The proposed development for a Caravan Park (RV camping) complies with the relevant Performance Criteria applicable to this application.

Desired Environmental Outcomes (DEOs)

The DEOs set the broad strategic direction for land use and development in the Shire and describe the desired outcomes for the land subject to this Planning Scheme. They cover the following topics:

1. Economy
2. Environment
3. Settlement Patterns
4. Transport & Communications
5. Community
6. Rural Prosperity
7. Heritage
8. Safety

Each DEO is sought to be achieved to the extent practicable having regard to each of the other DEOs and the scope of the Planning Scheme. The numbering of the DEOs does not indicate a ranking of importance.

While each stated DEO is sought to be achieved to the extent practicable for this development application there is strong compliance with DEO 1, DEO 3, and DEO 6 of the Cook Shire Planning Scheme.

DEO 1: A Strong Economy

“Cook Shire has a prosperous and growing economy, delivering jobs and rising living standards for all. The economy is centred around rural and extractive industries and tourism based on the Shire’s natural and cultural assets. Opportunities to diversify within and beyond these sectors are grasped and the Shire becomes more self-reliant in retailing and services.”

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DEO 3: Efficient Settlement

“Human settlement is consolidated in the existing towns and townships where it can be most cost effectively serviced. Cooktown functions as the largest administrative and commercial centre of the Shire, with Coen playing a significant role in the northern Cape York area. The smaller townships of Marton, Lakeland, Laura, Portland Roads, Ayton and Rossville serve their respective localities. Land and infrastructure is provided at an appropriate scale within each of these settlements, to allow adequate housing, community services, recreational space and opportunities for business and industrial activities.

DEO 6: Rural Prosperity

“The Shire’s rural areas provide provide for a wide and diversifying range of agriculture, animal husbandry, forestry, extractive industries, aquaculture and tourism. Tourist accommodation is only encouraged where associated with one or more local, natural or cultural feature. Rural Industry is managed to protect the Shire’s environmental quality and biodiversity and good quality agricultural land is maintained for long-term rural production.”

Referral Agencies

The State Assessment & Referral Agency (SARA) being The Department of State Development, Infrastructure and Planning is a Concurrence Agency for the purpose of this application (see Concurrence Agency response dated 12th June 2014).

Public Notification

The applicant fulfilled the requirements under the *Sustainable Planning Act 2009* for completing public notification. As described in the Notice of Compliance dated 1st July 2014, the proposal was advertised in a paper circulated in the area (Cooktown Local News 5th June 2014), letters were sent to each adjoining land owner (3rd June 2014) and three (3) signs were placed and maintained on the relevant road frontages (4th June 2014). No submissions were received during the Public Notification Period.

Discussion

The proposed development is for a Caravan Park (RV camping only) which is a development that Cooktown has been crying out for, especially since Cooktown has become an RV friendly town. The development will provide a privately managed RV Park (self contained only) in a readily accessible area, that will reduce the current ad hoc side of the road camping. Consideration has been given by Council to the level of services that must be provided for this development given that the RVs must be self-contained. The following definition is applicable to this development:-

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“RV Camping – means self-drive tourists with their own self-contained vehicle, including toilet, water and cooking facilities.”

Council has given consideration to its Caravan Park Local Law No. 22 and will require the following services to be provided:

- Potable water supply
- Dump-ezy point
- Laundry facilities
- Toilet facilities (emergency use only including one disabled person toilet)
- Waste disposal facilities (garbage bins)

The development complies with the relevant Performance Criteria and Desired Environmental Outcomes of the Cook Shire Planning Scheme, and is recommended by Council Officers to Council for approval with conditions.

Recommendation

That the application under the IPA Planning Scheme by Farlaw No 10 Pty Ltd c/- Planz Town Planning for a Development Permit for making a Material Change of Use for Caravan Park (RV Camping only) on Lot 133 on Plan BS135, located at 1133 Endeavour Valley Road, 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 plan (see Appendix “B”) and documentation submitted with the application and in response to Council’s Information Request, except for variations required to comply with the conditions of this approval:

- Appendix 1 – Proposal Plan – Barradise RV Bush Camp – Site Plan

Scale of Use

2. The development is limited to a maximum of sixty five (65) RV Campsites catering for a total of sixty five (65) self contained recreational vehicles. For the purpose of this application RV Camping means – *“self-drive tourists with their own self – contained vehicles which contain toilet, water and cooking facilities.”*

Water Supply

3. The development must be provided with a potable water supply details to be provided to Council for approval prior to the use commencing.

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Toilet Facilities

4. Existing toilet facilities (as detailed in your information request response) can be used for the purpose of this application (as they will be for emergency use only), however one toilet must be for disabled persons use. (Toilet must comply with the requirements of the Building Code of Australia).

Laundry

5. The development must be provided with laundry facilities in accordance with Council's Camping and Caravan Park Local Law No.22.

Effluent Disposal

6. The development site must be provided with a dump-ezy point, prior to the use commencing. Plans and location to be provided to Council for approval prior to construction.

Refuse Collection

7. Each of the five (5) identified camping areas must be provided with an adequate number of refuse collection bins.

Access

8. Access to the development must be via the existing Endeavour Valley Road access.
9. Access must be to the requirements of the Department of State Development, Infrastructure and Planning (see Concurrence Agency response dated 12th June 2014).

Car parking and Internal Driveways

10. Visitor car parks and internal driveways must be located as shown on approved plan.
11. Visitor car parks and internal driveways must be all weather gravel sealed and maintained in a dust suppressed state at all times. Construction and maintenance must be to the satisfaction of Council's Director Engineering Services.

Building Works

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

Fire Management

13. The development must be provided with a separate water storage tank with a minimum capacity of 5,000 litres and fitted with fire brigade tank fittings, for fire fighting purposes prior to the use commencing.
14. The development site must be maintained in a state so as not to create a fire hazard.

Lighting

15. Sufficient lighting must be provided to ensure that ablution facilities can be safely accessed at night.

Permits

16. The developer must ensure that all necessary Local Law Permits are obtained prior to the use commencing.

Public Utilities

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

Environmental

18. No State Declared or environmental pest plants are to be introduced onto the property.

Compliance

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

Outstanding Charges

20. All rates, service charges, interest and other charges levied on the land must be paid prior to the use commencing.

Currency Period

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- 21.** The currency period for this application is four (4) years. Should the approved Caravan Park (RV Camping only) not be established within this time, the approval shall lapse.

B. Concurrence Agency (Department of State Development, Infrastructure & Planning) Response and Conditions (Appendix “A”)

Appendix “A”

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SDA-0514-010383



Department of
State Development,
Infrastructure and Planning

Our reference: SDA-0514-010383
Your reference: DA/3254

12 June 2014

Mr Stephen Wilton
Chief Executive Officer
PO Box 3
Cooktown Qld 4895
mail@cook.qld.gov.au

Dear Mr Wilton

Concurrence agency response—with conditions
1133 Endeavour Valley, Cooktown, QLD 4895 – Lot 133 on Plan BS135
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 20 May 2014.

Applicant details

Applicant name:	Farlaw No 10 Pty Ltd
Applicant contact details:	C/- Planz Town Planning 17 Atherton Street Whitfield Qld 4870 plan@planztp.com

Site details

Street address:	1133 Endeavour Valley Cooktown, QLD 4895
Real property description:	Lot 133 on Plan BS135
Local government area:	Cook Shire Council

Application details

Proposed development:	Development Permit for Material Change of Use for Caravan Park (RV Camping)
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Referral triggers

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SDA-0514-010383

The development application was referred to the department under the following provisions of the Sustainable Planning Regulation 2009:
Referral trigger Schedule 7, Table 3, Item 1—State-controlled road

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the department requires that the conditions, set out in Attachment 1, attach to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department is required to set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 attach to any development approval.

Drawing or document	Reference no.	Version	Date
Proposal Plan – Site Plan	Appendix 1 - Town Planning Report to Council, prepared by Planz Town Planning Pty Ltd		29 April 2014
Proposal Plan – Context of Site Plan	Appendix 1 - Town Planning Report to Council, prepared by Planz Town Planning Pty Ltd		29 April 2014

A copy of this response has been sent to the applicant for their information.

If you require any further information, please contact Tony Croke, Principal Planning Officer, on 403 73214, or via email tony.croke@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely



Angela Foster
Manager (Planning)

cc: Farlaw No 10 Pty Ltd, plan@planztp.com

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enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice

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SDA-0514-010383

Our reference: SDA-0514-010383

Your reference: DA3254

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material Change of Use for Caravan Park (RV Camping)		
Schedule 7, Table 3, Item 1—State-controlled road — Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the <i>Sustainable Planning Act 2009</i> nominates the Director-General of Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	Development must be carried out generally in accordance with the following plans contained in Town Planning Report to Council, prepared by Planz Town Planning Pty Ltd, dated 29 April 2014 and report, except as modified by these concurrence agency conditions: # Appendix 1: Proposal Plans – Site Plan and Context of Site Plan, received 20 May 2014.	Prior to the commencement of use and to be maintained at all times
2.	Vehicles must enter and exit the subject site at the permitted road access location in a forward direction.	At all times.
3.	The permitted road access location for the development is between Lot 133 on BS135 and Endeavour Valley Road via the existing access location, generally in accordance with Appendix 1: Proposal Plans – Site Plan and Context of Site Plan, received 20 May 2014	Prior to the commencement of use and to be maintained at all times
4.	The applicant must provide vehicular access comprising of a sealed rural access and a minimum 10 metre sealed driveway from the road edge of the state-controlled road at the permitted road access location. The vehicular access must be designed and constructed in general accordance with the Department of Transport and Main Roads Road Planning and Design Manual – including the Interim Guide to Road Planning and Design Practice Rural Property Access.	Prior to the commencement of use and to be maintained at all times.
5.	The development must maintain a minimum setback of 75 metres from the boundary of the state-controlled road as indicated by Appendix 1: Proposal Plans – Site Plan.	To be maintained at all times.

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SDA-0514-010383

Our reference: SDA-0514-010383

Your reference: DA3254

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- # To ensure the outcomes of the State Development Assessment Provisions (SDAP) are achieved, regarding safety and efficiency of the Captain Cook Highway, a state-controlled road, particularly for:
 - Module 1 – Community amenity,
 - Module 18 – State transport infrastructure protection and
 - Module 19 – State transport network functionality
- # To ensure that purposes of *Transport Infrastructure Act 1994* are achieved for safety and efficiency.
- # To ensure the development is carried out generally in accordance with the submitted plans and development application.
- # To ensure that vehicle impacts from the development on the state-controlled road are controlled and minimised and that safety and efficiency is maintained.
- # To ensure vehicular access is safe and vehicle movements at the permitted access do not compromise the safety, efficiency and management of the state-controlled road.
- # Vehicle movements associated with the development will have an impact on Endeavour Valley Road

Findings on material questions of fact

- # The proposed development is seeking development approval for a Caravan Park (RV Camping).
- # The subject site has road frontage and direct road access to Endeavour Valley Road, a state-controlled road.
- # The proposal will provide a maximum of 65 RV campsites to be divided into 5 separate areas.
- # The intensity and scale of the development is considered moderate with minimal impacts to the state-controlled road.
- # The development is proposed to be set back 75 metres from the state-controlled road.
- # Vehicular access to the development will be gained via the existing road access.
- # The existing vehicular access is not sealed and does not include a grid.
- # The existing road access is considered inadequate for the purposes of accommodating proposed caravans and RV vehicles. The access will be required to be improved and sealed.
- # The existing access will be required to be upgraded to Department of Transport and Main Roads (TMR) design and relevant standards.
- # The development has the capacity to generate a minimal increase in traffic volumes
- # The proposal is defined as an accommodation activity and a sensitive development in Module 1 – Community amenity of the SDAP.

Evidence or other material on which the findings were based

- # Development application material including documentation and plans submitted with the application.
- # State Development Assessment Provisions version 1.2 (SDAP v1.2), particularly:
 - Module 1 – Community amenity,
 - Module 18 – State transport infrastructure protection and
 - Module 19 – State transport network functionality

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- # *Sustainable Planning Act 2009*
- # *Sustainable Planning Regulation 2009*
- # *Transport Infrastructure Act 1994*
- # SARA mapping online system

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Our reference: SDA-0514-010383
Your reference: DA3254

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Attachment 3—Further advice

General advice	
Ref.	Advertising device
1.	Under section 43 of the Transport Infrastructure Act 1994, a local government must obtain DTMR approval if it intends to approve the erection, alteration or operation of an advertising sign or other advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.
Ref.	Road access
2.	Direct access is not permitted between Endeavour Valley Road, a state-controlled road and the subject site at any location other than the permitted road access location.
Ref.	State Planning Policy 2013 – interim development assessment provisions
3.	Cook Shire Council, in its role as Assessment Manager, must assess the part of the application against the State Planning Policy December 2013, in particular the interim development assessment provisions such as natural hazards and matters of state environmental significance, and to the extent it is relevant to the proposed development.
Further development permits, compliance permits or compliance certificates	
Ref.	Road access works
4.	In accordance with section 33 of the Transport Infrastructure Act 1994 (TIA), an applicant must obtain Department of Transport and Main Roads (DTMR) approval to carry out road works, including road access works on a state-controlled road. Please contact DTMR on 4045 7144 to make an application for approval under section 33 of the TIA to carry out road works. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).
Ref.	Ancillary works and encroachments
5.	In accordance with section 50(2) and Schedule 6 of the Transport Infrastructure Act 1994 (TIA) and Part 5 and Schedule 1 of the Transport Infrastructure (State-Controlled Roads) Regulation 2006, an applicant must obtain TMR approval to carry out ancillary works and encroachments on a state-controlled road. Please contact DTMR on 4045 7144 to make an application for a Road Corridor Permit under section 50(2) of the TIA to carry out ancillary works and encroachments. Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters/ structures, vegetation clearing, landscaping and planting.

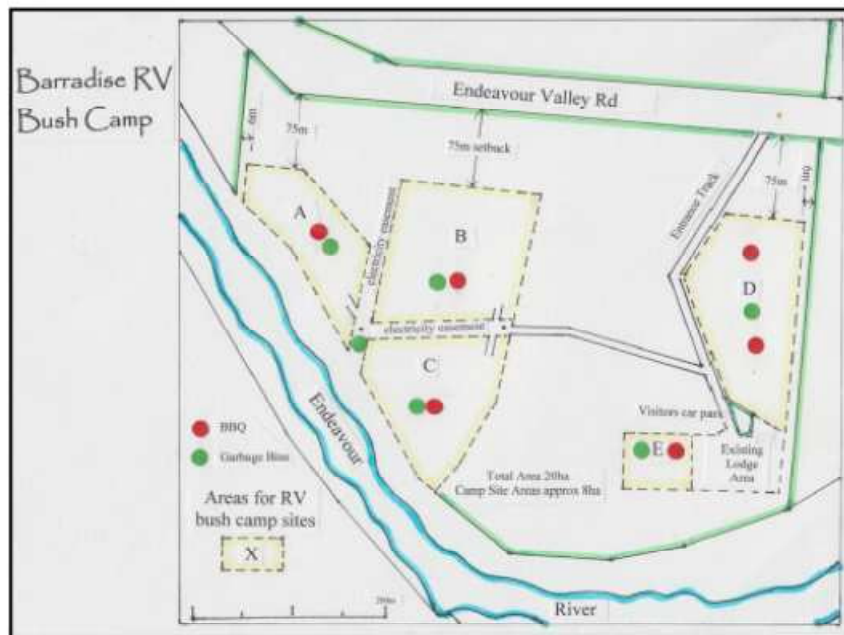
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Appendix “B”

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
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MCU: CARAVAN PARK (RV CAMPING)
1133 ENDEAVOUR VALLEY ROAD, COOKTOWN LOT 133 BS135

APPENDIX 1: PROPOSAL PLANS



Site Plan



Context of site plan

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
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30780	APPLICATION FOR A DEVELOPMENT PERMIT - DA/3255 - FOR RECONFIGURING OF LOTS 3, 12 & 13 ON Plan SP262071 LOCATED AT PENINSULA DEVELOPMENTAL ROAD VIA LAKELAND INTO SEVEN (7) LOTS	
	<i>Report No.D14/7168 from Town Planning Officer</i>	

Cr A Wilson moved; seconded Cr P Johnson

That the application by NB2 Farming c/- RPS Australia East Pty Ltd for the Reconfiguration of Lots 3, 12 & 13 on SP262071 into seven (7) lots be approved, subject to the Conditions set out in the recommendation contained in Report No. D14/7168.

CARRIED

Applicant: NB2 Farming
c/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS Qld 4870

Owner: NB2 Farming

Location: Peninsula Development Road, Lakeland Qld 4871.

RPD: Lots 3, 12 & 13 on SP262071

Area: 4,404.86 Hectares

Zone: Rural

Proposed Use: Development Permit for Reconfiguring a Lot (3 into 7 lots)

Referral Agencies: State Assessment & Referral Agency
(Department of Transport & Main Roads)

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Proposal

The application (submitted under the current IPA Planning Scheme) is for a Development Permit for Reconfiguring a Lot (3 into 7 Lots) to create four (4) additional rural allotments. In May 2013 Council approved a subdivision to create a number of lots of approximately 100ha in size, fronting the Peninsula Development Road (including Lots 12 & 13), leaving a large balance lot (Lot 3) – Refer to Figure 1.

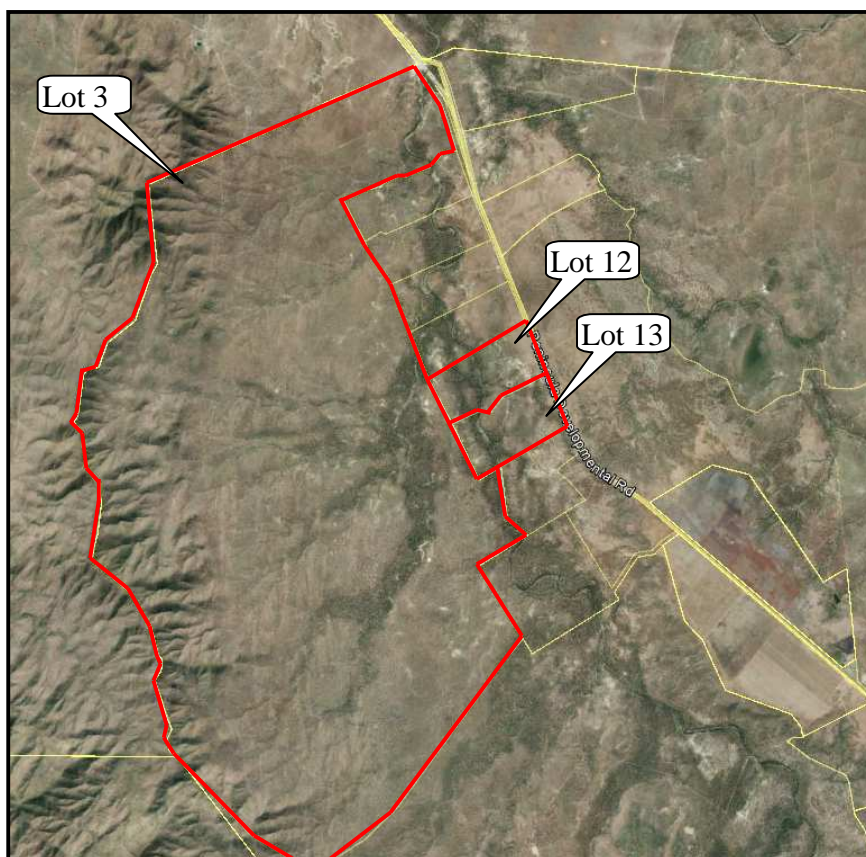


Figure 1: Existing Lots

The current proposal involves further subdivision of two of the lots fronting the Peninsula Development Road into 6 lots of approximately 25ha. The area west of a waterway which bisects the two existing lots will be amalgamated with the large balance lot (Lot 3) – Refer to Figure 2.

