



I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 20 September 2016
Time: 9:00am
Location: Administration Centre
10 Furneaux Street
Cooktown

AGENDA AND BUSINESS PAPERS

Ordinary Council Meeting

20 September 2016

Martin Cookson
Acting Chief Executive Officer

Order Of Business

1	Agenda Contents	5
2	Attendance	5
3	Meeting Opened	5
4	Apologies	5
5	Declarations of Interest	5
6	Mayoral Minute	5
	Nil	
7	Notice of Bereavement	5
8	Confirmation of Minutes	5
9	Business Arising	5
10	Notified Motions	5
	Nil	
11	Councillors' Reports	6
	11.1 Councillors Monthly Report	6
12	Executive Services - Reports	15
	12.1 Minutes of the Waterfront Advisory Committee - 15 August 2016 and 12 September 2016.	15
13	Infrastructure Services - Reports	23
	13.1 Webber Esplanade Tidal Lagoon and Marina	23
	13.2 General Waste Disposal from Laura Businesses	28
14	Corporate Services - Reports	31
	14.1 Revenue and Expenditure - August 2016.....	31
	14.2 Creation of a Reserve for Land Purchases.....	36
	14.3 Objection - Alluvial mine on the Laura River.....	37
15	Development, Environment and Community - Reports	41
	15.1 Application For a Development Permit for DA/3654 - Reconfiguration of Lot 22 on Plan SP273337 and Lot 26 on Plan SP279559, Peninsula Developmental Road via Lakeland, by way of Boundary Realignment (Option 1).....	41
	15.2 APPLICATION FOR A DEVELOPMENT PERMIT FOR DA/3653 - RECONFIGURATION OF LOT 22 ON PLAN SP273337 AND LOT 26 ON PLAN SP279559, PENINSULA DEVELOPMENTAL ROAD VIA LAKELAND INTO TWO (2) LOTS BY WAY OF BOUNDARY REALIGNMENT (OPTION 2).....	47
	15.3 APPLICATION FOR A DEVELOPMENT PERMIT FOR DA/3570 - MATERIAL CHANGE OF USE FOR INTENSIVE ANIMAL KEEPING (FISH & CROCODILE FARM), CARAVAN PARK (WILDERNESS CAMPING AND REMOTE WORKERS ACCOMMODATION ON LOT 5 ON SP188123, 4864 MULLIGAN HIGHWAY LAKELAND.....	53

15.4	AMENDMENT OF SUBORDINATE LOCAL LAWS –ADOPTION OF CONSOLIDATED LOCAL LAWS	82
15.5	Cooktown Airport Aviation Park Budget Review	194
15.6	Show Day Holiday 2017	197
15.7	Waymbuurr Botanic Gardens Precinct Advisory Committee.....	200
15.8	Cooktown 2020 Advisory Committee	203
16	Confidential Reports.....	207
16.1	Grants Committee	207
16.2	Lease Renewal 1	207
16.3	Lease Renewal 2	207
16.4	Advertisement of Expression of Interest - E0416	207
16.5	ADVERTISEMENT OF EXPRESSION OF INTEREST - E0516	207
17	Executive Services - Information	208
	Nil	
18	Infrastructure Services - Information	209
18.1	Information report for NDRRA	209
19	Corporate Services - Information	212
	Nil	
20	Development, Environment and Community - Information	212
	Nil	

1 AGENDA CONTENTS

2 ATTENDANCE

3 MEETING OPENED

4 APOLOGIES

5 DECLARATIONS OF INTEREST

6 MAYORAL MINUTE

Nil

7 NOTICE OF BEREAVEMENT

8 CONFIRMATION OF MINUTES

Ordinary Meeting - 16 August 2016

9 BUSINESS ARISING

10 NOTIFIED MOTIONS

Nil

11 COUNCILLORS' REPORTS

11.1 COUNCILLORS MONTHLY REPORT

File Number: D16/10292

Author: Executive Assistant

Authoriser: Tim Cronin, Chief Executive Officer

Attachments:

- 1 Mayor Peter Scott Monthly Activity Report
- 2 Deputy Mayor Alan Wilson Monthly Activity Report
- 3 Cr Kaz Price Monthly Activity Report
- 4 Cr Robyn Holmes Monthly Activity Report
- 5 Cr John ' Chook' Giese Monthly Activity Report
- 6 Cr John Dessmann Monthly Activity Report

PRECIS

Councillor monthly activity reports.

BACKGROUND/HISTORY

Each month Councillors report on their activities relating to their portfolios. An endorsement of the report is an endorsement of the attended and future activities. Not all activities will be listed in advance due to timing.

Cr Larissa Hale has been on leave for the month.

LINK TO CORPORATE PLAN

Leadership and Governance

4.1.1 Provide, to a standard that ensures (at a minimum) legislative compliance:

- a) Sustainable financial and administrative management of the Shire's municipal and community resources.

Active, Creative and Connected

4.3.1 Provide, to a standard that ensures (at a minimum) legislative compliance and equitable access:

- e) Community Engagement across all relevant activities.

Identity and Integrity

4.5.1 Provide:

- a) Support and advocacy for groups and statutory planning endeavours that further the preservation of the Shire's cultural heritage.
- d) Recognition of diversity within the Shire's community whilst valuing and encouraging equity and inclusiveness.

CONSULTATION

Various groups as per individual reports.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Expense Reimbursement Policy (Councillor)

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Operational Budget

RECOMMENDATION

That the activities contained in the individual Councillor monthly report be endorsed by Council.

Monthly Activity Report
Councillor: Peter Scott
September 2016

Meetings/Events/Constituent Representations

Date	Venue	Details	Outcome/Action
Aug 17	Depot CDCC	Works staff update – projects & strategies. Cooktown Community Housing	NRSCH registration expected Dec.
23	Cooktown PCYC	Minister Steven Miles DEHP Town Tour AGM	Waterfront, 2020, Springvale, Veg Mgmt. Act, Weipa, Coast Rd, Lakeland water & solar
24 - 25	Cairns	Connecting to Asia conference Ministers Jones and Pitt	Asia tourism, Maytown, 2020
26	Wharf	ABC Far North	Waterfront, harbour, marine business
27	CWA Bldg.	Regional AGM	Scope of work in regional communities.
29	Cairns	District Disaster Management Group	LGAQ & agencies
31	Cooktown	Railway track / yards. Cr Dessmann & Eric George	Council support for walk /bike/link track
Sept 1	Cooktown Chambers Sovereign	FNQROC Tech Group regional meeting – address Wongai Coal Mine Wayne Kratzmann	Council strategic priorities. Presentation. LGAQ Mayoral mentor.
Sept 2	Powerhouse	Operational strategy	Signage, marketing
5	Chambers	2020 meeting	See minutes
6	River of Gold Depot	Chamber address Road / asset management program	Asian tourism, coast road update Paul & Michael Efficiencies
7	Govt Hub	DATSIP & PIR	Crisis accommodation
8	Powerhouse	RUOK Walk	

Upcoming Meetings/ Travel

Sept 14	Cooktown	Stockroutes Bill Teleconference
18/19		Cardiac Challenge
26		Police meet n greet
27	Laura	AACAP
Oct 9	Cooktown	Assist Minister DLGIP Jenny Howard
10/11/12	Cairns	FNQROC, DDMG, RDA
18/19/20	Brisbane LGAQ	Annual Conference
23 - 28	Northern Tour	

PH Scott Mayor

**Monthly Activity Report
Councillor Alan Wilson
August 2016**

Meetings/Events/Constituent Representations

Date	Venue	Details	Outcome/Action
5 th August	Council Chambers	Cook Shire Budget with all Councillors	Budget agreed to and set down to next Council Meeting
8 th August	Laura	Met with AACAP Staff	Discussed progress of project Laura
15 ^h & 16 th August	Council Chambers	Monthly Council Meeting	Discussed and moved motions relevant to Agenda.
18 th August	Anzac Park	Represented Mayor Scott at Long Tan Commemoration	Successful Ceremony
20 th August	Charlotte St Cook Town	Represented Mayor Scott at freedom of the Town ceremony RAAF 35 Squadron.	Quite an experience
24 th August	CYSF Office Cairns	Attended Annual and General Meeting.	Discussed future activities and meetings.
25 th &26 th August	McMillan St Ayr	Attended LAWMAC AGM and General Meeting.	Election of Chairperson and Executive Committee. Election of Technical Officer Conducted a general meeting Minutes are available.
30 th August	Lakeland Community Hall	Attended Lakeland Progress Association Meeting	Gave up-date on Council Activities re Lakeland.

Upcoming Meetings/ Travel

1st September Laura Interagency Meeting

2nd September meet with AACAP re ANZAC Memorial Laura

5th, 6th, 7th, 8th & 9th Sept Attending NWROC meeting Burke Town.

19th20th&21 Sept Attending Council Meeting

27th Sept Attending AACAP project opening Laura.

Monthly Activity Report
Councillor Kaz Price
September 2016

Meetings/Events/Constituent Representations

Date	Details	Venue	Outcome/Action
5.8.16	Council Budget Meeting	Chambers	
8.8.16	FNQ ROC Meeting	Event Centre	Spectator only
12.8.16	2020 Opera Meeting – Jan Black	Chambers	Agreement to pursue funding and development of an Opera to be performed in Cooktown in 2020
15.8.16	Council – pre-meeting	Chambers	
15.8.16	Waterfront Community Meeting	Event Centre	Flagged current status of waterfront project and actions going forward
15.8.16	Cook Shire Seniors Dinner	Nature’s Powerhouse	
16.8.16	General Council Meeting	Rossville Hall	
18.8.16	Cooktown Turf Club - AGM	Race Club	Chaired – discussions re amalgamation of venue under umbrella arrangements. Funding etc
18.8.16	Bluewater Club AGM	Bluewater Club	Voted to release lease, and sub-lease under Council
20.8.16	35 th Squadron – town entry and gala dinner	Charlotte St and RSL	
22.8.16	TCHHS - Committee meeting	Cairns	
23.8.16	TCHHS Board Meeting	Cairns	
24.8.16	Dept Communities Meeting	CDCC	
30.8.16	Laura Inter-agency Working Group Meeting	Ang-Gnarra - Laura	Outcomes and hand-over details for Army work
5.9.16	Cooktown 2020 Advisory Committee meeting	Chambers	Work to produce a prospectus for funding
7.9.16	Cape York Weeds and Feral Animals - AGM	Old Bank	
8.9.16	Out of the Shadows Suicide Walk	Chambers to Nature’s Powerhouse	46 attendees – breakfast at Kindred
8.9.16	CDCC Open Day	CDCC	
8.9.16	Opening Cooktown Hardware	Cooktown Hardware	
8.9.16	TCHHS –Committee meeting	Cooktown MPHS	

Upcoming Meetings/ Travel

- Council Waterfront Meeting
- Community Services Forum – Pt Douglas
- QCOSS North Queensland Quality Workshop
- Senior’s Big Day Out – PCYC
- Fire and Carbon Management Workshop – Event Centre
- South Cape York Catchments – AGM, Powerhouse
- TCHHS Board and Committee Meetings
- Wayburr Precinct Committee Meeting
- LDMG Meeting
- Cook 250 Meeting – Melbourne
- Cape York NRM AGM
- Leave – personal work and Council