The proposed allotments are summarised below:

Proposed Lot	Area (ha)	Road Frontage (m)
3	4,250.92	n/a
20	25.25	295.37
21	25.25	284.71
22	25.25	253.97
23	25.8	282.02
24	26.25	241.19

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25	26.14	238.81
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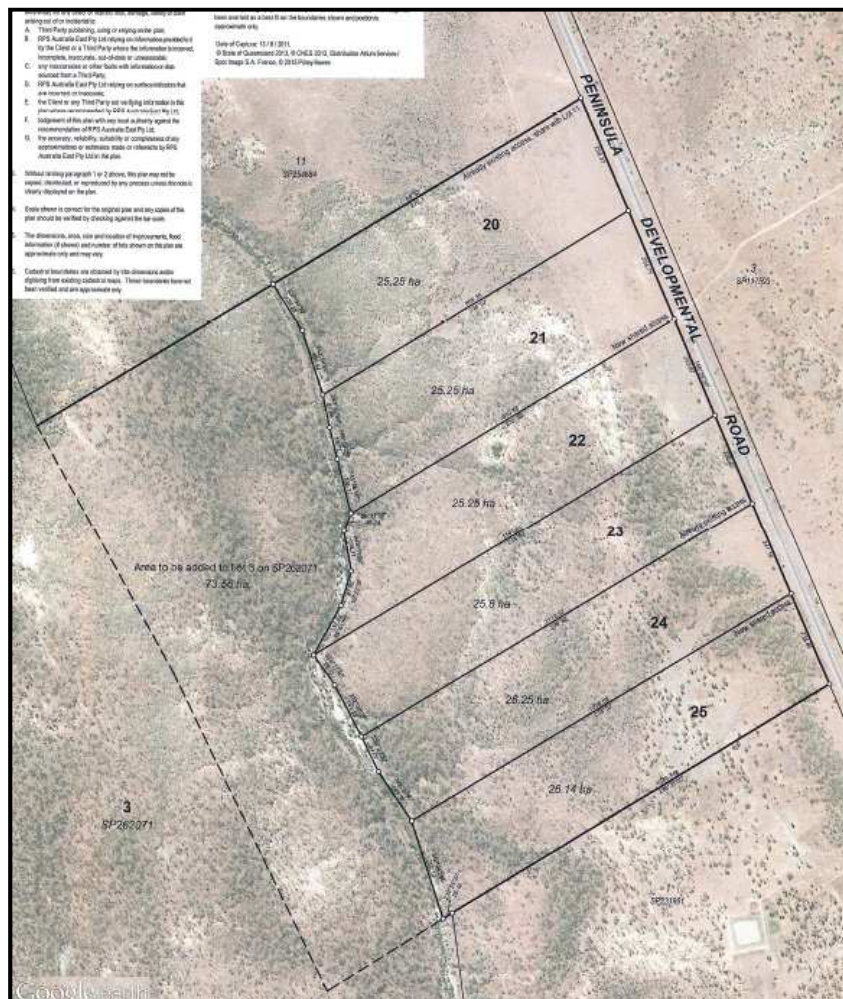


Figure 2: Proposed Lots

The Site

The subject site is approximately 4,400 hectares in size, although Lot 3 makes up the majority of this at 4,177ha. The land is approximately 20km north-west of Lakeland and 70kms south west of Cooktown. The site is (for the most part) vegetated and undulating, with a waterway passing through each of the 3 lots at some point. Lot 12 has an existing access point to the Peninsula Development Road which is shared with Lot 11 to the north (not part of this application). Lot 13 and Lot 3 have their own access points to the same road.

Background

The application was lodged on about the 7th of May 2014 and Council issued an acknowledgement notice dated 20 May 2014. On 28 May Council wrote to the applicant confirming that it did not intend on issuing an information request. DTMR (via SARA) responded to the applicant via letter dated 27 June, approving the application subject to conditions.

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Town Planning Considerations

1. Statutory

The subject lot is zoned Rural Zone under Cook Shire Council's IPA Planning Scheme. The Reconfiguring a Lot Application is Code Assessable, which means it must comply with the relevant planning scheme codes including (in this case):

- Rural Code;
- Reconfiguring A Lot Code
- Works Services & Infrastructure Code; and
- Natural Hazards Code

2. Codes

(i) Rural Code

The overall outcomes of the Rural Code are:

- *The Rural Zone incorporates a range of agricultural, animal husbandry, forestry, aquaculture and supporting uses which strengthen the rural economy and service the rural community while preserving the amenity and character of rural land;*
- *Good Quality Agricultural Land is protected and is not alienated or fragmented;*
- *Rural zoned land identified as Future Urban Land provides for the long-term expansion of the township and is protected from inappropriate subdivision or changes of use, which could jeopardise its functionality as Future Urban Land. Subdivision of Future Urban Land for urban purposes only occurs where there is a demonstrated community need;*
- *The rural economy and community is serviced by adequate infrastructure (particularly roads);*
- *Intensive rural activities are located away from sensitive land uses and do not have a detrimental impact on the amenity of adjoining land;*
- *Scenic landscape values and the rural character of the land is preserved for enjoyment of residents, visitors and tourists;*
- *New extractive industry operations utilise significant local resources and are appropriately located and designed to mitigate any significant environmental impacts; and*
- *Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.*

Response

The proposal is considered to demonstrate compliance with these overall outcomes (to the extent they are applicable) as follows:

- The site does not represent GQAL (as discussed later in this report).
- The site is serviced by adequate road infrastructure
- Intensive rural activities are not proposed
- Scenic landscape and rural character will be preserved
- The proposal does not propose new extractive industries or prejudice existing industries.

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An assessment of the proposal against the Performance Criteria of the Rural Zone Code is provided below:

Performance Criteria	Proposal Compliance
Land Use	
PC 1 Land use is primarily rural in nature. A range of non-rural uses are also located in this zone where they are complementary to the primary rural use (eg Roadside Stall) or where they have a direct and necessary connection to the wider rural community (eg. Veterinary Facility).	The proposal involves creating additional allotments that are below the minimum lot size specified for the Rural Zone, but are considered appropriate in the circumstances. A discussion regarding minimum lot size is included later in this report.
PC 2 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are recognised.	The land is not identified within or close to that identified in an ILUA
Scale and Density	
PC 3 Buildings are of a scale and design that is appropriate for a rural area.	No buildings are proposed as part of this application
Amenity and Setbacks	
PC 4 Buildings and structures are setback from road frontages and adjoining sensitive uses and landscaping and other measures (eg earth mounds and solid fences) are provided within this setback to: <ul style="list-style-type: none"> • Complement the character of the area; • Minimise adverse impacts on roads and adjoining properties; and • Minimise the impact of dust on residents of the rural lot. 	No buildings are proposed however the lots are of a sufficient size to incorporate the necessary road setbacks.
Design	
PC 5 Advertising Devices: <ul style="list-style-type: none"> • Consist of a single flat panel mounted on posts; and • Are well maintained; and • Do not create visual clutter; and • Are designed so as not to impact on the amenity of the locality; and • Are designed so as not to detract from the character and amenity of the locality or to create a traffic hazard. 	No advertising devices are proposed as part of this application

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Performance Criteria	Proposal Compliance
Protection of Extractive Resources	
PC 6 Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.	The application does not prejudice any existing extractive industry operations or potential extraction of known resource bodies.
Erosion Prone Land	
PC 7 In an Erosion Prone Area, there are no adverse impacts on habitat, soil cover or water quality and no significant threats to public safety, infrastructure integrity or the economic value of the Erosion Prone Area.	The site is not in an erosion prone area and the subdivision itself will not create significant new opportunities for erosion.
Watercourse Protection	
PC 8 Where land uses or works occur adjacent to wetlands and/or watercourses identified on the Watercourses and Wetlands maps, there are no significant adverse effects on: <ul style="list-style-type: none"> ▶ Water quality; ▶ Ecological and biodiversity values; or ▶ Landscape quality. 	No wetlands are identified in proximity of the site. A watercourse currently bisects the 3 lots, however as part of the reconfiguration it is proposed use the waterway as a western boundary to the proposed allotments, separating them from the proposed balance land (Lot 3). In any case, the lots are of a size that the proposed subdivision is unlikely to impact on the watercourse.
Acid Sulfate Soils	
PC 9 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulfate soil by: <ul style="list-style-type: none"> ▶ Avoiding disturbance of such areas; or ▶ Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels, and ▶ Treating and managing surface and groundwater flows from areas of acid sulfate soils to minimise environmental harm. 	The proposal does not affect any land at or below 5m AHD so will not have any effect on Acid Sulfate Soils.
Pest Management	
PC 10 Movement of State Declared or environmental pest plants and pest animals is prevented by: <ul style="list-style-type: none"> ▶ Not introducing any new declared or environmental pest plants or animals on to the property; and ▶ Not allowing seed or plant parts of declared or environmental pest plants to leave the property. 	The applicant will be conditioned (as part of this application or a later application for building or operational work) so not to introduce any state declared or environmental pest plants or animals.

(ii) Reconfiguring a Lot Code

The overall outcomes of the Reconfiguring a Lot code seek to achieve the following:

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- New lots are to be suitable for their intended use and appropriately designed and sited given the local landscape and topography;
- The layout represents an efficient use of the land;
- Suitable areas of public open space are provided;
- There is no impact on the Shire's water resources;
- GQAL is not compromised ; and
- The road design provides for the convenient and safe movement of people and vehicles.

The following performance criteria are relevant to the assessment of the application:

PC1- Land configuration – The proposal does not comply with the minimum lot size of 100 hectares specified as an Acceptable Solution for land in the Rural Zone. The relevant Performance Criteria seeks:

“PC 1 lots have adequate area and appropriate dimensions for their intended use and good quality agricultural land is not lost to production through its fragmentation into economically viable units, unless over-riding public benefit can be demonstrated.”

Council's position with respect to lots below the minimum lot size in the Rural Zone has, on face value, been somewhat flexible depending on the particular circumstances and subject to demonstrating compliance with the rural zone code provisions and PC1 above. Whilst it has not rigorously enforced the minimum 100 hectare as a defined limit, every application is assessed on its merits using guiding 'first principles' criteria which are reinforced through the strategic elements of the scheme and overall outcomes of the Rural Zone Code. Decisions to approve lots under 100 hectares have only occurred when one or more of the following criteria have been met:

- Where it could be demonstrated there was no potential for impacts on existing rural industries (including reverse amenity impacts as a result of introducing a resident population);
- Where it was consistent with the surrounding subdivision pattern (which was often established under superseded planning instruments);
- Where the land was not identified as GQAL and was determined to be unsuitable as a viable agricultural unit;
- Where land was unconstrained by natural or man-made hazards; and
- Where subdivision was not located on the edge of existing settlements such that it constituted a departure from established and planned growth patterns.

The preparation of the new planning scheme is also a consideration in deciding this application. While drafting of the plan is well advanced, it has not yet proceeded past the first State Interest Check so should not influence decision making on current applications. Nevertheless, a number of studies have been completed to help inform the new planning scheme and are useful reference documents for assessment purposes. One such study was a Review of Rural Land Use Constraints & Opportunities, prepared by Land Resource Assessment and Management (LRAM). This report identified the best GQAL in the shire, having regard to a number of criteria including lot size, tenure, soil quality, etc. While some land surrounding Lakeland was identified as important to protect from uses which may impact on the long term agricultural viability (such as residential subdivision), the land subject to this application was not included.

In addition:

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- There is a demand for smaller rural lots in this locality, particularly with attractive attributes such as frontage to a watercourse.
- The land is separated from significant rural industries further to the south east;
- The proposal provides opportunities for attractive large residential house sites within easy driving distance of services at Lakeland and not unreasonably distant from Cooktown.

On this basis the departure from the acceptable solution of 100 hectares is supported.

PC2/7- Subdivision Design – Practical access is available to the external road system and has been approved by DTMR (via SARA). The proposed lots access a State controlled road so will not result in further maintenance costs for Council.

PC8- Public Open Space –No dedication is required as part of this application. A monetary contribution will be required in accordance with Council's policy.

PC12- Protection of Extractive Resources – The proposal does not include extractive industry, nor are there any existing extractive industry operations or known resource bodies in the immediate area.

(iii) Works, Services and Infrastructure Code

This code seeks to ensure infrastructure is designed and constructed to a suitable standard and that works, services and infrastructure do not cause environmental degradation or increase the risk of natural hazards.

Specific performance criteria within this code of relevance to this application include:

- PC1 requires a rain water tank with a minimum capacity of 50000 litres to be installed for each residential dwelling unit, as the land is outside the Council's reticulated water area. In this case the site is not within the reticulated water area so tanks can be provided at a later building application stage.
- PC3 deals with sewerage disposal, however services can be provided at a later building application stage.
- PC6 requires that land is provided with a suitable electricity supply. It is understood that the site can be connected to the electricity network.
- PC8 deals with upgrading the road frontage and access. The site fronts the Mulligan Highway which is a State controlled road. Site access will be required in accordance with the FNQROC manual.

(iv) Natural Hazards Code

The overall outcomes for the Natural Hazards Code seeks to ensure that development is compatible with natural hazards in affected areas of the shire, with impacts on existing developed areas to be minimised and ensuring that development does not materially increase the extent or the severity of natural hazards. In this case Bushfire is the primary threat to the site and firebreaks should be provided to new dwellings. Given the separation from fire services at Lakeland, a second dedicated water tank with 5000 litre capacity will be required for fire fighting purposes.

3. Referral Agencies

The Department of Transport & Main Roads (via SARA) was a referral agency for the application as it fronted a State Controlled Road (the Peninsula Development Road). A response was received

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via letter dated 27 June 2014, approving the application subject to conditions. The conditions required that:

- Vehicular access to the proposed lots is limited to the following locations:
 - Proposed Lot 20 via the existing shared access location with adjoining Lot 11 on SP254684.
 - Proposed Lots 21 & 22 via a new shared access location at the dividing boundary of these lots.
 - Proposed Lot 23 via the existing single access located at the southern boundary of this lot.
 - Proposed Lots 24 & 25 via a new shared access location at the dividing boundary of these lots.
 - Via the existing single access for proposed Lot 3.
- Future structures on the proposed allotments are required to maintain a minimum 40m setback from the Peninsula Development Road
- The new vehicle access points required must be designed and constructed in accordance with the department standards.
- Vehicles must enter and exit the site in a forward gear

4. Public Notification

Public notification was not required for this application as it is code assessable and no informal objections were received by Council.

5. Recommendation

That the application by NB2 Farming c/- RPS Australia East Pty Ltd for the Reconfiguration of Lots 3, 12 & 13 on SP262071 into seven (7) lots be approved, subject to the following Conditions:

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A. Assessment Manger (Council) Conditions

Approved Plan

- 1) The development must be carried out generally in accordance with plan 62937-4, dated 1st May 2014, prepared by RPS Australia East Pty Ltd, except for any variation required to comply with these Conditions of approval.

Access

- 2) Access to all lots must be in accordance with the approval from DTMR and must be constructed prior to the endorsement of the plan of survey. Access is to be bitumen sealed and constructed to the requirements of the FNQROC Manual, or another standard as specified by DTMR.

Effluent Disposal

- 3) Any application for wastewater treatment and disposal must include details of the proposed wastewater disposal systems and calculation demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS1547:2000 – ‘On-site domestic wastewater management’.

Water Supply

- 4) A separate source of water supply must be provided to each of the proposed allotments at the time of construction of a dwelling house. This would be satisfied by the provision of rainwater tanks with a minimum capacity of 50,000 litres of each lot. 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 for on-site water storage.

Fire Management

- 5) All lots must be maintained by the owners at all times so as not to create a fire hazard.
- 6) Each proposed lot must be provided with a separate water storage tank with a minimum storage capacity of 5000 litres and fitted with fire brigade tank fittings, for fire fighting purposes at the time of house construction

Electricity Supply

- 7) Each proposed lot must be provided with a reliable electricity supply at the time of construction of a house. Written evidence of such electricity supply must be provided at the time of lodgment of a building application for a house.

Public Utilities

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

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Compliance

- 10) All conditions of this development permit are to be complied with prior to the Plan of Survey being submitted to Council for endorsement.

Outstanding Charges

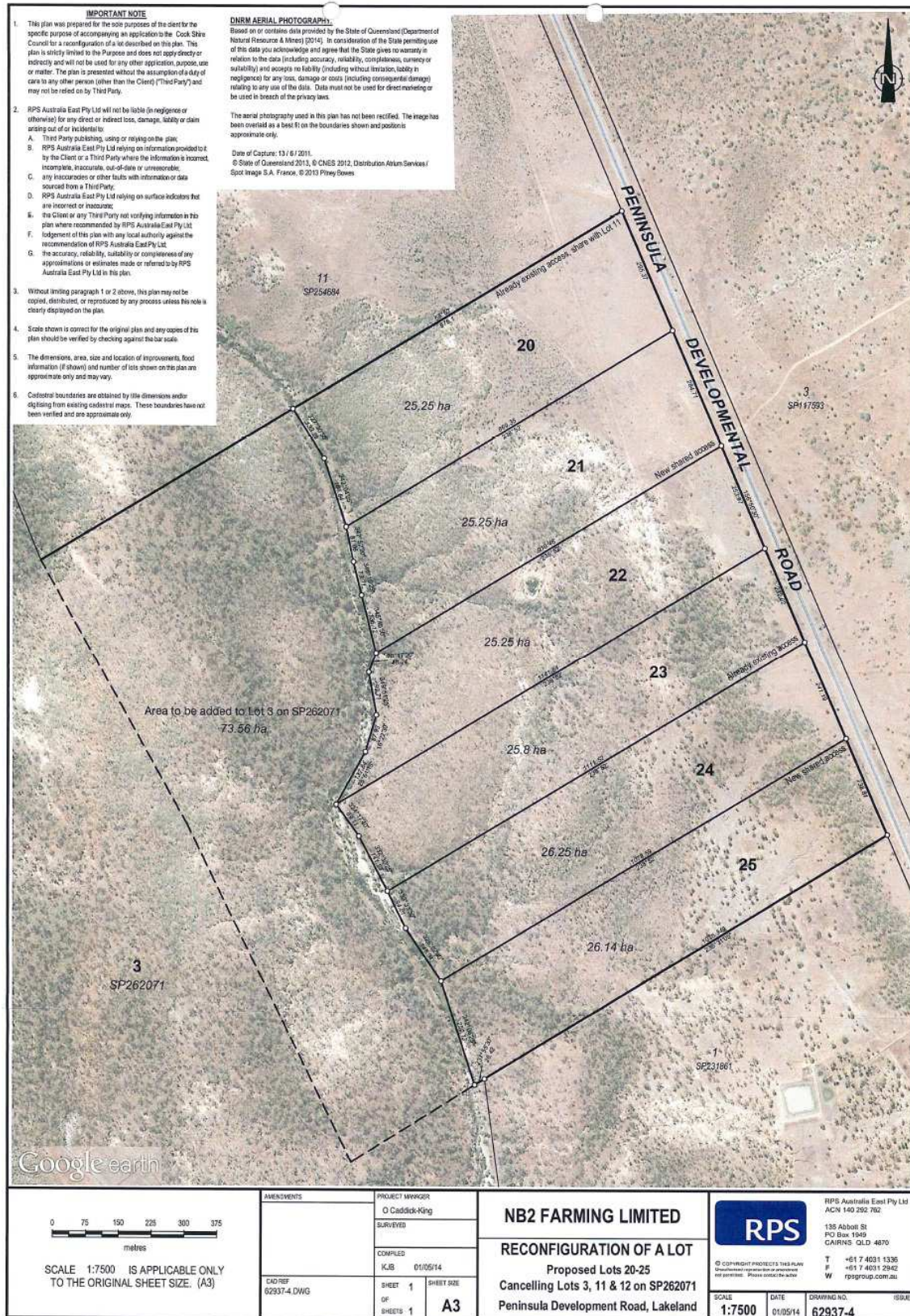
- 11) All rates, service charge, interest and other charges levied on the land are to be paid prior to council endorsement of the Plan of Survey.

Signing and Sealing

- 12) The reconfiguration of a lot approved authorized 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.

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Appendix A: Approved Plan



Appendix B: SARA Response

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SDA-0514-010516



Department of
**State Development,
Infrastructure and Planning**

Our reference: SDA-0514-010516
Your reference: LM:DA/3255:AD2014/0002290

27 June 2014

Chief Executive Officer
Cook Shire Council
PO Box 3
Cooktown QLD 4895

Dear Mr Wilton,

Concurrence agency response—with conditions
Reconfiguring a Lot (3 Lots into 7 Lots) –
Peninsula Development Road, Lakeland (Lots 3, 12 & 13 on SP262071)
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 22 May 2014.

Applicant details

Applicant name: NB2 Farming Ltd
Applicant contact details: C/- RPS Australia East Pty Ltd
PO Box 1949
Cairns Qld 4870

Site details

Street address: Peninsula Development Road, Lakeland
Real property description: Lots 3, 12 & 13 on SP262071
Local government area: Cook Shire Council

Port Authority Building
Cnr Grafton and Hartley Streets, Cairns
PO Box 2358, Cairns
Queensland 4870 Australia

Telephone +61 7 4048 1111
Website www.dsdp.qld.gov.au
Email: CairnsSARA@dsdp.qld.gov.au
ABN 29 230 178 530

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SDA-0514-010518

Application details

Proposed development: Development Permit for Reconfiguring a Lot
(3 Lots into 7 Lots)

Referral triggers

The development application was referred to the department under the following provisions of the Sustainable Planning Regulation 2009:

Referral trigger Schedule 7, Table 2, Item 2 – State-controlled road

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the department requires that the conditions set out in Attachment 1 attach to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department is required to set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 attach to any development approval.

Drawing or document	Reference no.	Version	Date
Reconfiguration of a Lot	62937- 4	No Version	01.05.14

A copy of this response has been sent to the applicant for their information.

If you require any further information, please contact Charlton Best, Senior Planning Officer, on 07 4037 3229 or via email at CairnsSARA@dsdip.qld.gov.au, who will be pleased to assist.

Yours sincerely



Angela Foster
Manager (Planning)

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SDA-0514-010516

cc: NB2 Farming Ltd, C/- RPS Australia East Pty Ltd, owen.caddick-king@rpsgroup.com.au
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved Plans and Specifications

Port Authority Building
Cnr Gratton and Hartley Streets, Cairns
PO Box 2358, Cairns
Queensland 4870 Australia

Telephone +61 7 4048 1111
Website www.dsdp.qld.gov.au
Email: CairnsSARA@dsdp.qld.gov.au
ABN 29 230 178 530

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**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
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SDA-0514-010516

Our reference: SDA-0514-010516
Your reference: LM:DA/3255:AD2014/0002290

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit – Reconfiguring a Lot (3 lots into 7 lots)		
1.	<p>Development must be carried out generally in accordance with the following plan and report, except as modified by these concurrence agency conditions:</p> <ul style="list-style-type: none"> RPS 'Reconfiguration of a Lot Proposed Lots 20 – 25, Cancelling Lots 3, 11 & 12 on SP262071', Drawing No 62937-4, dated 01/05/2014. Town Planning Letter to Council, Ref: L73512, prepared by RPS, dated 5 May 2014. 	Prior to submitting the Plan of Survey to the local government for approval.
<p>State-controlled road - Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i>, the chief executive administering the <i>Sustainable Planning Act 2009</i> nominates the Director-General of Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):</p>		
2.	<p>The permitted road access locations for the development are between the Peninsula Development Road and the created lots as follows:</p> <ul style="list-style-type: none"> Proposed Lot 20 via the existing shared access location with adjoining Lot 11 on SP254684. Proposed Lots 21 & 22 via a new shared access location at the dividing boundary of these lots. Proposed Lot 23 via the existing single access located at the southern boundary of this lot. Proposed Lots 24 & 25 via a new shared access location at the dividing boundary of these lots. Via the existing single access for proposed Lot 3. 	Prior to submitting the Plan of Survey to the local government for approval.
3.	Direct access is not permitted between the Peninsula Development Road, a state-controlled road and the subject site at any location other than the permitted road access locations.	Prior to submitting the Plan of Survey to the local government for approval.
4.	A minimum building alignment setback of 40 metres from the boundary of the state controlled road shall apply to any future structure(s) intend to be located on the proposed allotments.	To be maintained at all times.
5.	The applicant must provide two (2) shared vehicular accesses comprising of a rural access – driveway to the development (Lots 21 & 22 and Lots 24 & 25) at the permitted road access locations. The vehicular accesses must be designed and constructed in general accordance with the Department of Transport and Main Roads' Road Planning and Design Manual including the Interim Guide to Road Planning and Design Practice Rural Property Access.	Prior to submitting the Plan of Survey to the local government for approval.
6.	Vehicles must enter and exit the subject site at the permitted road access locations in a forward direction.	At all times.

Port Authority Building
Cnr Grafton and Hartley Streets, Cairns
PO Box 2358, Cairns
Queensland 4870 Australia

Telephone +61 7 4048 1111
Website www.dsdp.qld.gov.au
Email: CairnsSARA@dsdp.qld.gov.au
ABN 29 230 178 530

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SDA-0514-010518

Our reference: SDA-0514-010518
Your reference: LM:DA/3255:AD2014/0002290

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development achieves the performance outcomes within the State Development Assessment Provisions – Module 1, Module 18 and Module 19.
- To ensure the development is carried out generally in accordance with the submitted plan and development application.
- To ensure that any impacts from the development on the state-controlled road are controlled and minimised and that safety and efficiency is maintained.

Findings on material questions of fact

- The development application was properly referred to the Department of State Development, Infrastructure and Planning on 22 May 2014. The subject site has road frontage and direct access to the Peninsula Development Road, a state-controlled road.
- The scale and intensity of the development is considered low.
- The development is increasing the number of shared access locations to the state-controlled road by two (2).
- Sight visibility along this section of the Peninsula Development Road is relatively good.
- The reconfiguration proposal will not generate a significant increase in traffic volumes.
- The development proposal is considered to meet or proposes acceptable outcomes or actions that meet with the performance outcomes specified in the statutory planning instrument, the State Development Assessment Provisions.

Evidence or other material on which the findings were based

- The development application material including documents, plans, and drawings submitted with the application.
- Technical advices on 10 June 2014 and 24 June 2014 by Department of Transport and Main Roads (TMR).
- TMR historical planning material and documentation.
- State Development Assessment Provisions (SDAP), particularly:
 - Module 1 – Community amenity,
 - Module 18 – State transport infrastructure protection; and
 - Module 19 – State transport network functionality.
- SARA mapping online system
- SPP interactive mapping system (DA Mapping)
- *Transport Infrastructure Act 1994*
- *Sustainable Planning Act 2009*
- *Sustainable Planning Regulation 2009*

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Our reference: SDA-0514-010516
Your reference: LM:DA/3255:AD2014/0002290

Attachment 3—Further advice

General advice	
1.	<p>Road Access Works</p> <p>In accordance with section 33 of the Transport Infrastructure Act 1994 (TIA), an applicant must obtain approval from the Department of Transport and Main Roads to carry out road works, including road access works on a state-controlled road. Please contact the Department of Transport and Main Roads on 4045 7144 to make an application for approval under section 33 of the Transport Infrastructure Act 1994 (TIA) to carry out road works. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p>

Port Authority Building
Chr Grafton and Hartley Streets, Calms
PO Box 2368, Calms
Queensland 4870 Australia

Telephone +61 7 4048 1111
Website www.dsdlp.qld.gov.au
Email: CalmsSARA@dsdlp.qld.gov.au
ABN 29 230 178 530

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SDA-0514-010516

Our reference: SDA-0514-010516
Your reference: LM:DA/3255:AD2014/0002290

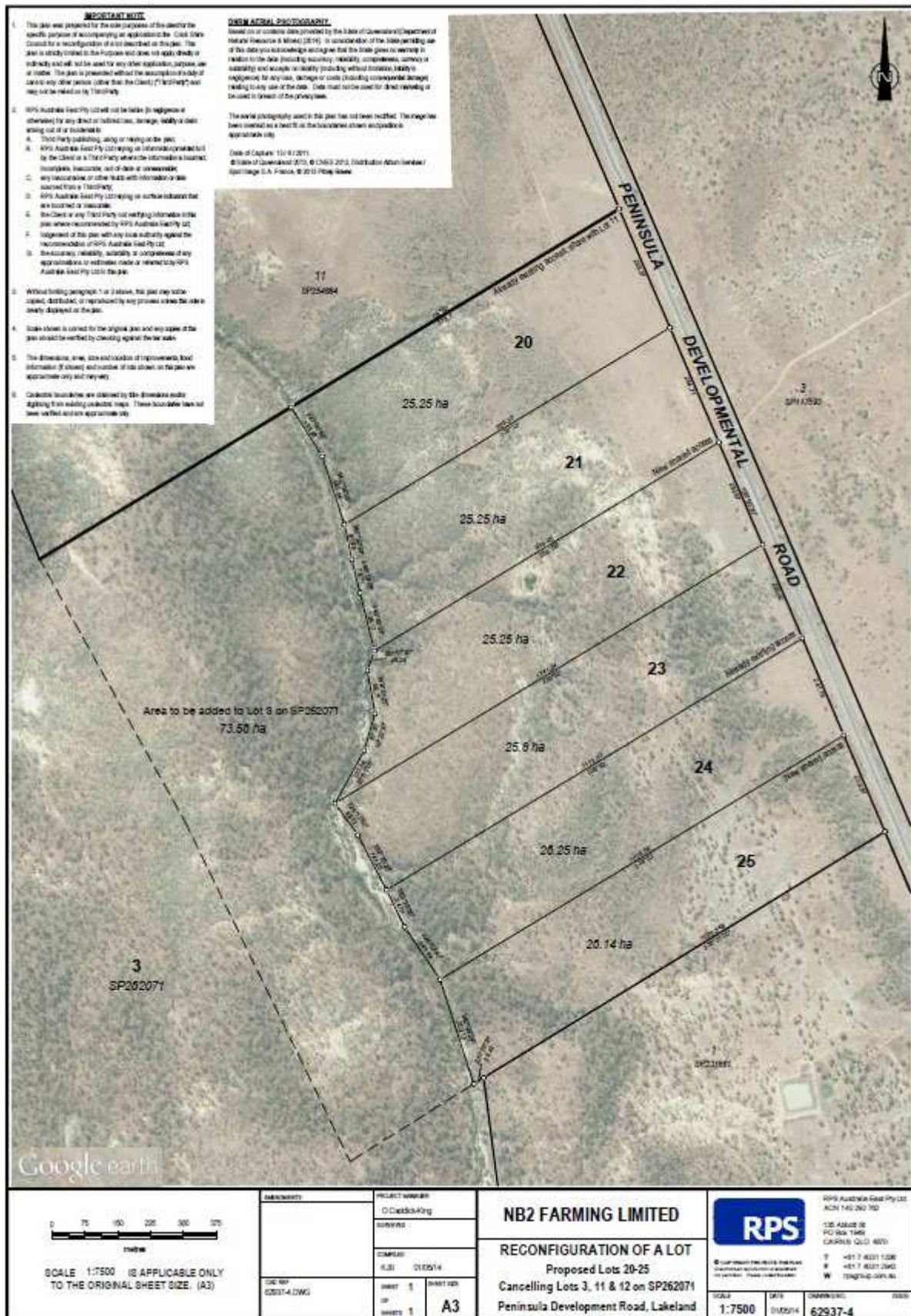
Attachment 4—Approved plans and specifications

Port Authority Building
Cnr Grafton and Hartley Streets, Calms
PO Box 2358, Calms
Queensland 4870 Australia

Telephone +61 7 4048 1111
Website www.dsdip.qld.gov.au
Email: CalmsSARA@dsdip.qld.gov.au
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Town Planning Officers left the meeting at 11.28 am on 22 July 2014

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LAND TENURE

30781	PROPOSED CREATION OF RESERVE FOR SCENIC PURPOSES OVER LOT 1 ON SP234240 AND RESERVE FOR ENVIRONMENTAL AND SCENIC PURPOSES OVER LOT 2 ON SP219094; APPOINTMENT OF TRUSTEE – CHERRY TREE BAY PRECINCT, COOKTOWN.	
	<i>Report No.D14/7175 from Chief Executive Officer File No. 2.40.03; 2.040.08 (522)</i>	

Cr R Bowman moved; seconded Cr K Price

That the Department of Natural Resources and Mines be advised that Council hereby accepts the conditions of “Notification of acceptance of Offer” in relation to the dedication of Reserve for Scenic purposes, and Reserve for Environmental and Scenic purposes as set out in letter dated 18 June 2014.

CARRIED

Précis

1. Council accept conditions of offer for the creation of Reserve for Scenic purposes, and for Environmental and Scenic purposes as contained in letter from Department of Natural Resources and Mines dated 18 June 2014.

Background/History

2. Queensland Parks and Wildlife (QPWS), in 2002 submitted a number of proposals for Council’s consideration, one of which was for Cherry Tree Bay. QPWS’s 1991 original proposal for (then) part of Lot 2 on USL8194 was for park acquisition; it considered appropriate that this section be transferred to a reserve under the trusteeship of Cook Shire Council.
3. In August 2003, Council gave its ‘in principle’ support to the creation of a Reserve for Scenic purposes over part of (then) Lot 2 on USL8194 to be vested in the trusteeship of Cook Shire Council.
4. QPWS, in October 2003 withdrew its interest in acquiring the area and supported Council’s above proposal.
5. Council in November 2003 requested the (then) Department of Natural Resources and Mines create a Reserve for Scenic Purposes over (then) part Lot 2 on USL8194, in the Trusteeship of Cook Shire Council.
6. Council then in April 2008 requested the balance of (then) Lot 2 on USL8194 along with closed roads be set aside as Recreation Reserve in Council’s trusteeship; alternatively, the area be included in the adjoining Reserve for Botanical Gardens and Recreation R83 - the Botanical Gardens.

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7. As a result of the Grassy Hill road openings in 2009, (then) Lot 2 USL 8149 became Lot 1 on SP234240 and Lot 2 on SP219094; both Lots formed the proposed Scenic Reserve.
8. In May 2012 the Department advised that Lot 1 on SP234240 proposed Scenic Reserve would be created subject to Council's acceptance of trusteeship over the area, and the condition that the reserve is created as a low impact future act reserve – Council accepted the trusteeship over the area and the condition that the reserve be created as a low impact future act reserve, and advised that it would not be acquiring native title.
9. The Department further stated that its assessment of Lot 2 on plan SP219094 determined "Environmental Purpose" as being a more appropriate purpose to clearly recognise the main value of the land.
10. Council, in October 2012 requested the area become proposed reserve for Environmental and Scenic purposes and Lot 1 on plan SP234240 remain proposed reserve for Scenic Purposes.
11. In May 2012, the owner of Lot 73 on plan RP706825, Mr Hunter, lobbied Council and the Department for a more permanent tenure for the access to his freehold property.
12. As the access area was within the proposed reserve, Council, in July 2013 advised the Department that it supported the opening of the area as road reserve on the basis that Council's outstanding application for the proposed reserves under the trusteeship of Cook Shire Council was expedited.
13. The Department recently advised Council that the above road opening had been finalised - see report number D14/7134.
14. By letter dated 18 June 2014, the Department advised Council that approval would be sought for the issue of a Reserve for Scenic purposes over Lot 1 on SP234240, and a Reserve for Scenic and Environmental purposes over Lot 2 on SP219094, as shown on attached Drawing TSV2011-10-A in the Trusteeship of Cook Shire Council.
15. Requirements of the Notification of acceptance of conditions of offer include signed acceptance forms, payment of fee for lodgement of survey plan (\$333), and provision of a plan of survey (approx \$700).
16. The following recommendation is submitted.

Link to Corporate Plan

17. Key issues 4.3 Sport and Recreation Facilities and Public Access; 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations.

Consultation

18. Nil.

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Legal Implications (Statutory, basis, legal risks)

19. Nil.

Policy Implications

20. Nil.

Financial and Resource Implications (Budgetary)

21. Funds to cover the Notification of acceptance are available from account GL:
4030.626.658.

RECOMMENDATION

That the Department of Natural Resources and Mines be advised that Council hereby accepts the conditions of “Notification of acceptance of Offer” in relation to the dedication of Reserve for Scenic purposes, and Reserve for Environmental and Scenic purposes as set out in letter dated 18 June 2014.