**Monthly Activity Report
Councillor Robyn Holmes
August/September**

Meetings/Events/Constituent Representations

Date	Venue	Details	Outcome/Action
8 August	Events Centre	FNQROC Meeting	Attend morning session
10 August	Bowls Club	Horse Sports Meeting	Discussion surrounding ongoing home ground for Club
15 August	Chambers	Council Meeting	
16 August	Rossville	Council Meeting	
18 August	Turf Club	Turf Club AGM & General Meeting	
20 August	Gungarde Hall	Cook Shire Ratepayers & Residence Assoc Meeting	
	Cooktown	RAAF 35SQD Freedom of Entry Parade Dinner Cooktown RSL with 35SQD	Freedom of Entry to the City
21 August	Botanic Gardens	Cricket Match - Cooktown v RAAF 35SQD	Social interaction with RAAF and Community.
23 August	Events Centre	PCYC AGM	
26 August	Endeavour Christian College	Market Day	Market Stalls provided by children
1 Sept	Cooktown	Lewis Collins, Russel House Auction	Request for Council Support
3 Sept	Bloomfield	BRDRA General Meeting	Waiting CEO response, May meeting. Cemetery. Volunteer Marine Rescue proposal.
5 Sept	Chambers	Meeting	NPH lease.
6 Sept	Cooktown	Cape York Feral Weeds & Animals AGM & General Meeting	Facing financial impact of losing CSC & TMR Contracts.
8 Sept	Cooktown	Official Opening Cooktown Hardware	
9 Sept	Cooktown	RV Park	Number of RV's reducing somewhat as tourist season comes to a close.
12 Sept	Chambers	Waterfront Meeting	Discuss options to move forward.
	Chambers	Alternate Councillor Meeting	

Upcoming Meetings/ Travel

- 19-21 Sept Council Meeting
- 17 Sept Cardiac Challenge
- 21 Sept Cook Shire Council Invasive Plants & Advisory Committee Meeting
CAN Meeting, Cooktown
- 29 Sept Interagency Meeting
- 10 Oct Cooktown - Cairns Chamber of Commerce, Business/Trade Opportunities Presentation
- 12 Oct LDMG Meeting
- 14 Oct Alternative Council Meeting
- 18-20 Oct LGAQ Annual Conference, Gold Coast
- 24-26 Oct Council Meeting, Coen

Monthly Activity Report Councillor John (Chook) Giese

Meetings/Events/Constituent Representations

Date	Venue	Details	Outcome/Action
15-8-16	Council chambers	Council meeting	
16-8-16	Rossville Hall	Council meeting	Visit to Rossville State School to have a talk to the students about the 3 tiers of government
18-8-16	Council chambers	Road Committee meeting	
18-8-16	Ayton ranger base	Jabalbina ranger base opening	Good to see how the local rangers are making a difference to their community
20-8-16	RSL	Dinner with RAAF 35 SQD	A nice night to welcome the 35 SQD back to Cooktown
21-8-16	Ctn Cricket oval	Ctn v RAAF Cricket match	Fun day had by all with the local v RAAF social cricket match
3 and 4 September	Ctn Cricket Oval	Invited scorer for the Super 8's cricket comp.	A good community weekend full of laughs with the 6 teams that played in the comp. well done Hopevale beating Black Mountain Panthers in the finals
7-9-16	John Street oval	Cairns Pride rep. promo to JRL	A visit from Ben Fielding of the Northern Pride QRL who came to talk and train with the Cooktown Croc's Junior Rugby League to teach them the values of teamwork and commitment
10 and 11 September	Cairns Colonial Club	QFRS meeting and workshop for town readiness and Disaster Management	An informative workshop into how the QFES has developed in conjunction with Rural Fire Service and SES and how it can be activated in the Disaster Management role to assist local government in times of need
12-8-16	Council Chambers	Council Meeting	

TBA Water resources meeting at Weipa for northern and western cape catchments

19 and 20-9-16 Council meetings

21-9-16 invasive plants meeting

29-9-16 police remembrance march

Monthly Activity Report - Councillor John Dessmann August/September

Meetings/Events/Constituent Representations

Date	Venue	Details	Outcome/Action
20-29 Aug	Shire	ABS duties	
30 Aug	Boat Shed	Meet Alberta Hornsby re NPH	Agree on future informal meeting date
31 Aug	Cooktown	Meet with Mayor Scott & Eric George re Walkway from Race Course to behind Bakery	Ongoing – Stay Another Day
1 Sept	Golf Club	Meet with Joe Warren	Re Golf Club issues
	Cooktown	Meet with Mining Group re proposed mine at Bathurst Bay	
3 Sept	Bloomfield	Bloomfield Residents Meeting	Form Community Group for Wharf. Cemetery – 2 more options for consideration
5 Sept	Chambers	Meeting with Kaz	CDCC & NPH
12 Sept	Chambers	Waterfront Meeting	
	Chambers	Alternative Council Meeting	

Upcoming Meetings/ Travel

- 16 Sept Meeting with John Corbett re Bloomfield Wharf & formation of Wharf Group with Gary Kerr and Jarabina, Wujal Wujal and Douglas Shire and TMR hopefully get involved.
- 19-21 Sept Council Meeting
- 17 Sept Cardiac Challenge
- 21 Sept Cook Shire Council Invasive Plants & Advisory Committee Meeting
- 29 Sept Interagency Meeting
- 10 Oct Cooktown - Cairns Chamber of Commerce, Business/Trade Opportunities Presentation
- 12 Oct LDMG Meeting
- 14 Oct Alternative Council Meeting
- 18-20 Oct LGAQ Annual Conference, Gold Coast
- 24-26 Oct Council Meeting, Coen

12 EXECUTIVE SERVICES - REPORTS

12.1 MINUTES OF THE WATERFRONT ADVISORY COMMITTEE - 15 AUGUST 2016 AND 12 SEPTEMBER 2016.

File Number: D16/9712

Author: Executive Assistant

Authoriser: Martin Cookson , Director Corporate Services

Attachments: 1 Minutes of the Waterfront Advisory Committee August 2016
2 Minutes of the Waterfront Advisory Committee 12 September 2016

PRECIS

Minutes of the Waterfront Advisory Committee.

BACKGROUND/HISTORY

Council has created a Waterfront Advisory Committee in accordance with section 265 of the *Local Government Regulation 2012*.

Previous meetings of the committee were held on 15 August 2016 and the minutes of the meetings are attached.

LINK TO CORPORATE PLAN

Leadership and Governance

4.1.1 Provide, to a standard that ensures (at a minimum) legislative compliance:

- a) Sustainable financial and administrative management of the Shire's municipal and community resources.
- b) A sound annual budget which ensures adequate funding and reserves to provide for Council's future obligations.

CONSULTATION

Executive Leadership Team, GHD Pty Ltd, Department of Environment and Heritage Protection, Tony Byrne

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Operational Budget

RECOMMENDATION

That the minutes and resolutions of the Waterfront Advisory Committee meeting held on 15 August 2016 and 12 September 2016 be received and adopted.

**ATTENDEES:**

Mayor Peter Scott (Chair), Deputy Mayor Cr Alan Wilson, Cr Larissa Hale, Cr Robyn Holmes, Cr Kaz Price, Cr John Giese, CEO Tim Cronin, Robert Uebergang - Director of Infrastructure Services, Martin Cookson – Director Corporate Services, Gary Kerr – Director Development, Environment and Community

APOLOGIES:

Cr John Dessmann

The Chair, Cr Peter Scott, opened the meeting at 9:08am on 16 August 2016 in Chambers.

1. CEO gave an overview of the current status of reports, remediation works and budgets.
2. The brief given to GHD was to complete a report on the sea wall. What was constructed and how this compares to the standards of a 1:50 weather event. Early advice was to do a complete rebuild with a ‘back of the envelope’ cost of \$20million. Some of the results of the investigation included:
 - Undersized rock, some round and of the wrong density.
 - The rocks did not interlock.
3. A peer review was conducted by Tony Byrne and he prepared a report for remediation. This included:
 - The removal of the undersized, round rock and buried on the other side of the footpath. This will further strengthen the wall.

- Large rectangular rock (approximately 1.5 – 3 tonne) to be interlocked into the wall replacing the previously removed rock. This will take approximately five months working in 20metre sections.
 - Indicative costs are \$500,000.
4. The reports suggest that the sludge should have been removed and the armour rock should have been placed into the solid underfloor. However the weight of the rocks has meant that it has settled into the sludge.
 5. The greatest risk to the sea wall is in the first two years and since it has had to endure two cyclonic events the sea wall has passed the period of greatest risk.
 6. Wave modelling is currently being undertaken but the short winds fetch works in favour of the sea wall.
 7. Marina and lagoon investigations suggest that due to no certified plans, or a proper design and no documents as to the construction the best course of action is to not open for use.
 8. The marina due to its design will never be utilised for this purpose and so the sea wall will be extended to fill in the marina.
 9. A number of solutions to the lagoon were voiced at the meeting but the Director of Infrastructure is focused on opening the area as soon as possible. A solution to the lagoon design is some time away and will require investigation, community consultation, cost analysis (which includes future maintenance and operational costs), and future council budgets. Best solution at this stage is to fill in the lagoon and grass the area. Then a more considered approach to a safe place for swimming can be developed.
 10. EHP has reviewed the investigations undertaken by GHD and Tony Byrne. EHP supports the approach to rectification of the sea wall as identified in Tony Byrne's report.

11. EHP have requested a detailed program of works by 19 August 2016 which addresses the following:

- Description of action item;
- Timelines for each action;
- Measures to address public safety risks – during works and in the event of a storm;
- Assessment of sea wall pre and post remedial works in terms of storm event
- Actions to achieve consistency with the department's Operational Policy - Building and Engineering Standards for Tidal Works, and likely maintenance requirements following a storm event;
- Registered Professional Engineer of Queensland certification for proposed works.

12. An Agreement to Offer amendment of reserve has been received from DNRM and is subject to the decision by the Cooktown Blue Water Club Inc.

13. Pavers will be used within the internal pathways.

Next meeting Monday 19 September 2016.

The meeting closed at 10:00am.



MINUTES

Waterfront Advisory Committee Meeting

12 September 2016

MINUTES OF COOK SHIRE COUNCIL
WATERFRONT ADVISORY COMMITTEE MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON MONDAY, 12 SEPTEMBER 2016 AT 9:00AM

1 ATTENDANCE

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

2 APOLOGIES

Cr Larissa Hale

The meeting was opened at 9:03am.

3 CONFIRMATION OF PREVIOUS MINUTES 2016/1

MOVED: CR ALAN WILSON

SECONDED: CR JOHN DESSMANN

THAT THE MINUTES OF THE WATERFRONT ADVISORY COMMITTEE MEETING HELD ON 15 AUGUST 2016 BE CONFIRMED.

CARRIED

3 BUSINESS ARISING

Nil

4 AGENDA ITEMS

5.1 WEBBER ESPLANADE TIDAL LAGOON AND MARINA

COMMITTEE RESOLUTION 2016/2

Moved: Cr Alan Wilson

Seconded: Cr John Giese

That Council

1. Fills in, levels, and grasses over the waterfront tidal pool area to form recreational open space;
2. Considers Cooktown swimming facility planning as a project within the 2017-18 budget process;
3. Subject to further engineering advice, places rock/ armour rock on the seaward side of the current marina sheet piling to form a narrowed inlet along the waterfront wall.

CARRIED

WATERFRONT ADVISORY COMMITTEE MEETING MINUTES

12 SEPTEMBER 2016

5 GENERAL BUSINESS

There may be an opportunity for Council once the program of works has been completed and approved by State Assessment Referral Agency and the Department of Environment and Heritage Protection to apply for funding for works. Recommendation that Council consider submitting an application for funding.

The Meeting closed at 10:00am.