Att:
Plan TSV2011-10-A

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CORPORATE SERVICES

FINANCE

30782	REVENUE AND EXPENDITURE – JUNE 2014	
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Cr R Bowman moved; seconded Cr P Johnson
That the Revenue and Expenditure Statements for June 2014 be adopted
CARRIED

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30783	UPDATED DEBT RECOVERY POLICY	
	<i>Report No D13/7847 from Director Corporate Services</i>	

Cr A Wilson moved; seconded Cr S Clark
That Council's updated Debt Recovery Policy be adopted.
CARRIED

Précis

Attached is Council's updated Debt Recovery Policy for adoption.

Background/History

Council's Debt Recovery Policy as originally adopted in March 2009.

Link to Corporate Plan

Finance

Consultation

Within Finance Section

Legal Implications (Statutory, basis, legal risks)

None

Policy Implications

None

Financial and Resource Implications (Budgetary)

None

RECOMMENDATION

That Council's updated Debt Recovery Policy be adopted.

COOK SHIRE COUNCIL

DEBT RECOVERY POLICY

INTENT:

This policy prescribes the procedures Council will follow to recover monies outstanding for rates, charges, fees and other debts.

SCOPE:

To outline Council's procedures for the efficient and effective collection of outstanding debts whilst recognising and accommodating genuine financial hardship.

LEGISLATIVE FRAMEWORK:

This policy has been generated with reference to the *Local Government Regulation 2012*, Chapter 4, Rates and Charges.

PROVISIONS:

The following protocols detail the procedure by which rates recovery and sundry debtors recovery is undertaken.

Definitions

Rates and charges are defined in The Local Government Act 2009 as including differential general rates, minimum general rates, separate rates and charges, special rates and charges, utility charges and accrued interest.

Small Debts Write-Off

Where a ratepayer has short paid their rates by \$1.00 or less and as a consequence would have missed their discount, Council will write off the amount as a small debt and allow the discount.

Where a ratepayer has short paid their rates by \$10.00 or less and as a consequence would have missed their discount, Council will allow the outstanding amount to be carried forward to the next rating period without penalty.

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Legal Debt Recovery Threshold

Rate debts over \$500.00 will be sent to Council's Debt Collection agency for reminders to be issued. Legal action will be taken where deemed appropriate by the Chief Executive Officer.

Debts over \$250.00 will be sent to Council's Debt Collection agency for reminders to be issued. Legal action will be taken where deemed appropriated by the Chief Executive Officer.

Payment Arrangements and Deferral of Liability to Pay

Any application for deferral of payment or for payment arrangements outside Council's Rate Recovery, or Sundry Debtors Recovery guidelines must be:

1. On Council's approved "Application to Pay by Arrangement" form
2. The debt finalised within six (6) months from the date of approval. No arrangements beyond a six month period without approval from the Chief Executive Officer
3. If the ratepayer defaults on an approved arrangement the arrangement may be automatically cancelled and returned to the appropriate internal debt recovery procedure.
4. If the arrangement is approved and in accordance with the conditions of the arrangement interest charges will not apply.
5. Council will not refuse payments if they are not enough to cover the rates in the prescribed time although the ratepayer must be made aware that it is not an arrangement. They will still receive reminder and demand letters and will continue to be charged interest on all outstanding amounts.

Initial Rates Recovery

Where rates are *outstanding* seven (7) days after the due date, internal recovery is undertaken:

1. In the first instance by *Reminder Notice* providing fourteen (14) days in which to pay outstanding monies.
2. In the second instance, fourteen (14) days from the date of the first Reminder Notice, by *Warning Letter* demanding immediate payment
3. In the third instance, twenty eight (28) days from the date of the first Reminder Notice, if the debt remains unpaid and is above the advanced recovery threshold are then referred to Councils Debt Collection Agency for Advanced Rates Recovery.

Advanced Rates Recovery

When the outstanding balance of overdue rates and charges have reached the threshold for Advanced Recovery Action, and initial recovery action have been completed without success, the account will be referred to Council appointed Debt Collection Agency who shall follow the subsequent processes:

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1. A letter will be sent to the ratepayer on the appointed Debt Collection Agency's letterhead requesting payment of the overdue rates and charges within fourteen (14) days.
2. If no response or payment is received send a final demand letter will be sent on the appointed Debt Collection Agency's letterhead requesting payment within fourteen (14) days.
3. Should the ratepayer fail to respond to either letter, Council will review each account prior to instructing the Debt Collection Agency to commence legal action for recovery of outstanding rates and charges through the Courts.

Sale of Land for Overdue Rates

When rates remain unpaid for three (3) years or more and no arrangement to pay exists, Council may commence proceedings to sell the property subject to and by virtue of its powers under Part 12 Division 3 of the Local Government Regulations 2012 using the following procedure:

1. A list of properties for sale is presented to the Chief Executive Officer for approval
2. A report is presented to Council listing properties for sale
3. Notice of Intention to sell is issued
4. Notification of sale is advertised in appropriate newspapers
5. Auction and Sale

Initial Debt Recovery

All approved debtors are offered thirty (30) day terms. Debts become *outstanding* at thirty (30) days. Library Resources outstanding are entered into the debtors system when three (3) weeks overdue.

Internal recovery is undertaken:

- i. In the first instance through the provision of a *Statement of Account* (Debtors Statement).
- ii. In the second instance, at sixty (60) days, through the provision of a Statement of Account requesting prompt payment for outstanding monies
- iii. In the third instance, at ninety (90) days, through the provision of a *Letter of Demand* nominating that the account, if unpaid at fourteen (14) days from date of letter, will be forwarded to Council's approved debt collection agency.

Advanced Debt Recovery

Once initial recovery action has been completed without success, the account will be referred to Council appointed Debt Collection Agency who shall follow the subsequent processes:

1. A letter will be sent to the debtor on the appointed Debt Collection Agency's letterhead requesting payment of the overdue rates and charges within fourteen (14) days.

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2. If no response or payment is received a final demand letter will be sent on the appointed Debt Collection Agency's letterhead requesting payment within fourteen (14) days.
3. Should the debtor fail to respond to either letter, Council will review the debt prior to instructing the Debt Collection Agency to commence legal action for recovery of outstanding debts through the Courts.

RESPONSIBILITIES

Officer responsible for review:	Director Corporate Services
Originally adopted:	July 2009
Current adoption:	July 2013
Date being reviewed:	June 2014

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30784	ADVANCE CAIRNS	
	<i>Report No.D14/7117 from Chief Executive Officer</i>	

Cr R Bowman moved; seconded Cr G Shephard

That Council notify FNQROC that it will no longer enter into a contractual arrangement with Advance Cairns.

CARRIED

Précis

Withdrawal of membership of Advance Cairns

Background/History

Advance Cairns is a regional advocacy and economic development organisation for Tropical North Queensland. They endeavour to facilitate connections between private enterprise, industry, community and government agencies to improve the lives of people living within the region. Advance Cairns operates on a membership based model.

Approximately eighteen months ago Council authorised the formation of a new Economic Development and Community Service Department. This department now provides the same service as Advance Cairns.

The subscription paid by Council for the previous financial year was \$40,000.00

Link to Corporate Plan

Consultation

Nil

Legal Implications (Statutory, basis, legal risks)

None identified

Policy Implications

None identified

Financial and Resource Implications (Budgetary)/Risk Assessment

There is no risk attached to ceasing Council's membership but there will be a saving in the payment of this years subscription.

RECOMMENDATION

That Council not renew its membership with Advance Cairns.

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ADMINISTRATION

30785	REVIEW OF OPERATIONAL PLAN 2013-2014
	<i>Report No. D14/7177 from Chief Executive Officer</i>

Cr S Clark moved; seconded Cr K Price

That the quarterly review of the Operational Plan 2013-2014 be adopted.

CARRIED

Précis

Acceptance of progress of implementing the 2013-2014 Operational Plan.

Background/History

Section 174 of the *Local Government Regulation 2012* requires that the Chief Executive Officer must present a written assessment of Council's progress towards implementing the annual operational plan at meetings of Council at regular intervals of not more than three months.

Link to Corporate Plan

Legislative requirement

Consultation

Nil – no public consultation required.

Legal Implications (Statutory, basis, legal risks)

Legislative requirement.

Policy Implications

Legislative requirement

Financial and Resource Implications (Budgetary)

Operational Plan must be consistent with the annual budget.

RECOMMENDATION

That the quarterly review of the Operational Plan 2013-2014 be adopted.

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30786	DEVELOPMENT INCENTIVE POLICY	
	<i>Report No.D13/7394 from Chief Executive Officer</i>	

Cr P Johnson moved; seconded Cr R Bowman
That the Development Incentive Policy be adopted.
CARRIED

Précis

Adoption of the Development Incentive Policy

Background/History

Council has decided to give incentives to development applications for new residential accommodation within the towns and villages of Cook Shire as defined in the Cook Shire Planning Scheme.

Link to Corporate Plan

Natural Environment, Environmental Health Services and Sustainable Development

Consultation

Nil

Legal Implications (Statutory, basis, legal risks)

- 1.1.1. the Queensland Local Government Act 2009
- 1.1.2. the Queensland Local Government Regulation 2012
- 1.1.3. the Queensland Financial Accountability Act 2009

Policy Implications

New policy

Financial and Resource Implications (Budgetary)/Risk Assessment

Some reduction in revenue by compliance with the policy.

RECOMMENDATION

That the Development Incentive Policy be adopted.



DEVELOPMENT INCENTIVE POLICY

INTENT:

To provide a framework to enable Council to provide incentives to encourage private developers and builders to proceed with building developments that can be identified as providing additional residential accommodation.

SCOPE:

This Policy applies to new development applications for new residential accommodation within the towns and villages of Cook Shire as defined in the Cook Shire Planning Scheme.

This Policy will have effect for properly made Development Applications received on and from 22nd July 2014.

This Policy will not be available to State or Federal Government departments or entities or to projects that are funded by State or Federal Government departments or entities.

PROVISIONS:

2. LEGISLATION

This Policy has been prepared so that all actions undertaken under this Policy provisions shall be in accordance with the:

- 2.1.1. the Queensland Local Government Act 2009*
- 2.1.2. the Queensland Local Government Regulation 2012*
- 2.1.3. the Queensland Financial Accountability Act 2009*

3. DEVELOPMENT INCENTIVES

Council will refund 50% of the Building Certification costs associated with any eligible development approval for residential accommodation within the towns and villages of Cook Shire as defined in the Cook Shire Planning Scheme.

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THIS POLICY IS TO REMAIN IN FORCE AND MAY BE AMENDED AT ANY TIME AS
DETERMINED BY COUNCIL.

Officer responsible for review: Director of Corporate Services
Current adoption: July 2014
Version: V1
Date for review: June 2015

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The meeting adjourned for lunch at 12.30 pm to 1.30 pm on 22 July 2014.

Bruce Landsdown gave a presentation on the Northern Australian Quarantine Strategy

30787	COMMITTEE OF THE WHOLE	
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Cr A Wilson moved; seconded Cr K Price

That the meeting resolve into Committee of the Whole at 2.32 pm on 22 July 2014 to discuss rate concessions, renewal of lease (Cooktown Bluewater Club), native title, funding for Tourism Cape York, rental arrears on a lease, in confidence negotiations and the Cook Shire Town Plan Review.

CARRIED

During this period Cr R Bowman declared a conflict of interest in that he was on the executive committee of the Cooktown Bluewater Club and left the Chambers at 2.36 pm whilst the matter concerning this club was discussed. Cr Bowman resumed his seat at 2.42 pm on 22 July 2014.

30788	COMMITTEE OF THE WHOLE	
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Cr S Clark moved; seconded Cr P Johnson

That the meeting revert to the ordinary meeting of Council at 3.06 pm on 22 July 2014 to attend a farewell for a member of the staff.

CARRIED

The meeting adjourned for afternoon tea at 3.06 pm and resumed at 3.23 pm on 22 July 2014

30789	COMMITTEE OF THE WHOLE	
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Cr K Price moved; seconded Cr G Shephard

That the meeting resolve into Committee of the Whole at 3.23pm on 22 July 2014 to discuss rate concessions, renewal of lease (Cooktown Bluewater Club), native title, funding for Tourism Cape York, rental arrears on a lease, in confidence negotiations and the Cook Shire Town Plan Review.

CARRIED

30790	COMMITTEE OF THE WHOLE	
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Cr R Bowman moved; seconded Cr P Johnson

That the meeting revert to the ordinary meeting of Council at 3.47 pm on 22 July 2014 after discussing rate concessions, renewal of lease (Cooktown Bluewater Club), native title, funding for Tourism Cape York, rental arrears on a lease, in confidence negotiations and the Cook Shire Town Plan Review.

CARRIED

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FINANCE

30791	REQUEST FOR REBATE OF ALL RATES AND CHARGES	
	<i>Report No.D14/6435 from Director Corporate Services</i>	

Cr K Price moved; seconded Cr G Shephard

That Council not grant a concession of wavering the outstanding rates and charges for this rate account.

CARRIED

ADMINISTRATION

Cr R Bowman declared a conflict of interest in the following matter in that he was on the executive committee of the Cooktown Bluewater Club and left the Chambers at 3.48 pm whilst the motion concerning this matter was passed.

Cr Bowman did not vote on the motion.

Cr Bowman resumed his seat at 3.49 pm on 22 July 2014.

30792	RENEWAL OF COOKTOWN BLUE WATER CLUB INC. LEASE SL14/48713 – ADJUSTMENT OF LEASE AREA; LOT 82 ON PLAN BS246 – WEBBER ESPLANADE, COOKTOWN.	
	<i>Report No.D14/7135 from Chief Executive Officer File No. 2.169.07; 2.512.3</i>	

Cr S Clark moved; seconded Cr A Wilson

That:

1. Council enter into discussion with Cooktown Blue Water Club Inc. to have the area of lease land, Lot 82 on Plan BS246, which is encroached upon, including the 4m wide concrete path, excised from the lease area and amalgamated into the existing road reserve as depicted on submitted “Proposed Boundary Realignment of Fishing Lease”.
2. Council bear costs of Survey and lodgement of survey plan.

CARRIED

The majority of persons entitled to vote on this matter voted in the affirmative for the motion.

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LAND TENURE

30793	NATIVE TITLE DETERMINATION APPLICATION QUD157/11 – NORTHERN CAPE YORK GROUP #1; CATEGORY 1: CONSIDERATION OF NATIVE TITLE RIGHTS AND INTERESTS CLAIMED BY APPLICANT.	
	<i>Report No.D14/6994 from Chief Executive Officer File No. 2.660.169</i>	

Cr P Johnson moved; seconded Cr A Wilson

That Preston Law be instructed that Council agrees “in principle” in relation to native title rights and interests claimed by the Applicant.

CARRIED

FINANCE

30794	TOURISM CAPE YORK FUNDING ARRANGEMENTS	
	<i>Report No.D14/7183 from Director of Economic Development and Community Services</i>	

Cr G Shephard moved; seconded Cr S Clark

That Council continue funding the local tourism organisation, Tourism Cape York, to the value of \$25,000 per year, if the organisation relocates core operations and a staff member to a Cape York location, preferably Cooktown, where Council will provide support and additional resources as negotiated and, if agreement cannot be reached, that Council redirect \$25,000 into core Council’s internal operational, strategic and marketing initiatives to directly benefit Cooktown, Cook Shire and Cape York tourism industries.

CARRIED

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30795	RENTAL ARREARS - LEASE "E" ON LOT 1 CP889652	
	<i>Report No.D14/6476 from Business Services Coordinator</i>	

Cr R Bowman moved; seconded Cr A Wilson

1. Council serve on the Lessee a notice pursuant to the Property Law Act 1974 requiring the Lessee to pay the rental that is in arrears under the Lease to Council within 14 days of that notice;
2. If the Lessee does not pay the arrears of rental within 14 days of receiving the abovementioned notice, Council serve on the Lessee a Notice of Re-Entry pursuant to the Property Law Act 1974 and take the necessary steps to re-enter the premises and forfeit the Lease; and
3. Council's Mayor and Chief Executive Officer be authorised to sign all documents and take all necessary steps to give effect to this resolution.

CARRIED

PLANNING AND ENVIRONMENT

30796	COOK SHIRE PLANNING SCHEME REVIEW – PROJECT UPDATE
	<i>Report No. D14/7167</i>

Cr P Johnson moved; seconded Cr R Bowman

1. That Council resolves to adopt the draft Cook Shire Planning Scheme, subject to the following amendments:
 - a. Strategic Framework: Identify potential water resources (dams) at Coen and Lakeland Downs; and the importance of bore infrastructure and water sources generally;
 - b. Identify locally significant airstrips at Laura and Ayton;
 - c. Identify locally and regionally significant ports at Portland Roads, Archer Point and Skardon River;
 - d. In provisions related to tourism, promote general tourism opportunities and remove specific reference to 'grey nomads' and 'adventure tourism';
 - e. Change the name of Overlay Map 15 from Landslide Hazard Overlay to 'Hillslopes Overlay';
 - f. Include provisions in the Residential Use Code to deal with the design of Non-resident workforce accommodation;
 - g. Make Dual occupancy a Self-Assessable use in the Low Density Zone, Medium Density Zone and Mixed Use Zone; where on lots greater than 1,000m²;
 - h. Make Caretaker's accommodation Self-Assessable in the Environmental Management and Conservation Zone; including provision to allow for multiple Caretaker's accommodation on one lot;

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-
- i. Amend the Table of Assessment for the Mixed Use Zone to make development in the MU1 Precinct (Cooktown Foreshore Mixed Use Precinct), Impact Assessable if it exceeds three (3) storeys.
 2. That Council resolves to write to the Minister requesting a State interest review of the proposed draft planning scheme (with amendments) and the Minister's agreement to publicly consult the draft planning scheme (with amendments).

CARRIED

ADMINISTRATION

30797	CHIEF EXECUTIVE OFFICERS MONTHLY REPORT	
	<i>Report No.D14/7184 from Chief Executive Officer</i>	

Cr A Wilson moved; seconded Cr R Bowman

1. That Council note the contents of the report and amend the adopted "Non-Statutory Resource Extraction on Cape York - Principles for Agreements" to approve Council as a lessor paying Local Government rates on leased gravel extraction sites.
2. That Council authorise the Chief Executive Officer to negotiate the price for the cubic meter rate for gravel for the Olkola gravel leases

CARRIED

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BUDGET 2014/2015

Mayor – Cr P Scott

BUDGET 2014/15

Fellow Councillors, ladies and gentlemen

Cook Shire Council administers a Local Government area and operation that is a vast, diverse and ongoing challenge – determined by our locally unique demographics of economy, society and environment. We are also strongly manipulated by State and Federal Government regulatory and fiscal policy and we have formulated this coming year's budget, and our operational programs, and to meet those challenges.

Overlying this budget is Council's Corporate Strategy that aligns to Community, Regional and State Plans to increase population, economic opportunity and societal development. This budget focuses on progress... and continues toward our goal of Shire sustainability – in our own right.

The Income and Expenditure Statement appended provides a summary of our financial operation but please refer to the accompanying notes for more explanation.

Annual rates and charges account in total, for less than one third of the recurring income which is required to operate and maintain the roads, airports, water, sewerage & rubbish services, our halls, libraries, parks and recreational facilities plus our marketing and social programs.

Natural disaster funding is welcomed by our Cape based contractors but for Council is a net neutral operation. It is a seasonal and political variable, but given past experience have budgeted \$20m in both income and expenditure.

Our main income source is the Federal Assistance Grant of \$8.5m. This support funding has been rising by approximately \$1 million per year for the last four years, however the Federal Government in its last budget has frozen any indexation increases for the next three years, resulting in an expected shortfall for us of \$3 million over the next three years.

We are all conscious of the rising cost of living and in this year's budget, service charges for water, sewerage and rubbish have **not** been increased. However due to recent property devaluations by the Valuer General, it has been necessary to increase the general (land ownership) rates by an average 4.25%. This equates to an approximate average increase of \$40 per year for a residential property in Cooktown but there will be some greater variations than this, both up and down.

Note that the total operating income of \$52.1m- against expenses of \$50.7m -shows a surplus of \$1.4m. However, as shown, this is distorted by inclusion of grant funded capital works of \$5.3m as income without an offsetting expenditure consideration. Thus a true operating result is income \$46.8m minus expenditure of \$50.8 giving a deficit of \$4m primarily due to a depreciation figure of \$8m.

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A 10% reduction in staff costs reflects a leaner workforce and a bulk purchasing alliance with other Councils plus in house expertise helps with a 14.5% reduction in purchased materials and services.

Our cost of finance is up 13.8% largely due to the need to have a credit facility to cover cash shortfall, as in most cases Grant money needs to be spent before it is reimbursed by the Government.

Our Balance Sheet or Statement of Position remains strong with total assets of \$290m against total liabilities of \$10m leaving a community equity of \$280m. We are fortunate to have relatively up to date major assets and plant however need to be ever mindful of operating and replacement costs of existing and new assets.

Councillors I wish to congratulate our staff, particularly our Director of Corporate Services, Martin Cookson and his team, for the preparation of these figures and the explanatory notes.

I am happy to present and recommend to you, acceptance of the 2014/15 budget for Cook Shire Council.

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30798	REVENUE POLICY 2014/2015	
	<i>Report from Director Corporate Services</i>	

Cr P Johnson moved; seconded Cr K Price

That in accordance with the provisions of Section 104 of the *Local Government Act 2009* and Section 193 of the *Local Government Regulation 2012* the following be adopted as Council's Revenue Policy for the year 2014/2015.

CARRIED

Précis

Attached is Council's Revenue Policy 2014/2015 for adoption.

Background/History

Section 104 of the Local Government Act 2009 and Section 193 of the Local Government Regulation 2012 requires that Council prepare and adopt a revenue policy for each financial year.

Changes made to 2014/2015 Revenue Policy

- Amended the conditions of the pensioner concession to align with the Pensioner Concession Policy.

Link to Corporate Plan

Finance

Consultation

Within Finance Section

Legal Implications (Statutory, basis, legal risks)

None

Policy Implications

None

Financial and Resource Implications (Budgetary)

None

RECOMMENDATION

That in accordance with the provisions of Section 104 of the *Local Government Act 2009* and Section 193 of the *Local Government Regulation 2012* the following be adopted as Council's Revenue Policy for the year 2014/2015.



COOK SHIRE COUNCIL

REVENUE POLICY 2014/2015

INTENT:

The purpose of this revenue policy is to state: -

- the principles that Council intends to apply in the 2014/2015 financial year for –
 - (i) making of rates and charges; and
 - (ii) levying rates and charges; and
 - (iii) granting concessions for rates and charges; and
 - (iv) recovering overdue rates and charges; and
 - (v) cost-recovery fees;
- the purpose of concessions granted under (ii) above;
- the extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development; and
- the amount of each reserve to be kept in the operating fund and the way in which Council intends to ensure funding is available to support the purpose of each reserve.

SCOPE:

This revenue policy is effective from the date of Council's resolution and will apply to the financial year from 1 July 2014 to 30 June 2015.

The revenue policy contains principles to be used in preparing the budget. It will also be used when reviewing, preparing and applying related policies, procedures and guidelines effective in 2014/2015.

The revenue policy is available free of charge from Council's public office and its web site at: <http://www.cook.qld.gov.au>

LEGISLATIVE FRAMEWORK:

Section 104 of the *Local Government Act 2009* and Section 193 of the *Local Government Regulation 2012* requires that Council prepare and adopt a revenue policy for each financial year.

Council may amend the revenue policy at any time before the end of the financial year.

PROVISIONS:

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The following principles apply:-

1. Making of rates and charges

In making and levying rates and charges, Council is required to comply with the requirements of State and Federal legislation.

Where appropriate, the principle of user pays will be applied in the making of charges so as to minimise the impact of these charges on the local economy.

Council will also have regard to the principles of:

- transparency in the making and levying of rates and charges;
- having in place a rating regime that is efficient to administer.
- equity by reference to the value or quality of land;
- the level of service provided in the various areas of the Shire;
- that all landowners should make the minimum contribution towards the cost of the provision of services and administration;
- the need to develop a strategy, which encourages development of services residential land within the town of Cooktown.
- National Competition Policy legislation where applicable; and

2. Levying of rates and charges

In levying rates Council may apply the principles of:

- clarity in terms of responsibilities (Council's and ratepayers) in regard to the rating process;
- making the levying system simple and inexpensive to administer;
- timing the levy or rates to take into account the financial cycle of local economic activity, in order to assist smooth running of the local economy
- fairness – through flexible payment arrangements for ratepayers with a demonstrated lower capacity to pay.

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2.1 Frequency of Charging Rates:

Half Yearly Notices

Council will levy rates and charges on a half yearly basis. Notice will be issued in August/September and February/March of the financial year and will allow a discount period of not less than 30 days if discount is applicable.

Supplementary Notices

Where the use made of a particular parcel of land varies (eg. Reconfiguration, vacant land has a building constructed thereon), rates and charges will be amended and a supplementary rate notice issued from the date of effect.

2.2 Discount

Discount for prompt payments may be considered and will be indicated on the rate notice if current rates and charges owing (excluding State Fire Levy, Rural Fire Brigade Levy, Environmental Levy, any property charge relating to the provision of temporary services or the carrying out of Council work on or in connection with the property, legal costs incurred by Council in rate collection, interest charges on overdue rates and Special Charges) are paid within the period.

2.3 Interest on Arrears

Interest at a rate as determined by Council from year to year (currently 11%) will compound on all amount outstanding from the due date of the rate notice.

3. Granting Concessions for Rates and Charges

In considering the application of concessions, Council will be guided by the principles of:

- equity by reference to the value or quality of land within the local community,
- the same treatment of ratepayers with similar circumstances;
- transparency by making clear the requirements necessary to receive concessions;
- flexibility to allow Council to respond to local economic issues; and
- responsiveness to community expectations of what activities should attract assistance from Council.

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Council provides rates and charges concessions for:

Pensioners

- pensioners who comply with the following eligibility criteria:
- holders of a Queensland 'Pensioner Concession Card' issued by Centrelink, on behalf of the Department of Communities; and holders of Veteran's Affairs Pensioner Gold Cards (for all conditions) whose principle place of residence is in Cook Shire.
- This concession is applied to General Differential Rates, Water Service Charges, Sewerage Charges and Refuse Collection Charges.
- This remission is granted six monthly and all new applications must be submitted by the due dates each year however apportionment will be granted for new applicants from the date of application.
- These concessions have been made available in accordance with the provision of Chapter 4, Part 10 of the *Local Government Regulation 2012*.

Charitable and Non-Profit Organisations

- Applicants must be registered Charity (with the Australian Taxation Office) or a not-for-profit incorporated association
- Applicant's charitable or not for profit organisation relies mainly on volunteer labour.
- Applicants must be based in Cook Shire Council or associated with a membership base in the Shire
- Applicants shall not hold a Full Club Licence issued by the Liquor Licencing Division (but may hold a General Purpose Permit or a Restricted Club Permit).
- Applicants shall not operate Gaming Machines.
- A Queensland 'Pensioner Concession Card' issued by Centrelink, on behalf of the Department of Communities, or the Department of Veterans' Affairs, or a Queensland 'Repatriation Health Card – for all conditions (Gold Card) issued by the Department of Veterans' Affairs.

Ratepayers suffering from Financial Hardship

4. Recovering Overdue Rates and Charges

Council will exercise its rate recovery powers pursuant to the provisions of Chapter 4, Part 12 of the *Local Government Regulation 2012* and its Debt Recovery Policy in order to reduce the overall rate burden on rate payers.

Council allows flexible payment arrangements for ratepayers with a lower capacity to pay through such facilities as payment arrangements, the levying of rates twice a year and payments received in advice. Council also provides flexible methods of payments such as EFTPOS, credit cards and BPay.

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It will be guided by the principles of:

- transparency by making clear the obligations of ratepayers and the processes used by Council in assisting them to meet their financial obligations;
- clarity and cost effectiveness in the processes used to recover overdue rates and charges;
- equity by determining appropriate arrangements for different sections of the community;
- providing the same treatment for ratepayers with similar circumstances, and
- flexibility by responding where necessary to changes in the local economy.

5. Cost-Recovery Fees

Pursuant to the provisions of Section 97 of the *Local Government Act 2009*, Council will establish fees to recover costs associated with the provisions of certain activities and services.

Council will be guided by the principles of:

- clarity in the identification of cost drives; and
- neutrality in that the fee will represent no more than the full cost to Council of taking the action for which the fee is charged.

Council will make publicly available a register of cost-recovery fees.

6. Infrastructure Cost Recovery

The Council presently imposes infrastructure charges under adopted Infrastructure Contribution Planning Scheme Policies. In April 2011, the State Government announced that it will introduce legislation to provide from 1 July 2012, the maximum standard infrastructure charge that the Council can impose for new development.

7. Funding Reserves

The amount held aside in Reserves to cover anticipated and future financial commitments is determined annually by Council as part of Council's budget and may be amended throughout the course of the financial year.

Transfers from and to Reserves are authorized by Council via Resolution or Budget Review.

Reserves are backed by cash and repay and redraw facilities.

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Policy Owner:

Director Corporate Services

Related Information:

This policy is Council's strategic revenue policy.

There are various administrative policies and arrangements that make up the total Council response to revenue management.

Review Date:

Council must adopt the revenue policy in sufficient time before the start of each financial year to allow an annual budget that is consistent with the revenue policy to be adopted for the financial year.

This policy will be review as required.

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30799	REVENUE STATEMENT FOR 2014-15 FINANCIAL YEAR	

Cr A Wilson moved; seconded Cr G Shephard

That Council resolve to adopt the attached Revenue Statement for the 2014-15 financial year.
CARRIED

Précis

Council has to prepare a Revenue Statement each financial year in accordance with the *Local Government Regulation 2012, Part 2 Division 3 Sec 169 (2)*.

Background/History

In summary the Revenue Statement must describe the rating categories for rateable land in the Local Government area, outline the measures for raising revenue including the rates and charges to be levied and any concessions granted.

Link to Corporate Plan

Finance

Consultation

Within Finance Section

Legal Implications (Statutory, basis, legal risks)

Complies with Local Government Regulation 2012, Part 2 Division 3 Sec 169 (2).

Policy Implications

None

Financial and Resource Implications (Budgetary)

None

RECOMMENDATION

That Council resolve to adopt the attached Revenue Statement for the 2014-15 financial year.

REVENUE STATEMENT AND RATES AND CHARGES

FOR the 2014/2015 FINANCIAL YEAR

RECOMMENDATION:

- (i) That Council resolves pursuant to chapter 4, part 3 of the *Local Government Act 2009* and chapter 4, part 3, division 3 of the *Local Government Regulation 2012*:-

To adopt the attached General Policy Revenue Statement for the 2014/2015 financial year.

- (ii) That Council resolves pursuant to chapter 4 of the *Local Government Regulation 2012*:-

To adopt the recommendations contained in the attached Rates and Charges for the 2014/2015 financial year.

ATTACHMENTS:

- General Policy Revenue Statement for the 2014/2015 financial year
- Rates and Charges for the 2014/2015 financial year

Martin Cookson
Director Corporate Services

Steven Wilton
Chief Executive Officer

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General Policy

REVENUE STATEMENT FOR THE 2014/2015 FINANCIAL YEAR

1. INTRODUCTION

This revenue statement is produced in accordance with sections 103 and 104 of the Local Government Act 2009 and section 172 of the *Local Government Regulation 2012*.

The purpose of the revenue statement is to set out the revenue measures adopted by Council to frame the 2014/2015 Budget.

2. DEFINITIONS

For the purpose of making levying and imposing rates and charges the term Rural Townships include the towns of Ayton, Coen, Lakeland, Laura, Marton, Portland Roads, and Rossville will be the areas clearly defined on the maps township maps, as attached.

For the purpose of making levying and imposing rates and charges the Cooktown & Environs; Rural Electrification Cameron Creek Road; Bloomfield, Marton and Poison Creek Rural Fire Brigades; Cooktown, Coen, Lakeland, and Laura Water Areas; Cooktown and Coen Sewerage Areas; Coen; Cooktown, Marton, Lakeland; Oaky Creek, Poison Creek & Endeavour Valley Road; Helenvale & Rossville; Ayton; Barretts Creek and Cameron Creek Cleansing Areas will be the areas clearly defined on those maps, as attached.

- For the purposes of calculating water charges refer to 2014/2015 Water Tariff Charges in accordance with the adopted schedule (Rates & Charges).
- For the purposes of calculating sewerage charges refer to 2014/2015 Sewerage Unit Table in accordance with the adopted schedule (Rates & Charges).
- For the purpose of calculating Cleansing charges refer to 2014/2015 Cleansing Unit Table in accordance with the adopted schedule (Rates & Charges).
- For the purposes of calculating utility charges, the term “Strata title unit” is deemed to be “each lot created pursuant to the provisions of the *Body Corporate and Community Management Act 1997*”.

3. DIFFERENTIAL GENERAL RATING

Differential General Rating – General Comments

Differential General Rates are allocated to rateable properties within Cook Shire Council based on the Property Value Method (PVM) being the Unimproved Capital Value (UCV) or Site Value (SV) as supplied by the State Valuation Service of the Department of Natural Resources & Mines. Differential general rates will be levied on all rateable land in the Region. In Council’s opinion, differential general rating enables there to be more equitable relationship between revenue raised from particular land and the circumstances relevant to that land, than would be the case under a standard rating system where rates were levied at a single rate in the dollar on all rateable land.

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In determining its differential rating system, Council's objective is to ensure the fair and consistent application of lawful rating and charging principles, without bias, taking account of all relevant considerations and disregarding irrelevancies such as the perceived personal wealth of individual ratepayers or ratepayer classes.

In summary, 17 differential rating categories have been determined having regard to matters such as:-

- Land Use;
- Availability of services;
- Consumption of services;
- Valuation;
- Income producing capacity of land.

2.2 DIFFERENTIAL RATING CATEGORIES

The following categories and descriptions are to be used for rating purposes for all rateable properties:

Category	Description	Identification
21	Land that is within the defined areas of the Rural townships of Ayton, Coen, Lakeland, Laura, Marton, Portland Roads, and Rossville with a valuation from \$1 to \$130,000	<p>The criteria for these categories shall have the following land use codes</p> <p>01 Vacant urban land; 02 Residential, single unit dwelling; 03 Multiple dwelling (Flats); 04 Large vacant urban land; 05 Large homesites – dwelling; 06 Outbuildings; 07 Guest House/Private Hotel; 08 Building Units; 09 Group Titles; 10 Combined Multi Dwelling & Shop; 11 Shop - Single; 12 Shops - Shopping group (more than 6 shops); 13 Shopping group (2 to 6 shops); 16 Drive In Shopping Centres; 17 Restaurant; 19 Walkway; 20 Marina; 21 Residential Institution (non-medical care); 22 Car Park; 23 Retail Warehouse; 24 Sales Area Outdoor; 25 Offices; 26 Funeral Parlours; 27 Hospitals; Convalescent Homes (Medical Care) (Private); 28 Warehouses and Bulk Stores; 30 Service Station; 31 Oil Depot and Refinery; 32 Wharves; 33 Builders Yard/Contractors Yard; 34 Cold Stores - Iceworks; 35 General Industry; 36 Light Industry; 37 Noxious/Offensive Industry; 38 Advertising - Hoarding; 41 Child Care; 42 Hotel/Tavern; 43 Motel; 44 Nurseries; 45 Theatres and Cinemas; 46 Drive-In Theatre; 47 Licensed Clubs; 48 Sports Clubs/Facilities; 49 Caravan Parks; 50 Other Clubs; Non-Business; 51 Religious; 52 Cemeteries (including Crematoria); 55 Library; 56 Showgrounds/Racecourses/Airfields; 57 Parks and Gardens; 58 Educational - including Kindergartens; 72 Refer to Section 25 of Valuation of Land Act 1944; 91 Transformers; 92 Defence Force establishments; 94 Vacant Rural Land; 95 Reservoir, Dam, Bores (that are not used for the purpose of a permanent pump site being for private residential supply only); 96 Public Hospital; 97 Welfare Homes/Institutions; 99 Community Protection Centre.</p>
23	Land that is within the defined areas of the Rural townships of Ayton, Coen, Lakeland, Laura, Marton, Portland Roads, and Rossville with a valuation from \$130,001 to \$190,000	
24	Land that is within the defined areas of the Rural townships of Ayton, Coen, Lakeland, Laura, Marton, Portland Roads, and Rossville with a valuation from \$190,001	
31	Land that is located outside of the defined areas of all townships with a valuation from from \$1 to \$113,000	