13 INFRASTRUCTURE SERVICES - REPORTS

13.1 WEBBER ESPLANADE TIDAL LAGOON AND MARINA

File Number: D16/11111
Author: Director Infrastructure Services
Authoriser: Robert Uebergang, Director Infrastructure Services
Attachments: Nil

PRECIS

This report outlines some recent background to the Webber Esplanade development and reviews the future of the tidal lagoon and marina.

BACKGROUND/HISTORY

There have been a number of reviews of the Webber Esplanade rock revetment wall and associated structures (including the tidal lagoon and marina) by GHD over the February to April period 2016. A further technical review of the revetment wall was undertaken in June 2016 by Innovative Expertise (Tony Byrne), with a wave modelling report completed by Royal Haskoning in August 2016. Innovative Expertise are currently compiling a report on required remediation of the revetment wall which will be provided to the Department of Environment and Heritage Protection (EHP) for further discussion and agreement when complete.

The construction of the tidal lagoon and marina was based on concept drawing layouts from the 2012 study titled *Cooktown Foreshore & Webber Esplanade Revitalisation*. The concepts proposed in this master planning study were arrived at after a 'Community Consultation Information Period' in November 2011. The report was noted in the Engineering Services Report and was received for information at the Ordinary Council meeting – November 2011. The study includes indicative capital budgets for proposed new infrastructure associated with the plans. It should be noted for future reference that master planning studies and consultation with the community should be based around community priorities and informed costings for construction components/ items (including capital cost and on-going maintenance and operational costs to the community) before construction items are prioritised and included in Council's future capital works budgets.

It does not appear that there was detailed engineering design for the tidal lagoon and marina before construction commenced. To date there has not been a detailed study outlining the risks, capital costs or on-going operational and maintenance costs to Cook Shire for these structures and facilities. This report seeks to outline the issues associated with these structures and recommend a way forward.

Tidal Lagoon – the lagoon has been constructed with sheet piling to 1 ½ sides and concrete blockwork and cast-in situ concrete walls to remaining. The lagoon depth varies from 2.7m to 4.2m from the top of the concrete capping beam along the northern sheet pile wall. The inlet/outlet pipe to the lagoon is currently closed and believed to be 900mm diameter. Noting that there was not a considered aesthetic and engineered design and report on the tidal lagoon's functional intent and operation before construction, there have been the following issues identified in GHD's report titled 'Webber Esplanade Cooktown – Structural Assessment, Site Visit - 16 March 2016':

- Corroding sheet piles, with sheet piles only having limited protective coating, and in some cases butt welded together

- There are understood to be anti-corrosion anodes on the sheet piles below the water line, however these will not protect the sheet piles above the Mean Sea Level, with the piles unprotected above this level
- The 300 Series blockwork retaining wall abutting the sheet piles has concerns with durability based on the (1) need for specialised grout for the saltwater situation; (2) questionable reinforcement cover with the low strength high permeability of the blockwork surrounding the reinforced core-fill; (3) the base being prone to undermining, and perhaps stability and overturning issues; and (4) water proofing of the wall is of concern, particularly at its abutting face to the sheet piles.
- The base of the lagoon seating wall and access ramp have been undermined with overland stormwater and tidal flows around the end of the sheet piles and under this footing
- It appears that the sheet pile supplier (J-Steel) provided a preliminary design only and this has been used for construction. The preliminary design showed a 4.5m maximum retained height restriction, however retained height is 5m in some cases
- The water quality of the lagoon with current limited (by default) tidal flows (i.e. pipe has not been opened into the lagoon) does not meet required standards.

Summary – The tidal lagoon has not been appropriately considered in terms of capital cost, operational regime, and on-going Council operational and maintenance costs. The engineering design, functionality, design intent and aesthetic appeal have also not been appropriately considered. The constructed tidal pool has real or potential issues with durability, a heightened maintenance regime, structural integrity/ capacity, and increased risks associated with these issues. In regard to tidal lagoon operation and water quality issues, identifying a working example of a successful tidal lagoon in a similar river mouth environment would be critical if this concept is to be progressed further.

Options – 1. *Address all structural and operational issues with the current tidal lagoon and open it up* – This option requires considerable additional engineering and operational studies to try to prove up the structure. Having engineering certification may be very difficult due to the degree of unknowns and assumptions required for the constructed structures. The operation and water quality of the completed lagoon on the Endeavour River channel would also require proving up with appropriate studies. These studies should include water testing regimes, managing risk via life-guards or other, facility monitoring, long term operational and maintenance costs, operational life, and capital costs to complete. When all factors have been considered, it is recommended that a report to Council outlining costs and other be presented to Council for decision to proceed or other ways. This option does not address the inherent aesthetic/ attractiveness of the facility, or potential car-parking/ access issues associated with the site.

2. *Modify the tidal lagoon to be a standard concrete salt water pool or similar* – by providing a new structure at the current tidal lagoon location the issues of the current pool structure durability and structural integrity could be addressed with the construction of a new stand-alone pool facility. Community consultation would be required to identify size and nature of the facility, operating regime, other. Costing, facility life, operational and maintenance regimes, risk management, engineering design and cost estimates would be required to be reported to Council for decision to proceed or other ways with this option. Again this option does not address the wider issues of potential car-parking/ access issues associated with the site.

3. *Fill the tidal lagoon in and leave as recreational open space for future potential development* – by filling the lagoon in to level and grassing over, the structural, operational and maintenance risks and associated costs of managing a pool facility are negated. The capital costs for this action are minimal and may be relatively easily determined. The only remediation of the current tidal pool required is the repair (via filter sand/ rock) of indicated tidal flows through the revetment wall. This remediation is required as part of all options considered.

Recommendation – A swimming facility for Cooktown is thought to be a priority for many local families. The only current facility is the Cooktown swimming pool in Charles Street. The tidal lagoon site at the waterfront is limited by the restricted parking available adjacent to the site, especially when one considers the multiple proposed uses of this general area, including barbecues, splash-pad, kiosk, fishing platforms, and the Bluewater Club.

Based on (1) these wider issues of access; (2) the need for sufficient time to undertake considered review of alternatives to the provision of a Cooktown swimming facility; (3) the issues associated with the current tidal pool structure and viability of its potential operation; it is recommended that:

1. The tidal pool be filled in and grassed over to form waterfront recreational open space
2. Cooktown swimming facility planning be included as a capital works project within the draft 2017-18 budget for Council consideration. The objective of the project will be to consult with the community on swimming facility needs; provide estimated capital, operational and maintenance costs on all options explored; and define a recommended option for further consideration of Council.

Marina – the marina has been constructed with sheet piling to all 3 sides. Noting that there does not appear to be a considered design intent outlining the marina's functional requirements and operation, there have been the following issues identified in GHD's report titled 'Webber Esplanade Cooktown – Structural Assessment, Site Visit - 16 March 2016':

- Exposure to extreme weather and wave agitation – due to the current marina layout and exposure to wind/ wave interaction and passing vessels (boat wake), it is unlikely that wave height limitation guidance (AS 3692) will be satisfied
- Appears design dredge depth in the marina has not been achieved due to the presence of compact rock on the sea bed
- Marina is adjacent to a channel requiring dredge maintenance and has an unknown siltation risk
- Existing fender piles do not appear to have capacity for mooring tie up
- Revetment wall/ sheet pile wall return, drainage outfall pipe, and safe berthing manoeuvring requires further consideration from a risk management point of view
- It appears that the sheet pile supplier (J-Steel) provided a preliminary design only and this has been used for construction. The preliminary design showed a 4.5m maximum retained height restriction, however retained height is 5m in some cases.

Summary – The marina cannot effectively operate as intended due to insufficient depth, weather and wave agitation effects, potential siltation, risks associated with safe berthing manoeuvring, and potential structural issues with the sheet piles.

Options – 1. *Continue rock revetment wall in front of the marina and fill it in* – This option addresses sheet pile structural and maintenance issues. It requires the design of the new section of rock wall with the wall itself potentially difficult to construct given the current marina configuration. Due to constructability and material quantities it is considered as a viable but relatively expensive option.

2. *Place armour rock up against the existing sheet piles to form a narrowed inlet along the waterfront wall* – this option requires engineering consideration but seeks to address any structural and maintenance issues associated with the marina sheet piling. It is thought that the environment created with this option may be amenable as marine habitat, and costs of construction will be less than for option 1.

Recommendation – Based on option 2 appearing to be more cost effective and amenable than option 1, it is recommended that:

1. Subject to further engineering advice, rock/ armour rock be placed on the seaward side of the current marina sheet piling to form a narrowed inlet along the waterfront wall.

LINK TO CORPORATE PLAN

Leadership and Governance

4.1.1 Provide, to a standard that ensures (at a minimum) legislative compliance:

- a) Sustainable financial and administrative management of the Shire's municipal and community resources.
- b) A sound annual budget which ensures adequate funding and reserves to provide for Council's future financial obligations.

4.1.2 Where resources and capacity allow:

- b) Increase and improve services where 'whole of life' costing is known, community need is demonstrated and essential and additional expenditure does not compromise sustainable core service provision.

CONSULTATION

The future of both the tidal lagoon and marina were discussed at the waterfront community forum on 15 August 2016. This report seeks to provide further detail to the community around the options explored and recommendations for the future of the tidal pool and marina structures.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

The capital costs to remediate the tidal pool area, the marina area, and to undertake a swimming facility study have yet to be determined. However, the recommendations for both the tidal pool and marina structures are considered to be low-cost options.

RECOMMENDATION

That Council

1. Fills in, levels, and grasses over the waterfront tidal pool area to form recreational open space;
2. Considers Cooktown swimming facility planning as a project within the 2017-18 budget process;
3. Subject to further engineering advice, places rock/ armour rock on the seaward side of the current marina sheet piling to form a narrowed inlet along the waterfront wall.

13.2 GENERAL WASTE DISPOSAL FROM LAURA BUSINESSES

File Number: D16/9718
Author: Relief Waste Management Coordinator
Authoriser: Robert Uebergang, Director Infrastructure Services
Attachments: Nil

PRECIS

The closure of the Laura Refuse Landfill was completed 30 June 2016 and was followed by introduction of kerbside collection and opening of the Laura Transfer Station at the former landfill site. The charges for disposal of general waste at the new transfer station were generally considered unacceptable by local business owners resulting in a meeting between business owners and Council at the Laura Hall on 11 July 2016. The main concern expressed at this meeting was local businesses having to pay for waste deposited at their premises by tourists passing through town, with subsequent costs for tourist waste disposal passed directly to business owners. This report provides consideration of this issue.

BACKGROUND/HISTORY

At its October 2015 Meeting, Council resolved to adopt the recommendations of the report *Cessation of Waste Disposal Activities at Laura Landfill; Introduction of Manned Waste Disposal Facility and Kerbside Refuse Collection Service*. This report recommended conversion of the Laura landfill into a transfer station and implementation of kerbside collection by 30 June 2016. The reason for these changes was to provide compliance with Council's Environmental Authority (EPPR00755213) conditions and control of potential future breaches.

On 1 July 2016 the landfill closed and became a manned transfer station with fees for disposal of waste. Most residents now receive kerbside collection. Properties that do not automatically receive kerbside collection have the option to take their rubbish to the Laura Transfer station or, where applicable and located on the refuse truck route, opt into the kerbside service. The kerbside collection service is also available to Laura businesses, but there has been no take-up of this service by business to date.

Laura businesses have outlined that they receive a large amount of waste from people travelling back from the Cape. With this waste generated outside of the local business area and not related to the local business operation, it is reasoned that local business should not be responsible for paying the cost of waste disposal from passing tourists.