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33	Land that is located outside of the defined areas of all townships with a valuation from \$113,001 to \$190,000	01 Vacant urban land; 02 Residential, single unit dwelling; 03 Multiple Dwelling (Flats); 04 Large vacant urban land; 05 Large homesites – dwelling; 06 Outbuildings; 07 Guest House/Private Hotel; 08 Building Units; 09 Group Titles; 10 Combined Multi Dwelling & Shop; 11 Shop - Single; 12 Shops - Shopping group (more than 6 shops); 13 Shopping group (2 to 6 shops); 16 Drive In Shopping Centres; 17 Restaurant; 19 Walkway; 20 Marina; 21 Residential Institution (non-medical care); 22 Car Park; 23 Retail Warehouse; 24 Sales Area Outdoor; 25 Offices; 26 Funeral Parlours; 27 Hospitals; Convalescent Homes (Medical Care) (Private); 28 Warehouses and Bulk Stores; 30 Service Station; 31 Oil Depot and Refinery; 32 Wharves; 33 Builders Yard/Contractors Yard; 34 Cold Stores - Iceworks; 35 General Industry; 36 Light Industry; 37 Noxious/Offensive Industry; 38 Advertising - Hoarding; 41 Child Care; 42 Hotel/Tavern; 43 Motel; 44 Nurseries; 45 Theatres and Cinemas; 46 Drive-In Theatre; 47 Licensed Clubs; 48 Sports Clubs/ Facilities; 49 Caravan Parks; 50 Other Clubs; Non-Business; 51 Religious; 52 Cemeteries (including Crematoria); 55 Library; 56 Showgrounds/Racecourses/Airfields; 57 Parks and Gardens; 58 Educational - including Kindergartens; 72 Refer to Section 25 of Valuation of Land Act 1944; 91 Transformers; 92 Defence Force establishments; 94 Vacant Rural Land; 95 Reservoir, Dam, Bores (that are not used for the purpose of a permanent pump site being for private residential supply only); 96 Public Hospital; 97 Welfare Homes/Institutions; 99 Community Protection Centre.
34	Land that is located outside of the defined areas of all townships with a valuation from \$190,001	
41	Land that is used for Extractive purposes – Mining Claims	The criteria for these categories shall have the following land use codes 40 Extractive
42	Land that is used for Extractive purposes – Other Mining Activities	
51	All properties which are used predominately for primary production with Land use codes defined by the Department of Natural Resource and Mines as Rural or Agricultural.	The criteria for these categories shall have the following land use codes 60 Sheep Grazing - Dry; 61 Sheep Breeding; 64 Cattle Grazing - Breeding; 65 Cattle Breeding and Fattening; 66 Cattle Fattening; 67 Goats; 68 Milk - Quota; 69 Milk - No Quota; 70 Cream; 71 Oil Seeds; 73 Grains; 74 Turf Farms; 75 Sugar Cane; 76 Tobacco; 77 Cotton; 78 Rice; 79 Orchards; 80 Tropical Fruits; 81 Pineapples; 82 Vineyards; 83 Small Crops and Fodder Irrigated; 84 Small Crops Fodder Non-irrigated; 85 Pigs; 86 Horses; 87 Poultry 88 Forestry and Logs; 89 Animals Special; 93 Peanuts
62	Properties not included in any other	The criteria for these categories shall have the following land use codes

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	category	18 Special Tourist Facilities; 29 Transport Terminal – Airports; 39 Harbour Industries
71	Land that is used for residential purposes and is located in the defined area of Cooktown and Environs with a valuation from \$1 to \$113,000	<p>The criteria for these categories shall have the following land use codes</p> <p>01 Vacant urban land; 02 Residential, single unit dwelling; 03 Multiple Dwelling (Flats); 04 Large vacant urban land; 05 Large homesites – dwelling; 06 Outbuildings; 08 Building Units; (Residential purposes only); 09 Group Titles; (Residential purposes only) 21 Residential Institution (non-medical care) Aged; 57 Parks and Gardens; 72 Refer to Section 25 of Valuation of Land Act 1944; 94 Vacant Rural Land</p>
74	Land that is used for residential purposes and is located in the defined area of Cooktown and Environs with a valuation from \$113,001 to \$248,000	
75	Land that is used for residential purposes and is located in the defined area of Cooktown and Environs with a valuation from \$248,001 to \$496,000	
77	Land that is used for residential purposes and is located in the defined area of Cooktown and Environs with a valuation from \$496,001	
81	Land that is used for Commercial and Industrial Purposes and is located in the defined area of Cooktown and Environs.	<p>The criteria for these categories shall have the following land use codes</p> <p>07 Guest House/Private Hotel; 08 Building Units; (Commercial or Industrial purposes only); 09 Group Titles; (Commercial or Industrial purposes only); 10 Combined Multi Dwelling & Shop; 11 Shop - Single; 12 Shops - Shopping group (more than 6 shops); 13 Shopping group (2 to 6 shops); 16 Drive In Shopping Centres; 17 Restaurant; 18 Special Tourist Facilities 19 Walkway; 20 Marina; 22 Car Park; 23 Retail Warehouse; 24 Sales Area Outdoor; 25 Offices; 26 Funeral Parlours; 27 Hospitals; 28 Convalescent Homes (Medical Care) (Private); 29 Warehouses and Bulk Stores; 29 Transport Terminal – Airports; 30 Service Station; 31 Oil Depot and Refinery; 32 Wharves; 33 Builders Yard/Contractors Yard; 34 Cold Stores - Iceworks; 35 General Industry; 36 Light Industry; 37 Noxious/Offensive Industry; 38 Advertising - Hoarding; 39 Harbour Industries; 41 Child Care; 42 Hotel/Tavern; 43 Motel; 44 Nurseries; 45 Theatres and Cinemas; 46 Drive-In Theatre; 47 Licensed Clubs; 48 Sports Clubs/Facilities; 49 Caravan Parks; 50 Other Clubs; Non-Business; 51 Religious; 52 Cemeteries (including Crematoria); 55 Library; 56 Showgrounds/Racecourses/Airfields; 58 Educational - including Kindergartens; 91 Transformers; 92 Defence Force establishments; 95 Reservoir, Dam, Bores (that are not used for the purposes of a permanent pump site being for private residential supply only) 96 Public Hospital; 97 Welfare Homes/Institutions; 99 Community Protection Centre</p>
91	Properties that are used for the purpose of a permanent pump site for private residential supply only.	<p>The criteria for these categories shall have the following land use codes</p> <p>95 Reservoir, Dam, Bores (used for the purpose of a permanent pump site being for private residential</p>

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	supply only.)
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In cases of difficulty or doubt, Council delegates to the CEO the power to determine which category a particular rateable assessment should be allocated to.

The information to be used for identification of properties into the above categories will be:-

- The land use codes as adopted by the Department of Natural Resources and Mines for formulating Local Authority valuations;
- Other such criteria as outlined within this statement and existing as at 1 July 2013.

The definitions of rateable and non-rateable land are outlined in section 93 of the *Local Government Act 2009* and section 7 of the *Local Government Regulation 2012* and are attached as Schedule 2.

Limiting the increase in rates and charges

For the 2013/14 financial year, Council will not be passing any resolution (pursuant to section 116 of the *Local Government Regulation 2012* limiting the increase in rates or charges.

4. CALCULATION OF LEVIES

PROVISIONS

- Differential Rates will apply based on categories.
- Minimum general rates will apply.
- There will be no “rate Capping” (see section 2.3 above).

5. MINIMUM GENERAL RATES

Council will make and levy a minimum general rate per rateable assessment irrespective of the property value. No minimum will apply to land to which the Valuation Land Act 2010, section 50 applies.

The minimum general rate is levied to:

- Provide a minimum contribution from all properties situated within the Region;
- Ensure that general rate revenue from lower valued properties within the Region results in more equitable contribution from such properties towards the cost of services funded from general rates.

6. UTILITY CHARGES

Utility charges will be set on an annual basis having regard to the costs associated with providing the services.

Utility charges will form part of the half year rate levy issued twice yearly.

WATER

Council provides a water reticulation system within the defined water areas maps of Coen, Cooktown, Lakeland and Laura.

Council has adopted a user pays multi part tariff consisting of a Service (Access) Charge based on water meter size, plus a Consumption Charge for all metered properties. The basis for calculating this levy is for the recovery of Council's costs associated with providing a water service is in the provision and maintenance of capital infrastructure (pipes, processing plant etc).

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Vacant land that is not metered will attract a vacant water service (access) charge recognising that a water service is available to the land as water infrastructure has been installed ready to supply the property once it is occupied.

Financial assistance is available to offset water usage costs for users of home dialysis equipment. Written applications must be submitted to Cook Shire Council for approval.

Concessions

Council resolved, by Resolution 29566 in September 2010

1. That the owners of all residential single dwelling parcels and vacant land within the Cooktown Water Area that are supplied with water by a 25mm service be given the opportunity to opt to be deemed to be supplied by a 20mm service any such owners that accept this option be allowed water usage only at the 20mm rate.
2. That the owners of commercial properties provided with a 25mm service for a fire hose reel that is used for emergency purposes only be deemed to be supplied by a 20mm service unless that fire hose is used for other purposes.

Assessment Number	Property Description and Property Owner	Type of Remission
10002442	Lot 99 on C17924	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10005577	Lot 22 on C17953	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10006229	Lot 807 on C1791	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10006454	Lot 519 on C17932	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10007250	Lot 141 on C17949	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10009181	Lot 11 on C17922	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10010049	Lot 24 on C17953	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10010445	Lot 2 on SP119091	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
1011484	Lot 11 on C17978	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10011591	Lot 203 on C17915	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10011831	Lot 2 on SP126746	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10026532	Lot 7 on SP136525	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10030260	Lot 518 on C17932	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10030831	Lot 10 on SP171556	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10031342	Lot 44 on SP172663	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10031698	Lot 11 on SP171556	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10033405	Lot 7 on SP219110	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10033504	Lot 1 on SP188502	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)

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Council resolved by Resolution 30277 in July 2012:

1. That Council grant a 50% concession on Water Access Charges for the 11 assessments listed in the Revenue Statement; and
2. That Council grant a 50% concession on the Water Consumption Charges

List of Properties that Receive Water Service Concessions Charges

Assessment Number	Property Description and Owner	Property	Type of Remission
10001576	Lot 5 on MPH22174 Roman Catholic Church		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10002293	Lot 82 on BS246 Cooktown Blue Water Club Inc		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10003143	Lot 4 on CP889653 Australian Volunteer Coast Guard		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10003630	Lot 912 on C1793 Qld Country Women's Assoc.		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10003721	Lot 3 on C17973 Cooktown School of Arts Society Inc		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10004976	Lot 321 on RP745022 Anglican Church		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10006153	Lot 2 on RP740816 Roman Catholic Church		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10007334	Lot 202 on SP126719 Cooktown Tennis Club Inc		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10008654	Lot 2 on RP867048 Baptist Union of Queensland		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10011641	Lot 302 on C17915 The Cooktown & District Youth Association Inc		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges
10028389	Lot 211 on C17949 Endeavour Lions Club Inc		50% Reduction on 20mm Residential Water Service Charge and 50% on Water Consumption Charges

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Council resolved by Resolution 29604 in October 2010:

1. That the owners of all residential single dwelling parcels and vacant land within the Cooktown Water Area that are supplied with water by a 32mm service be given the opportunity to opt to be deemed to be supplied by a 20mm service and any such owners that accept this option be allowed water usage only at the 20mm rate.
2. That the Rate Accounts of those properties in recommendation (1) who opt to be deemed to be supplied by a 20mm service be noted accordingly and that no further changes to the method of supply be allowed without payment of the appropriate fees or charges.

Assessment Number	Property Description and Property Owner	Type of Remission
10005791	Lot 15 on C17930	32mm Residential Water Service charged at 20mm Residential Water Service
10006419	Lot 409 on C17932	32mm Residential Water Service charged at 20mm Residential Water Service
10031748	Lot 59 on C17914	32mm Residential Water Service charged at 20mm Residential Water Service
10012334	Lot 11 on SP171571	32mm Residential Water Service charged at 20mm Residential Water Service
10032621	Lot 5 on SP188501	32mm Residential Water Service charged at 20mm Residential Water Service
10032076	Lot 18 on SP171571	32mm Residential Water Service charged at 20mm Residential Water Service
10032613	Lot 6 on SP188501	32mm Residential Water Service charged at 20mm Residential Water Service
10027975	Lot 3 on SP148765	32mm Residential Water Service charged at 20mm Residential Water Service

Other concessions (allowed by Chief Executive Officer August 2010)

Property owner will not be charged a water service for the additional two meters that have been installed pending approval of the plan of subdivision until such time as that plan has been registered in the Titles Office.

Assessment Number	Property Description and Property Owner	Type of Remission
10010627	Lot 12 on C17953	2 x 20mm Vacant Water Service at no charge until subdivision finalised.

SEWERAGE

Council provides a sewerage reticulation system within defined sewerage area maps of Cooktown and Coen.

Properties within the defined sewerage areas shall be levied a sewerage charge based on a unit allocation scheme whereby all allotments in the various sewerage areas are allocated a certain number of sewerage units. The basis for calculating this levy is for the recovery of Council's costs associated with providing a sewerage service is in the provision and maintenance of capital infrastructure (pipes, processing plant, etc.)

Vacant properties attract a vacant sewerage charge recognising that a sewerage service is available to the land as sewerage infrastructure has been installed ready to supply the property once it is occupied.

CLEANSING

The Council levies utility charges for the provision of waste management services, which are calculated to recover the costs for providing the services. Waste management utility charges incorporate the cost of providing

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and maintaining transfer stations and the cost of implementing waste management and environment protection strategies.

Council provides a residential refuse collection service within defined refuse area maps marked Coen; Cooktown, Marton, Lakeland; and Helenvale & Rossville; Oaky Creek, Poison Creek and Endeavour Valley Road; Ayton; Barretts Creek and Cameron Creek Refuse Collection Area Maps. All residential properties, excluding vacant land, within the service areas attract the refuse collection charge irrespective of whether they use the service or not.

To provide the flexibility for residential properties to implement best practice waste minimisation systems that suit their individual circumstances Council provides the property owners with a choice of either a 120 litre or 240 litre wheelie bin for collection.

To provide the flexibility for commercial properties to implement best practice waste minimisation systems that suit their individual circumstances, commercial properties within the service areas will not be provided with waste disposal service. Disposal of waste from predominantly commercial properties may be organised through private arrangements between the business operators and available contractors and will incur a waste disposal fee in accordance with the waste disposal fee schedule.

7. SPECIAL CHARGES

CAMERON CREEK RURAL ELECTRIFICATION

A special charge will be levied on all rateable land within the area defined on the map marked *Benefited Area, Rural Electrification Cameron Creek Road* for the purpose of raising funds to repay interest and principal on a Queensland Treasury Corporation loan of \$200,882 borrowed to cover the constructions costs of a backbone line.

The Council is of the opinion that all land within the area receives a special benefit from the completed work.

The levy is based on the requirement to service interest and principal charges associated with the loan and agreed to annually by Council.

The levy will continue for each parcel of land within the area of the map marked *Benefited Area, Rural Electrification Cameron Creek Road* for a period of 20 years from 2006.

RURAL FIRE BRIGADES

A special charge will be levied on all rateable land serviced by the Bloomfield River, Marton and Poison Creek Rural Fire Brigades (Areas identified by the Rural Fire Service of Queensland).

Each parcel of rateable land will specially benefit to the same extent from the purchase and maintenance of equipment by each Rural Fire Brigade in the current or future financial years because each such parcel is within the area for which the brigade is in charge of fire fighting and fire prevention under the Fire and Rescue Service Act 1990.

The quantum of the special charge is:

Marton Rural Fire Brigade	\$25.00
Poison Creek Rural Fire Brigade	\$25.00
Rossville Rural Fire Brigade	\$25.00
Bloomfield River Rural Fire	\$25.00

8. SEPARATE CHARGES

ENVIRONMENTAL LEVY

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A separate charge will be levied equally on all rateable land within Cook Shire for landfill infrastructure purposes, both current and future rehabilitation, to fund either all or part of the capital costs associated with the landfill construction and associated transfer station infrastructure and future replacement.

Where an assessment containing parcels (greater than one) that can be shown to be beyond any form of development or improvement, an application may be made for an exemption from the Environmental Levy by resolution of Council.

LIST OF PROPERTIES THAT RECEIVE EXEMPTION

Assessment Number	Property Description and Owner	Type of Remission
10012854	Lots 301 – 311 on H2202 TL 210213 & Lot 1 on RL8141: PAR HICKS	Exemption by Resolution of Council
10008936	Lot 1 on RL7328 Road Lease 14/73280	Exemption by Resolution of Council Resolution 30213 April 2012

The levy will form part of the half year rate levy issued twice yearly.

9. STATE FIRE LEVY

In accordance with the *Fire and Rescue Service Act 1990*, Council is required to collect an Emergency Management and Fire and Rescue Levy for the period 1 July 2014 to 30 June 2015.

The levy is not a Council Charge and the Funds collected are remitted to the Queensland Fire and Rescue Service.

10. FEES AND CHARGES

Council's adopted Fees and Charges register includes a mixture of regulatory and user pays fees. The regulatory charges are identified as such in Council's Fees and Charges Schedule and have been determined with reference to the relevant legislation and where applicable recover the cost of performing the function

11. ISSUE OF NOTICES

Notices for the 2014/2015 financial year will be issued half yearly. The first rates notice will be levied as soon as possible after the annual Budget has been approved by Council. The second levy will be issued in the second half of the financial year after the 1 January.

12. DUE DATE

In accordance with Section 118 of the *Local Government Regulations 2012* payment is due 31 days from the date of issue of the rate notice.

13. INTEREST ON OVERDUE RATES

In accordance with Section 133 of the *Local Government Regulations 2012* interest will be charged at the rate of 11% per annum calculated at compound interest at daily rests on all rates and charges which remain unpaid after expiration of the due date for payment.

14. DISCOUNT ON RATES

In accordance with Section 130 of the *Local Government Regulations 2012* a discount of ten (10) percent of the current year's Council General Rates (excluding overdue rates, interest, special rates and charges, separate charges and service charges), provided that any overdue rates are paid in full by the due date as notified on the Rate Notice.

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15. REMISSIONS AND CONCESSIONS

Chapter 4, Part 10 of the *Local Government Regulation 2012* provides for the Council to remit or postpone rates in certain circumstances.

1. Ratepayers who comply with the criteria set out in the Pensioner Rebate Policy will be entitled to a pensioner rate rebated. Council's rebate is set at 20% up to a maximum of \$200.00 per annum on General, Refuse, Sewerage and Water charges.
2. Clubs, sporting associations and other non-profit community organisations that comply with the criteria set out in the Rate Based Financial Assistance Policy will be entitled to a concession on general rates.

List of properties that have been made non-valued by previous resolutions of Council

Assessment Number	Property Description
10002293	L82 BS246: SL14/48713: PAR COOK
10003143	L4 CP889653: SL 205871: PAR COOK
10003630	L912 C1793: PAR COOK
10011641	L302 C17915: PAR COOK
10028389	L211 C17949: PAR COOK

3. That, as the Council in exercising its power under the *Local Government Act 2009*, is of the opinion, in the case of land owners scheduled in the Table below, there is justification in exercising the power of granting remission at the level indicated as each case is of a kind which has been accepted previously by resolution of Council, such remissions be hereby granted in respect of the general rates and charges payable in respect of the 2014/2015 financial year.