In order to determine a way forward and the measures around local business waste generation by (1) the businesses themselves, and (2) passing tourist traffic, the following is proposed:

1. The quantity of general waste deposited at the Laura transfer station by each local business be recorded between September 2016 and end-February 2017. This period should provide good indication of business general waste quantities for both the tourist season and non-tourist season.
2. Charges for general waste generated by businesses and deposited at the Laura transfer station be waived for the three month period start October to end December 2016. This fee-free period for business general waste is aimed at providing reparation for businesses disposing of general waste from passing tourists over the July to September three month

period. Current general waste disposal charges would recommence for businesses after this period.

3. That based on the general waste quantities received in 'tourist' months vs 'non-tourist' months, a proposed corresponding change (or not) in general waste charges be determined for Laura businesses, followed by a report on same for consideration by Council. This report is proposed to go to the March 2017 Council Meeting to pre-empt the start of the 2017 tourist season.

LINK TO CORPORATE PLAN

4.1.1 Provide, to a standard that ensures (at a minimum) legislative compliance:

- a) Sustainable financial and administrative management of the Shire's municipal and community resources.
- b) A sound annual budget which ensures adequate funding and reserves to provide for Council's future financial obligations.

4.2.2 Where resources and capacity allow:

- c) Demonstrate environmental awareness and sustainable practice in resource usage.
- d) Match expenditure on assets against requirement for core service provision.

CONSULTATION

A meeting was held by Cook Shire Council on Monday 11 July 2016 at Laura Hall to discuss waste related issues with all local business owners/managers in attendance. The main issue raised was consideration of waste disposal cost reductions due to the waste deposited at local businesses by passing tourist traffic.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

The operation of the Laura transfer station is subject to:

- Waste Reduction and Recycling Act 2011
- Environmental Authority EPPR00755213

POLICY IMPLICATIONS

The recommendation provided impacts on and relates to Council's Revenue Policy – 2016/2017.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

General waste is deposited in 240L wheelie bins at the Laura transfer station, with these wheelie bins emptied during the weekly kerbside collection day. As a general indication, approximately 10 x 240L wheelie bins are filled with general waste per week currently at the transfer station.

- Kerbside collection is charged at \$200 for a 120L bin or \$460 for a 240L bin
- General waste at the transfer station is charged at \$56 per cubic metre.

RECOMMENDATION

That Council:

1. Undertakes analysis of general waste quantities from Laura businesses over tourist and non-tourist months and then further considers general waste disposal costs for Laura businesses
2. Waives fees for Laura Business's to dispose of general waste at the Laura Transfer Station from 1st October 2016 to 31st December 2016.

14 CORPORATE SERVICES - REPORTS**14.1 REVENUE AND EXPENDITURE - AUGUST 2016**

File Number: D16/10302

Author: Director Corporate Services

Authoriser: Martin Cookson , Director Corporate Services

Attachments: 1 Financial Statements for August 2016

PRECIS

Revenue and expenditure for month ending August 2016

BACKGROUND/HISTORY

Local Government Regulation 2012 Chapter 5 S170 – A local government must adopt its budget for a financial year.

LINK TO CORPORATE PLAN

4.1.1 Provide, to a standard that ensures (at a minimum) legislative compliance:

- a) Sustainable financial and administrative management of the Shire's municipal and community resources.
- b) A sound annual budget which ensures adequate funding and reserves to provide for Council's future obligations.

CONSULTATION

Executive Leadership Team

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Local Government Regulation 2012

Local Government Act 2009

POLICY IMPLICATIONS

Investment Policy

Debt Policy

Revenue Policy

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Operational budget.

RECOMMENDATION

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

Cook Shire Council Income Statement				
For Financial Year 2016-17				
	Actual to		Amended Bgt	Original Bgt
% of Year Completed 16.7%	31/08/2016	%	2016-17	2016-17
Income				
Recurrent Revenue				
Rates, Levies & Charges	145	0%	6,723,460	6,723,460
Sales of Goods & Major Services	2,409,649	66%	3,645,400	3,645,400
Fees & Charges	138,594	18%	771,000	771,000
Rental Income	53,034	23%	232,000	232,000
Interest Received	43,005	24%	179,950	179,950
Private Works	1,950	2%	94,500	94,500
FAGs Grant	2,274,191	25%	8,950,000	8,950,000
Other Operating Grants & Subs	19,861	7%	264,950	264,950
Other Income	15,464	22%	68,860	68,860
	4,955,893	24%	20,930,120	20,930,120
Capital Revenue				
Grants & Subsidies	596,334	11%	5,381,000	5,381,000
NDRRA Grants	1,901,180	6%	29,400,000	29,400,000
Profit on Asset Sales	0		0	0
	2,497,513	7%	34,781,000	34,781,000
Total Income	7,453,406	13%	55,711,120	55,711,120
Expenses				
Recurrent Expenses				
Employee Costs (Net of Flood)	1,353,215	13%	10,363,940	10,363,940
Materials & Services	2,732,502	30%	8,968,695	8,968,695
Finance Costs	18,596	6%	295,000	295,000
Depreciation	1,566,667	17%	9,412,705	9,412,705
	5,670,979	20%	29,040,340	29,040,340
Capital Expenses				
NDRRA Expenditure	10,677,880	40%	26,600,000	26,600,000
Loss on Asset Sales	0		0	0
Total Expenses	16,348,859	29%	55,640,340	55,640,340
Net Result Surplus/(Deficit)	(8,895,453)	0%	70,780	70,780
Add Back Capital Transaction	8,180,367		(8,181,000)	(8,181,000)
Operating Result (Deficit)	(715,086)		(8,110,220)	(8,110,220)

Cook Shire Council - Revenue & Expenditure Financial Year 2016-17										
	Revenue			Expenditure			Surplus/(Deficit)			
% of year completed 16.7%	Actual to 31/8/16	Original Budget	% of Budget	Actual to 31/8/16	Original Budget	% of Budget	Actual to 31/8/16	Original Budget	% of Budget	Comment
Executive Management										
CEO's Office	0	0		193,410	836,400	23.1%	(193,410)	(836,400)	23.1%	FNQ 65.
Elected Members	1,595	0		103,583	564,640	18.3%	(101,988)	(564,640)	18.1%	
Media & Marketing	0	0		15,352	116,400	13.2%	(15,352)	(116,400)	13.2%	
HR & WH&S	0	48,000	0.0%	81,731	737,250	11.1%	(81,731)	(689,250)	11.9%	
Land Tenure	10,084	0	0.0%	20,255	164,000	12.4%	(10,171)	(164,000)	6.2%	Nat Title Grant
Executive Mgt Total	11,679	48,000		414,331	2,418,690	17.1%	(402,652)	(2,370,690)	17.0%	
Corporate Services										
Corporate Services Mgt	33	0		91,363	673,300	13.6%	(91,330)	(673,300)	13.6%	
Asset Management		0		40,105	297,000	13.5%	(40,105)	(297,000)	0.0%	
Building Maintenance				57,057	525,660	10.9%	(57,057)	(525,660)		
SES & Disaster Mgt	0	22,000	0.0%	3,818	205,050	1.9%	(3,818)	(183,050)	2.1%	Pre cyclone Clean-up
TV & Radio		0		537	10,000	5.4%	(537)	(10,000)	5.4%	
Rates Operations	0	3,434,460	0.0%	28,124	221,850	12.7%	(28,124)	3,212,610	-0.9%	
Financial Services										
- Grants: FAGs/Operating	1,855,712	7,420,000	25.0%		0		1,855,712	7,420,000	25.0%	FAGs General Portion
- Grants: Capital	596,334	5,381,000	11.1%		0		596,334	5,381,000	11.1%	Waterfront, - R4R & State, TIDs, R2R
- Interest Income	43,005	130,000	33.1%		0		43,005	130,000	33.1%	
- Profit & Loss-Asset Sales	0	0	0.0%	0	0		0	0		
- Other Income	0	13,500	0.0%		0		0	13,500	0.0%	Insurance/Workcover claims
- Insurances		0		380,435	265,000	143.6%	(380,435)	(265,000)	143.6%	Pub Liab \$105 k, M/V \$94 k, ISR \$289 k
- Interest on Loans		0		0	265,000	0.0%	0	(265,000)	0.0%	Quarterly payment
- Other Expenses		0		3,624	30,000	12.1%	(3,624)	(30,000)	12.1%	Bank Charges
On cost Recovery	480,169	2,509,150	19.1%	453,611	2,390,000	19.0%	26,558	119,150	22.3%	W/Comp \$256 k
IT Services		0	0.0%	135,172	739,200	18.3%	(135,172)	(739,200)	18.3%	Includes Software annual cost
Business Services	0	10,000	0.0%	68,150	471,000	14.5%	(68,150)	(461,000)	14.8%	
Community Buildings	35,908	93,000	38.6%	89,723	515,950	17.4%	(53,815)	(422,950)	12.7%	
Events Centre	0	0	#DIV/0!	41,804	574,750	7.3%	(41,804)	(574,750)	7.3%	
Natures Powerhouse	382	0	0.0%	11,860	227,000	5.2%	(11,478)	(227,000)	5.1%	
Endeavour Lodge	24,597	122,000	20.2%	22,212	258,150	8.6%	2,385	(136,150)	-1.8%	
Admin & Financial Services	8,444	41,100	20.5%	49,610	436,500	11.4%	(41,166)	(395,400)	10.4%	
Stores Operations	6,166	28,000	22.0%	22,960	146,100	15.7%	(16,794)	(118,100)	14.2%	
Admin Overheads Recovery	0	1,100,700	0.0%	0	0	0.0%	0	1,100,700	0.0%	
Corporate Services Total	3,050,750	20,304,910	15.0%	1,500,165	8,251,510	18.2%	1,550,585	12,053,400	12.9%	

Cook Shire Council - Revenue & Expenditure Financial Year 2016-17										
Engineering										
Mgr Engineering Services	1,985	12,000	16.5%	152,069	1,295,700	11.7%	(150,084)	(1,283,700)	11.7%	
Parks & Gardens	16,603	0	0.0%	197,151	1,703,790	11.6%	(180,548)	(1,703,790)	10.6%	
Road Infrastructure	418,479	1,650,000	25.4%	1,259,054	6,403,200	19.7%	(840,575)	(4,753,200)	17.7%	FAGs **TIDs in Finance, Depn \$5.5m
Water Infrastructure	0	1,854,350	0.0%	454,072	2,981,500	15.2%	(454,072)	(1,127,150)	40.3%	Consumption charged Jan & June
Sewerage Infrastructure	5,872	1,224,000	0.5%	235,167	1,688,900	13.9%	(229,295)	(464,900)	49.3%	
Waste Mgt	28,289	644,900	4.4%	208,542	1,640,150	12.7%	(180,253)	(995,250)	18.1%	
Environmental Levy	0	215,000	0.0%	0	0	0.0%	0	215,000	0.0%	
Airport Operations	179,972	746,000	24.1%	157,870	1,034,200	15.3%	22,102	(288,200)	-7.7%	
Commercial Operations	2,246,744	3,000,000	74.9%	1,221,457	846,000	144.4%	1,025,287	2,154,000	47.6%	Gravel Extract'n
Works Depot	0	0	0.0%	39,141	225,750	17.3%	(39,141)	(225,750)	17.3%	
Plant	462,668	2,422,000	19.1%	361,147	2,546,900	14.2%	101,521	(124,900)	-81.3%	
Private Works	1,950	44,000	0.0%	0	38,000	0.0%	1,950	6,000	32.5%	
Flood Damage	1,901,180	29,400,000	6.5%	10,677,880	26,600,000	40.1%	(8,776,700)	2,800,000	-313.5%	
Biosecurity	888	333,500	1.2%	40,442	736,550	5.5%	(39,554)	(403,050)	9.8%	
Engineering Total	5,264,630	41,545,750	12.7%	15,003,992	47,740,640	31.4%	(9,739,362)	(6,194,890)	157.2%	
Economic Dev & Comm Serv										
Comm Serv Mgt	227	0		51,612	603,000	8.6%	(51,385)	(603,000)	8.5%	
Community Events	14,282	27,000	0.0%	25,743	167,500	15.4%	(11,461)	(140,500)	8.2%	
Community Development	0			11,433	56,500	20.2%	(11,433)	(56,500)	0.0%	
Grants	0			8,653	180,100	4.8%	(8,653)	(180,100)	0.0%	
Economic Dev/Grants	0	3,000	0.0%	11,142	303,500	3.7%	(11,142)	(300,500)	3.7%	
Arts & Culture	3,099	56,210	5.5%	9,440	97,100	9.7%	(6,341)	(40,890)	0.0%	
Libraries	1,602	14,000	11.4%	30,990	278,550	11.1%	(29,388)	(264,550)	11.1%	
Sports & Recreation	1,953	57,350	3.4%	26,260	249,550	10.5%	(24,307)	(192,200)	12.6%	
Tourism & Events	0	10,500	0.0%	21,173	166,000	12.8%	(21,173)	(155,500)	13.6%	
Cemeteries	3,055	8,200	37.3%	8,767	54,400	16.1%	(5,712)	(46,200)	12.4%	
Planning & Land Tenure	14,058	77,000	18.3%	40,000	705,500	5.7%	(25,942)	(628,500)	4.1%	
Building	15,685	98,500	15.9%	32,708	263,700	12.4%	(17,023)	(165,200)	10.3%	
Local Laws & Animal	8,818	35,500	24.8%	63,536	415,700	15.3%	(54,718)	(380,200)	14.4%	
Health & Environment	3,362	33,050	10.2%	28,708	296,250	9.7%	(25,346)	(263,200)	9.6%	
Community Services Total	66,141	420,310	15.7%	370,165	3,837,350	9.6%	(304,024)	(3,417,040)	8.9%	
Total Revenue & Exp	8,393,200	62,318,970	13.5%	17,288,653	62,248,190	27.8%	(8,895,453)	70,780		
Add Back Capital Trans	(2,497,515)	(34,781,001)	7.2%	(10,677,881)	(26,600,001)		8,180,366	(8,181,000)		
Operating Rev & Exp	5,895,685	27,537,969	21.4%	6,610,772	35,648,189	18.5%	(715,087)	(8,110,220)		

Cook Shire Council Balance Sheet				
For Financial Year 2016-17				
	Actual to	%	Amended	Budget
	31/08/2016	Diff	Budget	2016-17
Current Assets				
Cash & Cash Equivalents	249,907	-17%	301,150	301,150
Investments	5,217,899	-30%	7,470,000	7,470,000
Rate Debtors (Net of Advances)	579,123	5%	550,000	550,000
Trade Debtors	424,087	-6%	450,000	450,000
Other Receivables	75,927	0%	0	0
Inventories	555,521	3%	540,000	540,000
Total Current Assets	7,102,463	-24%	9,311,150	9,311,150
Non-Current Assets				
Property, Plant & Equipment	273,162,208	-8%	295,368,000	295,368,000
Capital Works in Progress	15,829,348	0%	0	0
Total Non-Current Assets	288,991,556	-2%	295,368,000	295,368,000
Total Assets	296,094,019	-3%	304,679,150	304,679,150
Current Liabilities				
Trade Creditors	618,864	-23%	800,000	800,000
Employee Entitlements	1,005,736	8%	930,000	930,000
Other Payables (Incl GST Bal)	0	0%	0	0
NDRRA Rec'd in Advance	0		0	0
Borrowings	365,000	0%	365,000	365,000
Working Capital Facility (\$10mil)	0		0	0
Provision for LSL	821,597	3%	800,000	800,000
Total Current Liabilities	2,811,197	97%	2,895,000	2,895,000
Non-Current Liabilities				
Trade Creditors	0		0	0
Employee entitlements	0	0%	0	0
Other Payables	152,778	0%	0	0
Borrowings	4,409,941	-8%	4,784,000	4,784,000
Provision for LSL	185,056	-3%	190,000	190,000
Provision for Gravel Pits	1,547,794	-4%	1,620,000	1,620,000
Total Non-Current Liabilities	6,295,569	-5%	6,594,000	6,594,000
Total Liabilities	9,106,766	-4%	9,489,000	9,489,000
Net Community Assets	286,987,253	-3%	295,190,150	295,190,150
Community Equity				
Retained Surplus	60,069,161	-12%	68,505,150	68,505,150
Asset Revaluation Surplus	225,409,684	0%	225,385,000	225,385,000
Other Reserves	1,508,408	16%	1,300,000	1,300,000
Total Community Equity	286,987,253	-3%	295,190,150	295,190,150

14.2 CREATION OF A RESERVE FOR LAND PURCHASES

File Number: D16/10268
Author: Director Corporate Services
Authoriser: Martin Cookson , Director Corporate Services
Attachments: Nil

PRECIS

In 2015-16 Council sold off two blocks of land that resulted in a net gain of \$455,000 it is proposed that this amount be placed in a cash reserve to fund future land purchases.

BACKGROUND/HISTORY

In 2015-16 Council sold off two blocks of land Charlotte street (profit \$105,000) and Parkinson street (\$350,000) a total gain over the original land value of \$455,000.

With Council looking to acquire land from the state for future projects it would be prudent to park these funds into a reserve.

LINK TO CORPORATE PLAN

4.1.1 (b) A sound annual budget which ensures adequate funding and reserves to provide council's future obligations.

CONSULTATION

Nil

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Compliance with relevant accounting standards.

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Provision of funds for future financial obligations will reduce the pressure on future budgets.

RECOMMENDATION

That Council approve the allocation of \$455,000 into a reserve for future land purchases.

14.3 OBJECTION - ALLUVIAL MINE ON THE LAURA RIVER**File Number:** D16/10681**Author:** Records Officer**Authoriser:** Martin Cookson , Director Corporate Services**Attachments:** 1 Objection letter and Petition - ML100068**PRECIS**

Petition received from community and Traditional Owners seeking Council support to stop the approval of mining lease ML100068.

BACKGROUND/HISTORY

A petition has been received with 44 signatories' from the Laura community. The covering letter and the petition are attached for Councillors information.

LINK TO CORPORATE PLAN

Environmental Wellbeing

4.2.2. Where resources and capacity allow:

- c) Demonstrate environmental awareness and sustainable practice in resource usage.

Identity and Integrity

4.2.1 Provide

- a) Support and advocacy for groups and statutory planning endeavours that further the preservation of the Shire's cultural heritage.

CONSULTATION

Corporate Services, Preston Law

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Landholder Compensation Agreement

RECOMMENDATION

That Council accept the petition and refer to information provided in Land Tenure Report from Preston Law further information on Council's role in this matter.

Laura

30/8/15

Dear Mayor Scott and Mr Cronin,

The community and Traditional Owners of the township of Laura in southern Cape York are seeking your support to stop approval of mining lease ML100068. The proposed alluvial mine in the Laura River commences on the boundary of the Laura Dance Festival Grounds and extends two kilometres downstream, within 12 km of the township of Laura.

During the last 30 years, the bi-annual Laura Dance Festival has become one of the largest gatherings of Aboriginal and Torres Strait Islander people in Australia. This event is advertised nationally and internationally as the most varied display of Indigenous culture in the world; attracting around 500 artists from 20 Cape York Communities and 5,000 visitors. Additionally, the mine will be located between escarpments containing numerous Quinkan rock art sites and will be visible from the main Split Rock Art Galleries. The Laura Dance Festival and guided tourism of the Split Rock Galleries provide substantial input to a local economy which has limited opportunities for employment. As Traditional Owners we have a responsibility to past and future generations to protect the cultural sites of our Country. We feel that a mine in this location would cause significant damage to the cultural landscape, one which is currently under assessment for National Heritage listing and has been identified as a potential World Heritage area. The Quinkan Rock Art has been described as one of the ten most significant bodies of rock art in the world (Jean Clottes, President of UNESCO'S International Committee on Rock Art, letter to Ang-Gnarra Aboriginal Corporation 1999).

Coarse sediment disturbed by alluvial mining will be deposited in fishing holes used by the community. As the majority of households in Laura are dependent on government income assistance, the resources of the Laura River are widely used to supplement dietary requirements. Loss of these resources will materially damage the wellbeing of many Laura families.

From an environmental perspective ML100068 is equally inappropriate. Just over four kilometres below Laura the Laura River enters Lakefield National Park, renowned for its iconic wetlands. It is probable sufficient fine sediment will be transported during flood events to impact these wetlands, and eventually the great Barrier Reef (GBR). Ultimately, the Laura River discharges via the Normanby River into Princess Charlotte Bay. As has been widely reported, the GBR north of Cooktown has experienced a severe bleaching event. Several Queensland and Federal Government initiatives are currently being rolled out to increase the resiliency of the reef by improving the quality of water entering the Coral Sea. The Queensland Government has recently purchased Springvale Station on the Normanby River to reduce sediment impacting the GBR. If ML10068 is allowed to proceed it will compromise current and future efforts to improve water quality in the Laura – Normanby Catchment.

We feel that granting of this mining lease, for cultural, environmental, social and economic reasons, is not in the public interest. Traditional Owners for the country surrounding Laura Township feel that the Quinkan Rock Art should be protected for future generations. Please will you employ such means as are within your power to ensure the greed of two individuals does not vandalise one of Australia's national treasures.

Yours sincerely
Aileen Gale
Aileen Gale (Laura Elder)

~~SECRET~~

As community members and Traditional Owners of the township of Laura we are seeking the support of the Queensland Government to stop approval of mining lease ML100068.

Name	Signature	Date
Herbert Quinlan		30.8.2016
Herbert Quinlan Gordon	Gordon	30.8.16
Jacqueline Ross	jacqueline Ross	30.08.16
USA KAPIGENO	USA KAPIGENO	30.8.16
Barbara Ahlers	Barbara Ahlers	30.8.16
CORA ROSS	c.ross	30.8.16
Loebel Leland	Lc	30.8.16
Phyllis Bramwell	P Bramwell	30.8.16
Destini Ross	Dross	30.8.16
Ellen Lowdown	Ellen Lowdown	30.8.16
KARA ROSS	KARA ROSS	30.08.16
DWAYNE MUSKIE	D. MUSKIE	30.08.16
Tracey Lowdown	Tracey Lowdown	30.08.16
BILL KEPPLE	B Kepple	
MEGAN BRAMWELL	Megan Bramwell	30.08.16
TORIS DOUGHBAY	T. Doughtay	30.08.16
Jonathan Upton	J Upton	30/8/16
Scott Miles	Scott Miles	30/8/16
Karl Gunter	Karl Gunter	30/8/16
E LEE	E LEE	30/8/16
Susan Marsh	Susan Marsh	30/8/16

As community members and Traditional Owners of the township of Laura we are seeking the support of the Queensland Government to stop approval of mining lease ML100068.