LIST OF PROPERTIES THAT RECEIVE REMISSION

Assessment Number	Property Description and Owner	Type of Remission
10007334	L201-202 SP126719: Parish Cook Cooktown Tennis Club Inc.	100% General Rates 50% Water Charges (<i>Vacant Water Service on L201/SP126719</i>) 100% Sewerage Charges
10001980	Lot 6 on C4866 Reserve 21: Par Lankelly Coen Kindergarten Association	100% Water Service 100% Sewerage Charges (only playground equipment on this parcel)
10014389	Lot 5 on BS262 Parish Solander	100% Rates and Charges under Resolution 29891 of Council - June 2011
10004976	Lot 321 on RP745022 Parish Cook Church House for The Corporation of the Synod of the Diocese of Carpentaria	100% of Valuation Granted by resolution of Council July 2010 - being used as church.

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RATES AND CHARGES FOR THE 2014/2015 FINANCIAL YEAR

1. DEFINITIONS

Rateable Land – is defined by Section 93 (2) of the Local Government Act 2009 as many land or building unit, in the local government area, that is not exempted from rates.

Strata Title Unit – is deemed to be each lot created pursuant to the provisions of the *Body Corporate and Community Management Act 1997*.

2. MINIMUM GENERAL RATE

That pursuant to section 77 of the *Local Government Regulation 2012*, the minimums for each category appear in section A (1), in addition, no minimum will apply to land to which section 50 of the *Valuation of Land Act 2010*, applies. This is to ensure that the general rate revenue from lower valued properties within the shire results in a more equitable contribution from such properties towards the cost of services funded from general rates revenue.

3. DIFFERENTIAL RATE

That by virtue of the provisions of section 94 of the *Local Government Act 2009* and sections 80 and 81 of the *Local Government (Finance, Plans & Reporting) Regulation 2012*, that the Differential General Rate and **Differential Rate Table 2014/2015**

Differential Rate Table 2014/2015				
Residential				
Rural Townships 21	0.69660	cents in the dollar	Minimum	850.00
Rural Townships 23	0.64360	cents in the dollar	Minimum	910.00
Rural Townships 24	0.51396	cents in the dollar	Minimum	1250.00
Outside Townships 31	0.93403	cents in the dollar	Minimum	870.00
Outside Townships 33	0.86380	cents in the dollar	Minimum	1020.00
Outside Townships 34	0.81968	cents in the dollar	Minimum	1710.00
Cooktown & Environs 71	1.09437	cents in the dollar	Minimum	900.00
Cooktown & Environs 74	1.08412	cents in the dollar	Minimum	1270.00
Cooktown & Environs 75	1.01837	cents in the dollar	Minimum	2750.00
Cooktown & Environs 77	0.97788	cents in the dollar	Minimum	5280.00
Rural				
Rural Productive 51	0.80456	cents in the dollar	Minimum	875.00
Commercial & Industrial				
Other 62	1.33240	cents in the dollar	Minimum	868.00
Cooktown & Environs 81	1.20084	cents in the dollar	Minimum	910.00
Permanent Pump Site 91	1.21290	cents in the dollar	Minimum	375.00
Other Intensive Business & Industries				
Extractive 41	3.87749	cents in the dollar	Minimum	380.00
Extractive 42	3.59400	cents in the dollar	Minimum	380.00

That pursuant to the provisions of section 88 of the *Local Government (Finance, Plans & Reporting) Regulation 2012*, the following statement be included in the information sheet which will accompany the Rates Notice:

- (a) If you consider that as at the date of the issue of the Notice, your Land should, having regard to the criteria adopted by Council, have been included in another of the Categories listed in the information sheet accompanying this Rates Notice you may object against the categorisation of your land by posting to or lodging with the Cook Shire Council, PO Box 3, Cooktown, 4895, a

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Notice of Objection in the prescribed form within thirty (30) days of the date of issue of the Rates Notice; (the Form is available at Council's Offices at 10 Furneaux Street, Cooktown.

- (b) The only ground on which you may so object is that your land should, having regard to the criteria adopted by Council, have been included in some other Category.
- (c) The posting to or lodging of a Notice of Objection with Council shall not in the meantime interfere with or affect the levy and recovery of the Rates referred to in this Rates Notice.
- (d) If, because of your Notice of Objection, the land is included in another Category, an adjustment of the amount of Rates levied or, as the case may be, the amount of Rates paid shall be made.
- (e) The Category in which your land is included was identified by Cook Shire Council.
- (f) The Categories of rateable land and the criteria by which your land is categorised is contained in Council's Revenue Statement and is also contained in the information sheet which accompanies your Rates Notice.

4. SPECIAL CHARGES

That pursuant to sections 92 and 94 of the *Local Government Act 2009* and section 103 of the *Local Government Regulation 2012*, Council has resolved to raise and levy the following special charges:-

Cameron Creek Electrification

An amount of \$869.44 will be levied on each lot identified on the map marked Benefited Area, Rural Electrification Cameron Creek Road Area.

Rural Fire Brigade

The amounts set out below to be levied on each lot identified by maps marked Bloomfield River Rural Fire Brigade, Marton Rural Fire Brigade, Poison Creek Rural Fire Brigade:-

Marton Rural Fire Brigade	\$25.00
Poison Creek Rural Fire Brigade	\$25.00
Rossville River Rural Fire Brigade	\$25.00
Bloomfield River Rural Fire Brigade	\$25.00

5. SEPARATE CHARGES

That pursuant to the sections 37 of the *Local Government Act 2009* and Chapter 2, Part 8, of the *Local Government Regulations 2012*, Council has resolved to raise and levy the following separate charge.

Environmental Levy

An amount of \$76.00 will be levied equally on each parcel of rateable land within Cook Shire.

6. UTILITY CHARGES

That pursuant to the sections 92 and 94 of the *Local Government Act 2009* and chapter 4, part 7 of the *Local Government Regulation 2012*, Council has resolved to raise and levy the following utility charges:-

WATER CHARGES

Water Charges shall be made for the purpose of supplying water for the 2014/2015 financial year on the following basis.

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Service (Access) Charges are calculated per water meter as detailed below. Vacant Service Charges to apply to all vacant properties as well as all properties that do not have planning approval for either residential or commercial use within the Cooktown Water Area. Commercial Service Charges are to apply only to those properties with a Differential Rating Category of 81 and which are in the Cooktown Water Area. Charges will be levied in two equal half yearly amounts.

Consumption Charges

A one (1) tier pricing structure is used in applying the consumption charge component of multi part tariff as set out in the table below. Water Meters will be billed individually with progressive billing per financial year.

Water Access Charge Description	Water Access Charge	Cost per Kilolitre
Vacant Water	\$ 700.00	\$ 0.00
20mm meter connection	\$ 450.00	\$ 1.75
25mm meter connection	\$ 697.50	\$ 1.75
32mm meter connection	\$ 1147.50	\$ 1.75
40mm meter connection	\$ 1800.00	\$ 1.75
50mm meter connection	\$ 2812.50	\$ 1.75
80mm meter connection	\$ 7200.00	\$ 1.75
100mm meter connection	\$ 11250.00	\$ 1.75

ALL BENEFITED WATER AREAS

- (i) In respect of newly subdivided vacant land, water service charges shall be levied proportionately for the unexpired part of the year from the date the plan of subdivision is registered at the Titles Office or from the date of connection of water to the subject land, whichever date shall be the earlier.
- (ii) In respect of additional water meters connected during the year, water service charges shall be levied proportionately for the unexpired part of the year from the date the water meter is connected to the Council's water reticulation system.

SEWERAGE

Sewerage charges shall be made for the cost of supplying a service for the removal of sewerage, for the 2014/2015 financial year on the following basis:

Council operates a rating regime based on a unit allocation scheme on the basis of the number of units ascribed to the particular occupation of each property in accordance with the following schedule for sewerage areas of Cooktown and Coen.

ALL BENEFITED SEWERAGE AREAS

- (i) Shopping Complex is defined as consisting of a minimum of three shops/businesses (that is eligible to be registered as a business premises) on the same title, excluding all dwelling and accommodation uses.
- (ii) Tourist Accommodation includes motels, holiday cabins, B&B's, taverns, resorts, guest houses, camping grounds and caravan park sites.
- (iii) In respect of newly subdivided vacant land, sewerage charges shall be levied proportionately for the unexpired part of the year from the date the plan of subdivision is registered at the Titles Office or from the date of connection of sewerage to the subject land, whichever date shall be the earlier.

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- (iv) In respect of improvements erected during the year, sewerage charges shall be levied proportionately for the unexpired part of the year from the date the improvement is ready for occupation, or from the date of connection of sewerage to the subject land, whichever date shall be the earlier.

Cook Shire Council 2014/2015 Cooktown Sewerage Unit Table	Units	\$133.00
Ambulance, Fire Station	8	\$1,064.00
Business/Shopping Complex : 1st shop/business	12	\$1,596.00
Business/Shopping Complex :each additional shop/business	4	\$532.00
Butchery, Bakery	12	\$1,596.00
Café or Takeaways	10	\$1,330.00
Caravan Parks : kiosk	3	\$399.00
Churches/Unlicensed Clubs/Meeting Rooms/Hall	4	\$532.00
Commercial laundry, Concrete Works/Brick Works	20	\$2,660.00
Court House, Police Station, Post Office	12	\$1,596.00
Doctor or Dental Surgery or similar: 0 - 2 rooms	8	\$1,064.00
Doctor or Dental Surgery or similar: more than 2 rooms	10	\$1,330.00
Dwelling/Self Contained Units	6	\$798.00
Dwelling/Flat attached to a Commercial Premises	5	\$665.00
Event Centres	20	\$2,660.00
Flats or Strata Title : each flat	6	\$798.00
Garage or Service Station	14	\$1,862.00
Home Occupation	4	\$532.00
Hospital	64	\$8,512.00
Ice Works	16	\$2,128.00
Industry	8	\$1,064.00
Kindergarten and Day Care Centres	10	\$1,330.00
Library	10	\$1,330.00
Licensed Clubs, Racecourse	8	\$1,064.00
Licensed Hotels/Resorts/Taverns:	40	\$5,320.00
Museum/Gallery; Nursery, Tourist Attraction; Storage Shed, Fuel Depot	6	\$798.00
Office, Shop	10	\$1,330.00
Professional Office/Room in an existing dwelling	8	\$1,064.00
Racecourse	8	\$1,064.00
Restaurant, Licensed Club with Restaurant	18	\$2,394.00
Schools up to 2 rooms	12	\$1,596.00
Schools 3 - 5 rooms	24	\$3,192.00
Schools 6 - 10 rooms	48	\$6,384.00
Schools 11 - 20 rooms	64	\$8,512.00
Schools over 20 rooms	128	\$17,024.00
Storage Shed, Fuel Depot	6	\$798.00
Tourist Accommodation: per room/site without facilities	2	\$266.00
Tourist Accommodation: per room with facilities	3	\$399.00
Vacant Allotment	8	\$1,064.00
Welfare Home : per unit	8	\$1,064.00
Works Depot	10	\$1,330.00
Planning approved Relatives Apartment	0	\$0.00

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Cook Shire Council 2014/2015 Coen Sewerage Unit Table	Units	\$115.00
Ambulance, Fire Station	8	\$920.00
Business/Shopping Complex : 1st shop/business	12	\$1,380.00
Business/Shopping Complex :each additional shop/business	5	\$575.00
Butchery, Bakery	12	\$1,380.00
Café or Takeaways	12	\$1,380.00
Caravan Parks : kiosk	4	\$460.00
Churches/Unlicensed Clubs/Meeting Rooms/Hall	4	\$460.00
Commercial laundry, Concrete Works/Brick Works	20	\$2,300.00
Court House, Police Station, Post Office	12	\$1,380.00
Doctor or Dental Surgery or similar: 0 - 2 rooms	8	\$920.00
Doctor or Dental Surgery or similar: more than 2 rooms	12	\$1,380.00
Dwelling/Barracks/Goal/Self Contained Units	8	\$920.00
Flats or Strata Title	8	\$920.00
Garage or Service Station	12	\$1,380.00
Home Occupation	4	\$460.00
Hospital	64	\$7,360.00
Ice Works	18	\$2,070.00
Industry	10	\$1,150.00
Kindergarten and Day Care Centres	8	\$920.00
Library	10	\$1,150.00
Licensed Clubs, Racecourse	8	\$920.00
Licensed Hotels/Resorts/Taverns:	40	\$4,600.00
Museum/Gallery; Nursery, Tourist Attraction Storage Shed, Fuel Depot	8	\$920.00
Office, shop	12	\$1,380.00
Professional Office/Room in an existing dwelling	8	\$920.00
Racecourse	8	\$920.00
Restaurant, Licensed Club with Restaurant	16	\$1,840.00
Schools up to 2 rooms	12	\$1,380.00
Schools 3 - 5 rooms	24	\$2,760.00
Schools 6 - 10 rooms	48	\$5,520.00
Schools 11 - 20 rooms	64	\$7,360.00
Schools over 20 rooms	128	\$14,720.00
Tourist Accommodation: per room with facilities	3	\$345.00
Tourist Accommodation: per room/site without facilities	2	\$230.00
Vacant Allotment	8	\$920.00
Welfare Home : per unit	8	\$920.00
Works Depot	12	\$1,380.00
Planning approved Relatives Apartment	0	\$0.00

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CLEANSING

a) Residential Cleansing - Coen

An annual Domestic Cleansing Charge, for the purpose of removal and disposal of perishable waste only for the year 2014/2015 be set at an amount of \$450.00 for a weekly service and applied with the following schedule.

Council has adopted a fee structure that provides a 240 litre Wheelie Bin service to apply on all improved domestic properties for refuse removal and disposal and levied on each separate occupancy (whether occupied or vacant) within the Coen Refuse Collection area and that such charge shall apply whether or not a service is utilised, save and except that where land is for the first time built on during the year the charge shall be made from the date the structure is occupied, calculated proportionately for the unexpired part of the year.

<i>Type of Improvement</i>	<i>No. of Services</i>
Residence	1 Unit of charge per use
Flat	1 Unit of charge per use
Strata Title Units	1 Unit of charge per use

The following properties are not primarily residential; however a residential wheelie bin collection service is to be provided.

10001485	Coen Primary School's 3 residential buildings
10001501	Coen Police Service's 3 residential buildings

b) Residential Cleansing – Cooktown, Marton & Lakeland

An Annual Cleansing Charge, for the purpose of removal and disposal of perishable waste only for the 2014/2015 financial year is set at \$179.00 for a 120 litre Wheelie Bin and at \$450.00 for a 240 litre Wheelie Bin for a weekly collection service and applied with the following schedule.

Council has adopted a fee structure that provides residential property owners with a choice of a 120 litre or a 240 litre wheelie bin service to apply on all residential properties for refuse removal and disposal and levied on each separate occupancy (whether occupied or vacant) within the Cooktown, Marton & Lakeland Refuse Collection area of coverage and that a charge shall apply whether or not a service is utilised, save and except that where land is for the first time built on during the year the charge shall be made from the date the structure is occupied, calculated proportionately for the unexpired part of the year at the default charge for a 120 litre wheelie bin .

<i>Type of Improvement</i>	<i>No. of Services</i>	
	<i>Option 1 (120 litre)</i>	<i>Option 2 (240 litre)</i>
Residence	1 Unit of charge per use	1 Unit of charge per use
Flat	1 Unit of charge per use	1 Unit of charge per use
Strata Title Units	1 Unit of charge per use	1 Unit of charge per use

(c) Residential Cleansing – Rossville, Helenvale, Oaky Creek, Poison Creek & Endeavour Valley Road

An Annual Cleansing Charge, for the purpose of removal and disposal of perishable waste only for the 2014/2015 financial year is set at \$94.00 for a 120 litre Wheelie Bin and at \$225.00 for a 240 litre Wheelie Bin for a fortnightly collection service and applied with the following schedule.

Council has adopted a fee structure that provides residential property owners with a 240 litre wheelie bin service to apply on all residential properties for refuse removal and disposal and levied on each separate occupancy (whether occupied or vacant) within Rossville & Helenvale Refuse Collection area or the Oaky Creek, Poison Creek & Endeavour Valley Road Refuse Collection area of coverage and that such charge shall apply whether or not a service is utilised, save and except that where land is for the first time built on during the year the charge shall be

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made from the date the structure is occupied, calculated proportionately for the unexpired part of the year.

(d) Proposed Residential Cleansing – Ayton, Cameron Creek and Barretts Creek

An Annual Cleansing Charge, for the purpose of removal and disposal of perishable waste only for the 2014/2015 financial year is set at \$94.00 for a 120 litre Wheelie Bin and at \$225.00 for a 240 litre Wheelie Bin for a fortnightly collection service and applied with the following schedule.

Council has adopted a fee structure that provides residential property owners with a 240 litre wheelie bin service to apply on all residential properties for refuse removal and disposal and levied on each separate occupancy (whether occupied or vacant) within Ayton Refuse Collection area or the Cameron Creek and Barretts Creek Refuse Collection area of coverage and that such charge shall apply whether or not a service is utilised, save and except that where land is for the first time built on during the year the charge shall be made from the date the structure is occupied, calculated proportionately for the unexpired part of the year.

<i>Type of Improvement</i>	<i>No. of Services</i>	
	<i>Option 1 (120 litre)</i>	<i>Option 2 (240 litre)</i>
Residence	1 Unit of charge per use	1 Unit of charge per use
Flat	1 Unit of charge per use	1 Unit of charge per use
Strata Title Units	1 Unit of charge per use	1 Unit of charge per use

7. ISSUE OF RATE NOTICES

- (a) That all Rates and Charges made, levied and imposed for the 2014/2015 financial year will be issued twice a year for the periods ending 31st December 2014 and 30th June 2015 respectively.
- (b) The due date for payment is defined as being thirty one (31) days from the date of issue of the rate notice.

8. INTEREST

- 8) That pursuant to section 133 of the *Local Government Regulation 2012*, interest will be charged at the rate of 11% per annum calculated at compound interest on daily rests, on all rates and charges which remain from the expiration of the due date for payment.

9. DISCOUNT

- 9) That pursuant to section 130 of the *Local Government Regulation 2012*, 10% discount be allowed on General Differential Rates, if paid in full by the due date as notified on the Rate Notice (excluding overdue rates, interest, water service charges, water consumption charges, sewerage charges, cleansing charges, special rates and charges and separate charges) provided that any overdue rates are paid in full by the due date.

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30800	2014/15 DEBT POLICY	
	<i>Report from Director Corporate Services</i>	

Cr S Clark moved; seconded Cr R Bowman

That Council resolve to adopt the attached Debt Policy for the 2014-15 financial year.

CARRIED

Précis

To provide Council with a policy that applies to all borrowings of Cook Shire Council based on sound financial management guidelines.