Name	Signature	Date
Christine Musgrave	<i>CMusgrave</i>	30.8.2016
Gene Ross	<i>GROSS</i>	30-8-2016
Griffen Musgrave	<i>GD Musgrave</i>	30.8-2016
R. Dougherty	<i>RODERICK DOUGHERTY</i>	30-8-2016
VERONICA COLEMAN	<i>V. Coleman</i>	30-8-2016
Christine Musgrave	CMusgrave	30-8-2016
Paul Coleman	PColeman	30-08-2016
KAOIESHA ROSS	<i>K. Ross</i>	30-08-2016
ROSEANNE GEORGE	<i>R. George</i>	30-8-2016
BETTY BRAMWELL	<i>B. Bramwell</i>	30.8.2016
JANETTE LONDONN	<i>J. Lowdown</i>	30/8/2016
MAUREEN BRAMWELL	<i>M. Bramwell</i>	30.8.16
VANESSA LONDONN	<i>V. Lowdown</i>	30.8.2016
NANCY COLEMAN	<i>Nancy Coleman</i>	30-8-2016
Roy Banjo	<i>Roy Banjo</i>	30.8.2016
TREVOR BRAMWELL	<i>T. Bramwell</i>	30.8.16
Michael Ross	<i>M. Ross</i>	30.8.16
Sherry DICK	<i>Sherry Dick</i>	30-8-16
Felicity Bowen	<i>F. Bowen</i>	30.08.16
Shane Ross	<i>Shane Ross</i>	30.08.16
KENDALL BOWEN	<i>KB</i>	30.08.16
LIONEL ROSS	<i>Lionel Ross</i>	30.08.16
Brian Ross SNR	<i>B. Ross</i>	

15 DEVELOPMENT, ENVIRONMENT AND COMMUNITY - REPORTS**15.1 APPLICATION FOR A DEVELOPMENT PERMIT FOR DA/3654 - RECONFIGURATION OF LOT 22 ON PLAN SP273337 AND LOT 26 ON PLAN SP279559, PENINSULA DEVELOPMENTAL ROAD VIA LAKELAND, BY WAY OF BOUNDARY REALIGNMENT (OPTION 1)**

File Number: D16/10028

Author: Special Projects Officer (Planning)

Authoriser: Gary Kerr, Director Development, Environment & Community

Attachments: 1 1 Appendix 'A' Proposal Plan for DA/3654 Reconfiguration of a Lot

PRECIS**Applicant**

NB2 Farming Ltd
c/- RPS Australia East Pty Ltd
PO Box 1949
Cairns Qld 4870
Attention: Owen Caddick-King

Owner

NB2 Farming Ltd

Location

Peninsula Developmental Road, Via Lakeland.

Real Property Description

Lot 26 on Plan SP279559, and Lot 22 on Plan SP273337.

Area

4,204 Hectares

Zone

Rural

Proposed Use

Reconfiguration by way of Boundary Realignment.

Current Use

Rural Purposes (Vacant)

REPORT

Application has been made to Council for the issue of a Development Permit for the Reconfiguration of Lots 22 on Plan SP273337 and 26 on Plan SP279559, Peninsula Developmental Road, via Lakeland into two (2) lots by way of boundary realignment. The applicant has lodged

option 1 and option 2 applications for the proposed boundary realignment, this is option 1. The application is Code Assessable Development under the Cook Shire Planning Scheme.

PROPOSAL

The application is for a Development Permit for the reconfiguration of Lots 22 on SP273337 and 26 on Plan SP279559 by way of Boundary Realignment. The areas of the proposed lots are:

- Proposed Lot 26 – 2,832.926 hectares
- Proposed Lot 27 – 1,390.353 hectares

Access to the proposed development will be via the existing accesses onto the Peninsula Developmental Road. The development site is currently vacant and no additional lots will be created.

SITE

The subject site currently consists of Lot 22 on Plan SP273337 (25.63 hectares) and Lot 26 on Plan SP279559 (4,204 hectares) and is located approximately twenty (20) kilometres north-west of Lakeland and seventy (70) kilometres south-west of Cooktown on the western side of the Peninsula Developmental Road. The site is currently vacant and is not within a reticulated water or sewerage area.

TOWN PLANNING CONSIDERATIONS

The development site (Lots 22 on Plan SP273337 and 26 on Plan SP279559) is zoned Rural under the Cook Shire Planning Scheme and Reconfiguration of the lots is Code Assessable Development. 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 agriculture, 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.*

The proposed development complies with the overall outcomes of the Rural Zone Code.

CODE REQUIREMENTS

The Cook Shire Planning Scheme identifies the following Codes as being applicable to this development application:

- Rural Zone Code
- Reconfiguration of a Lot Code
- Works, Services and Infrastructure Code
- Parking and Access Code
- Natural Hazards Code

The proposed development is acceptable from a planning point of view and the proposed Reconfiguration complies with the relevant Performance Criteria applicable to this application.

REFERRAL AGENCIES

There are no Referral Agencies triggered for the purpose of this application.

DISCUSSION

The owner/applicant has two buyers interested in this development, each with a preference for different size lots. This application is for option1 while option 2 is the subject of a further application. This development application is for reconfiguration of a lot by way of boundary realignment, and will not result in the creation of any additional lots, and will utilise existing Department of Transport and Main Roads approved accesses. The development is consistent with the intent of the Rural Zone Code and complies with the relevant Performance Criteria applicable to this application. This development is therefore recommended to Council for approval, subject to Conditions.

RECOMMENDATION

That the application by NB2 Farming Ltd c/- RPS Australia East Pty Ltd for a Development Permit DA/3654, Reconfiguration of Lots 22 on Plan SP273337 and 26 on Plan SP279559 located on Peninsula Developmental Road via Lakeland into two (2) lots by boundary realignment (option1) be approved subject to the following Conditions:

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

1. The development must be carried out generally in accordance with the following Proposal Plan (Appendix 'A') submitted with the application , except for any variations required to comply with the conditions of this approval:
 - NB2 Farming Ltd – Reconfiguration of a Lot – Drawing No.62937-11 – dated 11/8/2016

Access

2. Access to proposed Lots 26 and 27 must be from the Peninsula Developmental Road via the existing Department of Transport and Main Roads approved accesses.

Water Supply

3. A separate source of domestic water supply must be provided to each of the proposed lots 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. Where an alternative source of supply is available within the lot, the applicant can provide certified evidence as to the flow rates and water quality of bore water or other supply to eliminate or reduce the requirements for on-site water. Details to be provided at the time of application for a development permit to carry out building work.

Effluent Disposal

4. Wastewater treatment and disposal applications must include details of proposed wastewater disposal systems and calculations demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – On-site Domestic Wastewater Management. Details are to be provided at the time of lodgement of a Plumbing and Building application.

Fire Breaks

5. Practical fire breaks must be provided along all new boundaries of proposed Lots 26 and 27, and must be maintained by the property owner at all times. Proposed Lot 26 and 27 must be maintained at all times so as not to create a fire hazard.

Electricity

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

Public Utilities

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

Outstanding Charges

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

Compliance

9. The Reconfiguration of a lot approval authorised by this Development Permit must be completed and the Plan of Survey submitted to Council for endorsement within two (2) years from the commencement of this Approval or this approval will lapse.



15.2 APPLICATION FOR A DEVELOPMENT PERMIT FOR DA/3653 - RECONFIGURATION OF LOT 22 ON PLAN SP273337 AND LOT 26 ON PLAN SP279559, PENINSULA DEVELOPMENTAL ROAD VIA LAKELAND INTO TWO (2) LOTS BY WAY OF BOUNDARY REALIGNMENT (OPTION 2)

File Number: D16/10678

Author: Special Projects Officer (Planning)

Authoriser: Gary Kerr, Director Development, Environment & Community

Attachments: 1 1 Appendix 'A' Proposal Plan for DA/3653 Reconfiguration of a Lot Option 2

PRECIS**Applicant**

NB2 Farming Ltd
c/- RPS Australia East Pty Ltd
PO Box 1949
Cairns Qld 4870
Attention: Owen Caddick-King

Owner

NB2 Farming Ltd

Location

Peninsula Developmental Road, via Lakeland.

Real Property Description

Lot 26 on Plan SP279559, and Lot 22 on Plan SP273337.

Area

4,204 Hectares

Zone

Rural

Proposed Use

Reconfiguration into two (2) lots by way of boundary realignment.

Current Use

Rural Purposes (Vacant)

REPORT

Application has been made to Council for the issue of a Development Permit for the Reconfiguration of Lots 22 on Plan SP273337 and 26 on Plan SP279559, Peninsula Developmental Road, via Lakeland into two (2) lots by way of boundary realignment. The applicant has lodged

option 1 and option 2 applications for the proposed boundary realignment, this is option 2. The application is Code Assessable Development under the Cook Shire Planning Scheme.

PROPOSAL

The application is for a Development Permit for the reconfiguration of Lots 22 on SP273337 and 26 on Plan SP279559 by way of Boundary Realignment. The areas of the proposed lots are:

- Proposed Lot 26 – 2,483.063 hectares
- Proposed Lot 27 – 1,740.216 hectares

Access to the proposed development will be via the existing accesses onto the Peninsula Developmental Road. The development site is currently vacant and no additional lots will be created.

SITE

The subject site currently consists of Lot 22 on Plan SP273337 (25.63 hectares) and Lot 26 on Plan SP279559 (4,204 hectares) and is located approximately twenty (20) kilometres north-west of Lakeland and seventy (70) kilometres south-west of Cooktown on the western side of the Peninsula Developmental Road. The site is currently vacant and is not within a reticulated water or sewerage area.

TOWN PLANNING CONSIDERATIONS

The development site (Lots 22 on Plan SP273337 and 26 on Plan SP279559) is zoned Rural under the Cook Shire Planning Scheme and Reconfiguration of the lots is Code Assessable Development. 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 agriculture, 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.*

The proposed development complies with the overall outcomes of the Rural Zone Code.

CODE REQUIREMENTS

The Cook Shire Planning Scheme identifies the following Codes as being applicable to this development application:

- Rural Zone Code
- Reconfiguration of a Lot Code
- Works, Services and Infrastructure Code
- Parking and Access Code
- Natural Hazards Code

The proposed development is acceptable from a planning point of view and the proposed Reconfiguration complies with the relevant Performance Criteria applicable to this application.

REFERRAL AGENCIES

There are no Referral Agencies triggered for the purpose of this application.

DISCUSSION

The owner/applicant has two buyers interested in this development, each with a preference for different size lots. This application is for option 2 while option 1 is the subject of a further application. This development application is for reconfiguration of a lot by way of boundary realignment, and will not result in the creation of any additional lots, and will utilise existing Department of Transport and Main Roads approved accesses. The development is consistent with the intent of the Rural Zone Code and complies with the relevant Performance Criteria applicable to this application. This development is therefore recommended to Council for approval, subject to Conditions.

RECOMMENDATION

That the application by NB2 Farming Ltd c/- RPS Australia East Pty Ltd for a Development Permit DA/3653, Reconfiguration of Lots 22 on Plan SP273337 and 26 on Plan SP279559 located on Peninsula Developmental Road via Lakeland into two (2) lots by boundary realignment (option2) be approved subject to the following Conditions:

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

1. The development must be carried out generally in accordance with the following Proposal Plan (Appendix 'A') submitted with the application , except for any variations required to comply with the conditions of this approval:
 - NB2 Farming Ltd – Reconfiguration of a Lot – Drawing No.62937-12 – dated 11/8/2016

Access

2. Access to proposed Lots 26 and 27 must be from the Peninsula Developmental Road via the existing Department of Transport and Main Roads approved accesses.