Background/History

The Debt Policy is based on the following principals:

1. Council will not use long term debt to fund operating activities or re-current expenditure of Council.
2. The interest coverage ratio should remain less than 5% (at 30/6/14 1.3%)
3. Council should continually evaluate its financing options to ensure it assesses the relative risks and benefits.
4. Detailed capital works and asset acquisition programs for the next 10 years will provide the basis for the determination of funding options.

Link to Corporate Plan

Finance

Consultation

Within Finance Section

Legal Implications (Statutory, basis, legal risks)

In accordance with Sec 192 of the Local Government Regulation 2012

Policy Implications

None

Financial and Resource Implications (Budgetary)

As per (3) above.

RECOMMENDATION

That Council resolve to adopt the attached Debt Policy for the 2014-15 financial year.



COOK SHIRE COUNCIL

DEBT POLICY

INTENT:

A debt policy must be prepared each financial year.

SCOPE:

Details Council's current borrowing structure and advice of any future borrowings and the timeframe over which Council plans to repay existing and new borrowings.

LEGISLATIVE FRAMEWORK:

This policy has been generated with reference to Sec 192 of the Local Government Regulation 2012.

PROVISIONS:

The Debt Policy is to be prepared each financial year and must state the following:

- The new borrowings planned for the current financial year and the next 9 financial years.
- The time over which it is planned to repay existing and proposed borrowings.

Existing Borrowings	Term of Loan (Years)	Due Date	Balance Owing at 30/6/14
Bridgeworks	6	30/06/2015	9,510.29
Temporary Bridge	10	31/07/2019	151,191.79
Cameron Creek Electrification	15	31/12/2022	117,436.61
Cooktown Sewerage Scheme	15	30/06/2024	1,699,871.56
Cooktown Depot Redevelopment	15	31/07/2024	775,653.78
Water Treatment Plant Upgrade	15	30/06/2026	734,143.29
New Store at Depot	15	31/5/2029	1,002,468.02
Totals			4,490,275.34

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New borrowings of \$1,300,000 are budgeted for 2014-15, these funds are to construct staff accommodation units in Cooktown.

The short fall in quality rental accommodation has been detrimental in attracting suitably qualified and experienced staff to Cook Shire. Council will review the results of a cost benefit analysis from the Queensland Treasury Model before commencing the project and initiating any borrowings.

Council reserves the right to consider other borrowings for emergent capital needs based on Council's ability to service future repayments.

THIS POLICY IS TO REMAIN IN FORCE UNTIL OTHERWISE DETERMINED BY COUNCIL.

RESPONSIBILITIES

Officer responsible for review:	Director Corporate Services
Originally adopted:	July 2013
Current adoption:	July 2014
Date for review:	Annually

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30801	INVESTMENT POLICY FOR 2014-15 FINANCIAL YEAR	

Cr R Bowman moved; seconded Cr P Johnson
That Council resolve to adopt the revised Investment Policy.
CARRIED

Précis

Council has updated it's Investment Policy in accordance with the *Local Government Regulation 2012 Sec 191*.

Background/History

In summary the Investment Policy must outline the Local Governments investment objectives, risk philosophy and procedures for achieving the goals stated in the policy

The Investment Policy has been updated to reference the correct sections in the *Local Government Regulation 2012*

Link to Corporate Plan

Finance

Consultation

Within Finance Section

Legal Implications (Statutory, basis, legal risks)

Complies with *Local Government Regulation 2012, Sec 191*.

Policy Implications

None

Financial and Resource Implications (Budgetary)

None

RECOMMENDATION

That Council resolve to adopt the revised Investment Policy.

COOK SHIRE COUNCIL



Investment Policy

INTENT:

To provide Council with a contemporary investment policy based on an assessment of counterparty, market and liquidity risk within the legislative framework of the *Statutory Bodies Financial Arrangement Act and Regulations*.

SCOPE:

This policy applies to the investment of surplus funds in accordance with investment powers under *Part 6 of the Statutory Bodies Financial Arrangement Act 1982* (SBFAA).

DEFINITIONS:

For the purpose of these guidelines the following definitions shall apply:

CEO	shall mean the person appointed to the position of Chief Executive Officer under the Act and anyone acting in that position.
Council	shall mean the Cook Shire Council.
Investment Officer/s	shall mean employees engaged in activities related to the physical investment of funds (eg investment placement and redemption, reconciliations, checking).
Officer	Defined as Any Employee Up to and Including All Management Levels
SBFAA	shall mean the <i>Statutory Bodies Financial Arrangements Act 1982</i> (as amended)
Senior Executive Officer	shall mean all employees of Council including Senior Executive Officers, but excluding the Chief Executive Officer.
The Act	shall mean the <i>Local Government Act 2009</i> (as amended).

PROVISIONS:

4. LEGISLATION

This Policy has been prepared after consideration of the following (as amended) pieces of legislation:

- *Local Government Regulation 2012 Sec 191*
- *Statutory Bodies Financial Arrangements Act 1982* (to determine Council's power of investment):

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- Section 42 of the *Statutory Bodies Financial Arrangement Act 1982* refers to three different categories of investment power.
- Schedule 2, 3, 4 and 5 of the *Statutory Bodies Financial Arrangements Regulations 2007* list the statutory bodies' categories and investment power.
- Section 44 of the *Statutory Bodies Financial Arrangement Act 1982* dictates the types of investments that Council may use.
- Section 8 of the *Statutory Bodies Financial Arrangements Regulations 2007* prescribes the rating of the investment arrangements as prescribed under Section 44 (1)(e) of the *Statutory Bodies Financial Arrangements Act 1982*.

5. RESPONSIBILITIES

Responsibilities

As per below procedures.

6. GENERAL POLICY

6.1. Investment Objectives

Cook Shire Council's overall objective is to invest funds at the most advantageous rate of interest available to it at the time, for that investment type, and in a way that it considers the most appropriate given the circumstances.

Investment officers are to manage the investment portfolios not for speculation, but for investment and in accordance with the spirit of this Investment Policy. Investment officers are to avoid any transaction that might harm confidence in Cook Shire Council.

In priority, the order of investment activities shall be preservation of capital, liquidity and return.

6.1.1. Preservation of Capital

Preservation of capital shall be the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security of principal of the overall portfolio. This would include managing credit and interest rate risk within given risk management parameters and avoiding any transactions that would prejudice confidence in Council or its associated entities. In particular Council will maximise its opportunities to take advantage of the Government Deposit Guarantee Scheme (announced on the 12 October , 2008), particularly in relation to investments with institutions with a long term credit rating of less than BBB+.

a) Credit Risk

Cook Shire Council will evaluate and assess credit risk prior to investment. Credit risk is the risk of loss due to the failure of an investment issue or guarantor. The investment officer will minimise credit risk in the investment portfolio by pre-qualifying all transactions including the brokers/securities dealers with which they do business, diversifying the portfolio and limiting transactions to secure investments.

b) Interest Rate Risk

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The investment officers shall seek to minimise the risk of a change in the market value of the portfolio because of a change in interest rates. This would be achieved by considering the cash flow requirements of Council and structuring the portfolio accordingly. This will avoid having to sell securities prior to maturity in the open market. Secondly, interest rate risk can be limited by investing in shorter term securities.

6.1.2. Maintenance of Liquidity

The investment portfolio will maintain sufficient liquidity to meet all reasonably anticipated operating cash flow requirements of Council, as and when they fall due, without incurring significant transaction costs due to being required to sell an investment.

6.1.3. Return on Investments

The portfolio is expected to achieve a market average rate of return and take into account Cook Shire Council's risk tolerance and current interest rates, budget considerations, and the economic cycle. Any additional return target set by Council will also consider the risk limitations, prudent investment principles and cash flow characteristics identified within this Investment Policy.

6.2. Ethics & Conflicts of Interest

Investment officers/employees shall refrain from personal activities that would conflict with the proper execution and management of Cook Shire Council's investment portfolio. This includes activities that would impair the investment officers' ability to make impartial decisions.

This policy requires that employees and investment officers disclose to the Chief Executive Officer any conflict of interest or any investment positions that could be related to the investment portfolio.

7. REQUIREMENTS

In accordance with Schedule 3 of the Statutory Bodies Financial Arrangements Regulation 2007, Cook Shire Council has been allocated a Category 1 investment power.

7.1. Portfolio Investment Parameters

Section 44(1) of SBFAA details the investment powers allocated to Category 1 authorities:

- deposits with a financial institution;
- investment arrangements accepted, guaranteed or issued by or for the Commonwealth or a State or a financial institution;
- other investment arrangements secured by investment arrangements accepted, guaranteed or issued by or for the Commonwealth or a State or a financial institution;
- investment arrangements, managed or operated by QIC or QTC, prescribed under a regulation for this paragraph;
- an investment arrangement with a rating prescribed under a regulation for this paragraph;

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-
- other investment arrangements prescribed under a regulation for this paragraph.

Section 44(2) states that the investment must be:

- at call; or
- for a fixed time of not more than 1 year.

7.2. Prohibited Investments

This investment policy prohibits any investment carried out for speculative purposes. The following investments are prohibited by this investment policy:

- Derivative based instruments (excluding floating rate notices)
- Principal only investments or securities that provide potentially nil or negative cash flow
- Stand alone securities that have the underlying futures, options, forward contracts and sways of any kind, and
- Securities issued in non-Australian dollars

7.3. Placement of Investment Funds

Overall the amount invested with institutions should not exceed the following percentage ranges of overall annual funds invested and appropriate documentation must be maintained. Also when placing investments, consideration should be given to the relationship between credit rating and interest rate.

<u>Investments with Financial Institutions and Investment</u>			
<u>Arrangements Offered by QTC</u> Long Term Rating (Standard & Poors)	Short Term Rating (Standard & Poors)	Individual Counterparty Limit	Total Portfolio Limit
AAA to AA-	A1+	Maximum 20%	No limit
A+ to A	A1	Maximum \$950,000	Maximum 50%
A- to BBB+	A2	Maximum \$950,000	Maximum 50%
Unrated or below BBB+	Unrated or below A2	Maximum \$950,000	Maximum 50%
QTC Cash Management Fund		No Limit	No Limit

Unrated or below BBB+ may include institutions such as Bendigo Bank, Credit Unions or Community type Banks. Overall size of these may exclude them from rating by S&P.

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Council approves dealings with all financial institutions ('Financial Institution' is defined as an authorised deposit-taking institution within the meaning of the Banking Act 1959 (Cwlth), Section 5).

7.4. Maturity

The maturity structure of the portfolio will reflect a maximum term to maturity of one year.

7.5. Liquidity Requirement

Given the nature of the funds invested, no more than 20% of the investment portfolio will be in illiquid securities and at least 10% of the portfolio can be called at no cost or will mature within a maximum of seven (7) days.

8. IMPLEMENTATION

8.1. Internal Controls

The Director Corporate Services shall establish internal controls and processes that will ensure investment objectives are met and that the investment portfolios are protected from loss, theft or inappropriate use.

The Chief Executive Officer shall issue a letter to any approved counterparty advising that funds transferred from investments to Council must only be deposited into Council's General Account or Trust Account. This instruction cannot be varied unless a written request is made in writing signed in accordance with Council's account signing authority.

8.2. Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the Chief Executive Officer in accordance with the Local Government Act 2009.

Authority for the day to day management of Council's Investment Portfolio is to be delegated by the Chief Executive Officer to the Director Corporate Services.

THIS POLICY IS TO REMAIN IN FORCE UNLESS OTHERWISE DETERMINED BY COUNCIL.

Officer responsible for review:	Director, Corporate Services
Current adoption:	August 2012
Version No:	V4
Date for review:	July 2014

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30802	TRANSFER OF RESERVE TO OPERATING FUND	

Cr G Shephard moved; seconded Cr A Wilson
That Council resolve to transfer \$4,255.031 from the FAG's Grant Advances Reserve to retained earnings for the 2013-14 financial year.
CARRIED

Précis

Council received a 50% advance of it's Financial Assistance Grant for 2013-14 in the 2012-13 financial year, the amount of \$4,255,031 was placed into a reserve and is now required to be transferred to Retained Earnings for the 2013-14 financial year.

Background/History

The transfer of reserve balances require Council approval.

Financial and Resource Implications (Budgetary)

These transfers release cash allocated to reserves back into the operating account.

RECOMMENDATION

That Council resolve to transfer \$4,255.031 from the FAG's Grant Advances Reserve to retained earnings for the 2013-14 financial tear.

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30803	OPERATIONAL PLAN FOR 2014-15 FINANCIAL YEAR	

Cr S Clark moved; seconded Cr P Johnson

That Council resolve to adopt the attached Operational Plan for the 2014-15 financial year.
CARRIED

Précis

Council has to prepare an Operational Plan each financial year in accordance with the *Local Government Regulation 2012 Part 2, Division 4, Sec 174*.

Background/History

The Operational Plan must be consistent with the Annual Budget and Corporate Plan and state how it will manage operational risks.

RECOMMENDATION

- (i) That Council resolve to adopt the attached Operational Plan for the 2014-15 financial year.

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30804	ANNUAL BUDGET 2014-15	

Cr P Scott moved; seconded Cr A Wilson

That Council resolve to adopt the Annual Budget 2014-15 and supporting documents as presented.

CARRIED

Précis

Council's Annual Budget must comply with the *Local Government Regulation 2012 Part 2 Division 2 Sec 169*.

Background/History

The Annual Budget 2014-15 has been prepared on an accrual basis and includes the required statements for budget year 2014-15 and the next two years.

The Budget papers include the following documents:

- Financial Position
- Cash Flow
- Income and Expenditure
- Changes in Equity
- Summary of Reserves
- Financial Ratios
- Long Term Financial Forecast
- Revenue Statement
- Revenue Policy
- Borrowing Policy

The Budget documents have been prepared consistent with the following documents:

- Corporate Plan 2012-17
- Operational Plan 2014-15
- Community Plan

RECOMMENDATION

That Council resolve to adopt the Annual Budget 2014-15 and supporting documents as presented.

Key Points: Cook Shire Annual Budget 2014-15

Rates

The budgeted increase in Council revenue from rates and utility charges for the 2014-15 Annual Budget on a year on year basis is 4.3%.

The Department of Natural Resources conducted a property revaluation for Cook shire in 2014 and a significant number of properties had corrections in their valuations, the majority had reductions of up to 15%, this does not equate to an automatic reduction in rates charged, as Council needs to generate the same amount of revenue to fund services provided.

Due to variations in land valuations there will be differences in what is charged to individual ratepayers across all categories.

Utility charges have not increased in the 2014-15 budget.

Operating Result 2014-15

Federal Assistance Grants (FAG's) are no longer paid in advance so the increase in that grant (from \$4.4 mil to \$8.5 mil) showing in the 2014-15 budget reflects that 100% of the FAG's will be received in the budgeted financial year..

Revenues

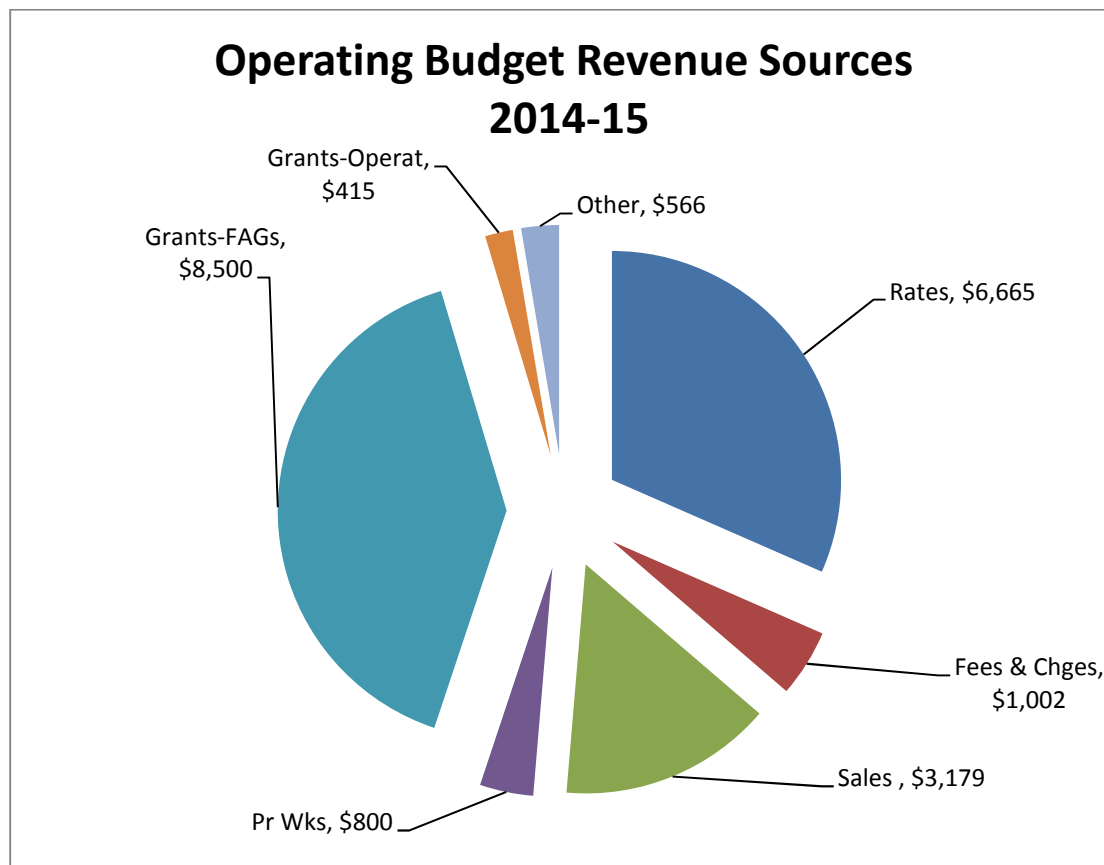
The largest revenue source for Cook Shire Council is from the Federal Assistance Grant (FAG), the amount for 2014 is estimated at \$8.5 mil, however no CPI increases will apply to FAG's for the next 3 years, council will need to source additional revenue to supplement this loss in revenue.

Fees and charges generally increased by 3% to 5% apart from a significant adjustment to building fees which needed to apply full cost pricing to comply with competitive neutrality legislation in the Local Government Act 2010.

Revenue from private works is expected to drop due to the large amount of capital works planned for 2014-15.

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Below is a breakdown of the Cook Shire operating revenues for 2014-15 –



Expenses

Salaries operating costs will be less than 2013-14 due employee costs applied to the high level of capital works during 2014-15.

The Annual subscription to Advances Cairns of \$40,000 has been withdrawn and the funds redirected as follows \$20,000 to the Cooktown Race Club under a Memorandum of Understanding and \$20,000 to redevelop the Council web site.

Depreciation has increased following the revaluation of buildings

Employee costs have remained stable due to the continuance of eligible day labour for Flood Damage works.