Water Supply

3. A separate source of domestic water supply must be provided to each of the proposed lots 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. Where an alternative source of supply is available within the lot, the applicant can provide certified evidence as to the flow rates and water quality of bore water or other supply to eliminate or reduce the requirements for on-site water. Details to be provided at the time of application for a development permit to carry out building work.

Effluent Disposal

4. Wastewater treatment and disposal applications must include details of proposed wastewater disposal systems and calculations demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – On-site Domestic Wastewater Management. Details are to be provided at the time of lodgement of a Plumbing and Building application.

Fire Breaks

5. Practical fire breaks must be provided along all new boundaries of proposed Lots 26 and 27, and must be maintained by the property owner at all times. Proposed Lot 26 and 27 must be maintained at all times so as not to create a fire hazard.

Electricity

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

Public Utilities

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

Outstanding Charges

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

Compliance

9. The Reconfiguration of a lot approval authorised by this Development Permit must be completed and the Plan of Survey submitted to Council for endorsement within two (2) years from the commencement of this Approval or this approval will lapse.

15.3 APPLICATION FOR A DEVELOPMENT PERMIT FOR DA/3570 - MATERIAL CHANGE OF USE FOR INTENSIVE ANIMAL KEEPING (FISH & CROCODILE FARM), CARAVAN PARK (WILDERNESS CAMPING AND REMOTE WORKERS ACCOMMODATION ON LOT 5 ON SP188123, 4864 MULLIGAN HIGHWAY LAKELAND

File Number: D16/11012
Author: Reel Planning Pty Ltd
Authoriser: Gary Kerr, Director Development, Environment & Community
Attachments: 1 DA/3570 - Appendix A - Approved Plans
2 DA/3570 - Appendix B - Concurrence Agency Response

PRECIS

Applicant: Morgan Bartlett
c/- Peter Robinson
PO Box 2133
CAIRNS QLD 4870

Owner: Joanne Forrest-Smith

Location: 4864 Mulligan Highway, Lakeland Qld 4871

R.P.D.: Lot 5 on SP188123

Area: 625ha

Zone: Rural

Proposed Use: Intensive Animal Keeping (Fish & Crocodile Farm), Caravan Park (Wilderness Camping), Remote Workers Accommodation

Referral Agencies: Department of Natural Resources and Mines

Submissions: One

REPORT

An application was made to Council on 9 February 2016 for the issue of a Development Permit for a Material Change of Use for Intensive Animal Husbandry (Fish & Crocodile Farm), Caravan Park (Wilderness Camping) and Remote Workers Accommodation at Lakeland (Lot 5 on SP188123). An Acknowledgement Notice was issued on 18 February 2016 and an Information Request on 16 March 2016 requesting:

- Confirmation of the extent of each land use sought;
- Plans of the proposed Dongas;
- Plans nominating the extent of the Intensive Animal Keeping;
- Confirmation of whether tours of the Intensive Animal Keeping were proposed;
- The proposed standard of the internal access track;
- The servicing demand of the site for all uses;
- The suitability of the access roads;

- Provision of an emergency evacuation plan;
- Confirmation of the purpose of easements affecting the access road; and
- Confirmation whether an Environmentally Relevant Activity (ERA) is required.

The applicant provided a full response to the Information Request via a letter dated 4 April 2016. Public Notification was undertaken between 26 May and 21 June 2016 during which one (1) submission was received (refer to Public Notification section of this report).

PROPOSAL

The current proposal involves the expansion of an existing a Fish and Crocodile Farm, as well as Remote Workers Accommodation and a Caravan Park on the balance of the site.

Intensive Animal Industry

The application material states than an approval was granted in the past for a Fish and Crocodile Farm, however the applicant (at the time) constructed the facility larger than that shown on the approved plans. It should also be noted that approval was only given for a Fish Farm at that time. The current application seeks to have the existing facility approved (e.g. regularise the existing use), but does not seek any further increase in size. The overall operation is approximately 100ha with the approximate surface area of the Ponds and Dams as follows:

- Fish in ponds (20Ha)
- Fish in dams (22Ha)
- Crocs in ponds (4Ha)
- Water storage dam (12ha)
- Wastewater settling and treatment channels and ponds (8ha)

The main source of water storage for the operation is a large dam near the entrance to the site. The site also has a 1250 megalitre water license and a number of bores across the site supplying domestic use.

Remote Workers Accommodation

Part of the application seeks approval for the use of an existing donga style building (containing five (5) bedrooms) and an existing cottage for Workers Accommodation. It is stated that an additional donga style building may be provided at a later time to increase the capacity of the Workers Accommodation. The dongas will be moved / sited around the existing buildings.

Caravan Park

The third part of the application seeks approval for a camp ground consisting of 40 spaces, with up to 10 of those spaces being occupied by cabins. The part of the site identified to accommodate this use is along the bank of the East Normanby River. The camp ground is intended to be for remote 'bush camping' with limited facilities.

Visitors accessing the Camp Ground will be directed to drive around the aquaculture facility via existing access tracks towards the East Normanby River. A reception building will be constructed to administer the Camp Ground and provide some basic facilities. Two ablution facilities will be provided on site with the exact locations of camp sites to be determined at a later point, but all to be 80 to 100m from the River.

SITE

The subject land is located at 4864 Mulligan Highway Lakeland, described as Lot 5 on SP188123 and has a 3,750m frontage to an unconstructed road reserve. It is irregular in shape, 625ha in size and currently used as for animal husbandry (both aquaculture and grazing). The Site's entire western frontage (of approximately 6.5kms) is to the East Normanby River.

The site is north east of the town of Lakeland, with the turnoff to the unnamed road approximately 30kms north east along the Mulligan Highway. Much of the surrounding land is leasehold and understood to be used for grazing purposes.

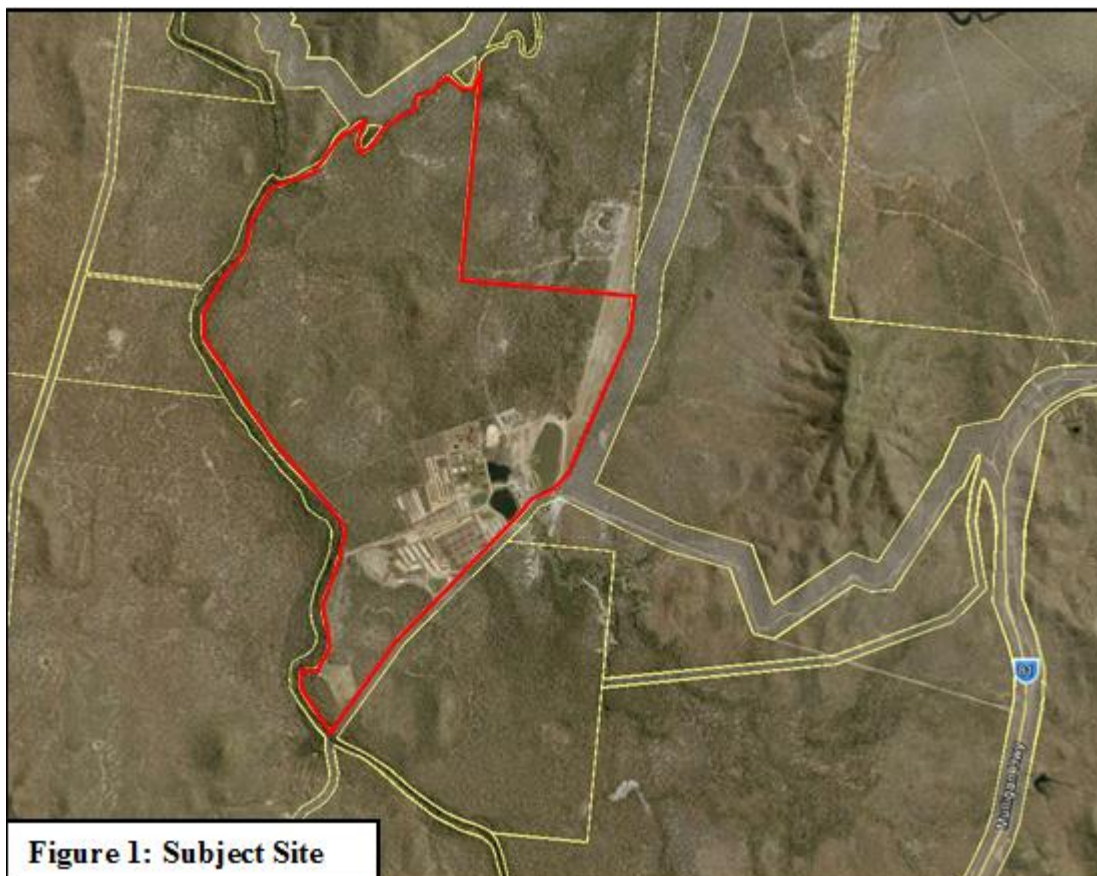


Figure 1: Subject Site

TOWN PLANNING CONSIDERATIONS

1. STATUTORY PLANNING CONTEXT

The site is zoned Rural under Cook Shire Council's Planning Scheme. The proposal best fits the definitions of "Intensive Animal Keeping", "Remote Workers Accommodation" and "Caravan Park" under Cook Shire Planning Scheme, repeated below:

Intensive Animal Keeping – means the use of premises for commercial or non-domestic operations involving the raising or keeping of animals at a density which requires supplementary feed and containment of animals in feed lots, sheds or pens. The term includes:

- a public or commercially operated kennel, dog pound or cattery;
- a dairy;
- lot feeding of stock in stalls, compounds or stockyards as distinct from range feeding;

- *the keeping, depasturing, feeding, watering or breeding of pigs;*
- *keeping of poultry where the number of birds kept exceeds 20 (poultry includes fowl, duck, goose, turkey and their young);*
- *commercial stabling, breeding, boarding or training of horses;*
- *aquaculture as defined under the Fisheries Act 1994.*
- *a saleyard;*
- *any other intensive animal keeping.*

This term excludes the keeping of animals permitted without requiring a permit under the provisions of Council's Local Laws.

Remote Workers' Accommodation – *means the use of premises for the accommodation of persons (and their dependants) engaged to assist with rural activities, mining, quarrying, forestry, construction and the like, being located on or near the premises where the persons are engaged. The term includes all forms of temporary accommodation (whether or not they are self-contained) and all ablution facilities and associated plant and equipment.*

Caravan Park – *means the use of premises for the parking and/or siting 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.*

A Remote Workers Accommodation is Code Assessable where located in the Rural Zone whereas Intensive Animal Keeping and Caravan Park are identified as Impact Assessable uses. Overall the application is subject to Impact Assessment, requiring Council to consider the provisions of the Planning Scheme as a whole, including the strategic elements of the Planning Scheme. The following codes are also relevant:

- Rural Zone Code;
- Caravan Park Code;
- Remote Workers Accommodation Code;
- Parking & Access Code;
- Works Services & Infrastructure Code; and
- Natural Hazards Code

CODE REQUIREMENTS

2. COMPLIANCE WITH CODES AND POLICIES

(i) DEOs

The DEOs set the broad strategic direction for 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

Those DEOs with particular relevance to the proposal have been addressed below. It is considered overall that the proposal will assist with achieving the DEOs of the 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.

Response

The proposal involves formalising the approvals for an existing rural industry while providing adequate Worker Accommodation on site. The Caravan Park aspect is a diversification of the existing land use and represents a type of accommodation which is uncommon in the immediate area. The proposal will assist in facilitating rural industries and tourism, thereby fulfilling the DEO.

DEO 2: A Healthy Environment

The natural habitat, biodiversity and visual beauty of the Shire's terrestrial and aquatic environments are protected and the quality of its air and water is of a high standard. Human activities with significant impacts on the environment are carefully planned and managed, so that its long-term health is not diminished. Known mineral and other extractive resources are protected and used in a sustainable manner.

Response

The proposal largely involves formalising the use of the existing aquaculture facilities. The proposed Workers Accommodation and Caravan Park is largely to occur in cleared areas and won't have significant adverse impacts on the environment. The application was referred to DNRM who issued a Concurrence Agency response limiting the extent of clearing for the Caravan Park component.

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.

Response

The proposed Aquaculture is necessarily located in the Rural Zone where there is sufficient space and where the site conditions (topography, access to water, etc) are appropriate. The Workers Accommodation is ancillary to the Aquaculture (albeit separately defined), while the Caravan Park use takes advantage of the site's remote location. The uses are therefore appropriately located and there is no conflict with the DEO.

DEO 6: Rural Prosperity

The Shire's rural areas 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.

Response

The proposal included the formalisation of an existing Animal Husbandry use which is specifically contemplated in the DEO. The proposed Caravan Park has been proposed to capitalise on the river frontage and remote nature of the land, consistent with the intent of the DEO.

(ii) Rural Zone Code

The overall outcomes of the Rural Zone 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.*

The Overall Outcomes are satisfied as follows:

- The proposal predominantly represents Aquaculture which is specifically contemplated to occur in the zone.
- The subject site is not identified as Good Quality Agricultural Land;

- The land is not identified as Future Urban Land;
- The site is adequately serviced by infrastructure. Existing dams are adequate for the proposed use and the property has good access to the Mulligan Highway;
- The use includes Intensive Animal Keeping but is well separated from any surrounding sensitive use;
- There is no impact on any scenic landscape values; and
- The proposal does not include Extractive Industry nor is it located in proximity of existing Extractive Industry.

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 primary use for Aquaculture is necessarily located where the land availability and conditions are appropriate. The scheme DEOs and overall outcomes for the zone also specifically envision animal industries occurring within Rural Areas. The Workers Accommodation and to a lesser extent the Caravan park are associated with the primary use.
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.	The proposed buildings are small scale and in some cases relocatable. Having regard to the size of the allotment and separation from surrounding land, they are unlikely to be visible from public places or surrounding allotments.
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. 	The associated acceptable solution requires that uses other than Intensive Animal Industry be located more than 100m from an unsealed road. The Remote Workers Accommodation and Caravan Park aspects of the application comply with this requirement. There is unlikely to be any adverse amenity impacts on surrounding land.

Performance Criteria	Proposal Compliance
Design	
<p>PC 5 Advertising Devices:</p> <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. 	<p>No advertising devices are proposed as part of this application.</p>
Protection of Extractive Resources	
<p>PC 6 Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.</p>	<p>There are no Extractive Industry operations or known resource bodies on the site or surrounding sites.</p>
Erosion Prone Land	
<p>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.</p>	<p>The site is not in an erosion prone area.</p>
Watercourse Protection	
<p>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:</p> <ul style="list-style-type: none"> ▶ Water quality; ▶ Ecological and biodiversity values; or ▶ Landscape quality. 	<p>The proposed works are located at least 50m away from the high bank of the nearby river.</p>
Acid Sulfate Soils	
<p>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:</p> <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. 	<p>The proposal does not affect any land at or below 5m AHD so will not have any effect on Acid Sulfate Soils.</p>
Pest Management	
<p>PC 10 Movement of State Declared or environmental pest plants and pest animals is prevented by:</p> <ul style="list-style-type: none"> ▶ Not introducing any new declared or 	<p>The applicant will be conditioned so not to introduce any state declared or environmental pest plants or animals.</p>

Performance Criteria	Proposal Compliance
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.	

(iii) Caravan Park Code

The overall outcomes of the Caravan Park Code seek to achieve the following:

- *Caravan Parks are designed to provide an attractive living environment and an additional accommodation choice for both residents and visitors in suitable areas of the Shire;*
- *A high standard of amenity is provided for on-site residents and there are no detrimental impacts on the surrounding area; and*
- *Native vegetation is retained where feasible.*

The proposal represents a somewhat unconventional Caravan Park in that it only involves powered and un-powered bush camping sites and ten (10) cabins. For this reason there is no need for landscaping and other measures normally required where Caravan Parks are proposed within urban areas. Importantly, there is no additional vegetation clearing proposed and the existing vegetation will add to the amenity of the site.

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

Performance Criteria	Proposal Compliance
Site suitability	
PC 1 Caravan Parks are located so as to be easily and safely accessible to the travelling public.	The Caravan Park will be accessible via an unnamed road off 4864 Mulligan Highway. The proposal involves bush camping and for this reason there is no need to provide sealed roads to facilitate access by RVs or caravans. The existing access roads are therefore considered fit for purpose.
PC 2 Caravan Parks have sufficient area for all individual sites, services and facilities, landscaping and vehicle manoeuvring and parking.	The associated acceptable solution requires a minimum site area of 1ha. The site exceeds this figure.
PC 3 Caravan Parks are well drained and flood free.	Council does not have flood mapping for the site, however there is no known flooding.

Performance Criteria	Proposal Compliance
Vehicle access and manoeuvring	
PC 4 Safe and efficient vehicle movements are facilitated.	The associated acceptable solution requires that vehicles towing caravans are able to leave the site in a forward gear, however no caravan parks are proposed to be accommodated on site. The access tracks are of sufficient standard to allow vehicles to access the camping area.
PC 5 Off-street parking for guest check-in/check-out is provided adjacent the office or caretaker's residence.	The proposal represents bush camping on a very large site. There is adequate informal parking opportunities provided around the proposed reception area and any camping spot such that no formal parking is proposed or warranted.
Design	
PC 6 Buildings and structures for the purpose of providing recreation for guests are designed and located so as not to adversely impact on the amenity of guests or adjoining properties.	There is no formal recreation buildings proposed for guests.
PC 7 Waste material is stored so as not to be unsightly and so as to be conveniently collected.	Detailed arrangements relating to refuse were not discussed in the application, however the applicant can be conditioned to ensure adequate arrangements are in place.
PC 8 Buildings and facilities, individual sites and internal roads are designed and located to minimise the need to remove native vegetation.	No vegetation is proposed to be cleared beyond that identified and approved by the Department of Natural Resources and Mines.
Individual sites	
PC 9 Individual sites have adequate area for the comfort of guests.	No sites have been identified on the proposal plans, however given the size of the allotment it is expected that adequate space will be able to be provided between sites.
PC 10 Individual sites have direct access to an internal road and are delineated on at least two sides by use of fencing or landscaping.	The proposed form of camping is such that delineation between sites is not warranted.
PC 11 Adequate separation is maintained between individual sites and facilities to provide privacy and comfort to guests.	No sites have been identified on the proposal plans, however given the size of the allotment it is expected that adequate space will be able to be provided between sites. Typical separation will be between 10 and 30m.
Open space	
PC 12 Sufficient open space is provided for guests' comfort.	The camping is proposed on a very large site which means there is more than sufficient open space for guests.

Performance Criteria	Proposal Compliance
Landscaping	
PC 13 Landscaping: <ul style="list-style-type: none"> • Provides a pleasant visual presentation to the street frontage; • Reduces impacts on adjoining properties through the extensive use of boundary plantings; • Makes use of (and/or supplements) existing native vegetation wherever possible; and • Provides shade to guests. 	Landscaping is not warranted for the type of camping proposed to occur on site.

(iv) Remote Workers Accommodation Code

The overall outcome of the Remote Workers Accommodation Code to achieve the following:

Temporary or permanent accommodation is provided for workers and/or staff engaged in a remote industry or assisting with the running of a remote household and where the remoteness of the site does not allow easy commuting from a town area.

The site is approximately 30kms from Lakeland and over 45kms from Cooktown which is significant for workers who regularly commute. The size of the Shire is such that this distance is considered the lower end of the scale in terms of remoteness, but importantly there will not be any adverse impacts as a result of the proposed accommodation.

Performance Criteria	Proposal Compliance
Location	
PC 1 The site is remote from alternative sources of accommodation, or insufficient accommodation is available locally to serve the needs of a seasonal workforce.	As indicated in the response to the overall outcome, the site is considered sufficiently remote such that Workers Accommodation is necessary.
PC 2 The accommodation is for the sole purpose of housing workers (including live-in housekeepers and home tutors) genuinely required for a remote business or farming operation.	Alternative accommodation in the form of camping and cabins is provided elsewhere on site such that there would be no need or desire to use the proposed Workers Accommodation for alternative purposes.

(v) Parking and Access Code

The Parking and Access Code seeks to achieve safe and convenient parking and access both internal and external to the site. The parking rate in the Planning Scheme for a Caravan Park is one (1) space per cabin or tent site, plus one (1) visitor space per ten (1)0 sites. There is no parking rate specified for either Remote Workers Accommodation or Intensive Animal Husbandry.

As indicated elsewhere in this report, the uses are proposed on a large allotment, in a form that generally does not warrant formal parking arrangements. The exception is in and around the Remote Workers Accommodation where a more formalised parking arrangement is required to

protect Workers amenity. The remainder of the Code deals with issues such as car park design and service vehicles which are not relevant considerations for this application. A discussion regarding access is included later in this report.

(vi) Works, Services and Infrastructure Code

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

- rainwater harvesting in combination with on-site dams;
- On-site water treatment systems; and
- Reticulated electricity connected to parts of the site.

The applicant argues that there is no concentration of surface drainage, which given the relatively small increase in impervious surfaces and large site area, is a reasonable outcome to expect. The road standard and access points are discussed later in this report.

(vii) 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. The primary concern in relation to this site is bushfire. The Remote Workers Accommodation and Intensive Animal Husbandry is largely in an area that is both clear of vegetation and surrounded by large water sources. For this reason, the primary bushfire concern relates to the Caravan Park (camping and cabins). The applicant has submitted information which suggests the specific site characteristics are such that the bushfire threat can be managed by way of a management plan and best practice. Such controls can be conditioned as part of any approval.

3. REFERRAL AGENCIES

The application required referral to the Department of Natural Resources and Mines for an assessment of vegetation clearing. The Department issued a Concurrence Agency response dated 5 July 2016 approving the application subject to conditions. Conditions of approval limited the extent of clearing to defined and mapped locations as well as requiring a separation from the defining bank of the watercourse.

4. PUBLIC NOTIFICATION

Public Notification of the proposed development was required. This applicant has provided a notice stating that the application was Publicly Notified in accordance with Section 297 of the *Sustainable Planning Act 2009*. One (1) submission was received during the Public Notification period. The applicant supplied a response to the submission via letter dated 4 April 2016.

5. SUMMARY GROUNDS FOR SUBMISSIONS

The following summarises the major grounds raised within the submission.

1. The submission questions the safety of the access track.Response:

The submitter's opposition to the proposed use of the access track relate to safety of the intersection with the Mulligan Highway, an increase in the risk of fire, Workplace Health and Safety risks from illegal shooting and trespassing. In relation to the increased risk of fire, illegal hunting and trespassing, it is not considered that the introduction of additional people to the site for a formal use, would result in an increase in these aspects. Rather, it is considered that the formal use of the site will act as a deterrent to persons who would seek to utilise the site illegally. The Safety of the intersection and bushfire risks are discussed later in this report.

2. The submitter raises some concerns about possible sediment risks from work on the site.Response:

As indicated by the applicant, it is considered that the sediment risk within the Intensive Animal Keeping is self-regulating in the sense that it will affect the efficiency and viability of the use if left uncontrolled. The accommodation component of the application is not associated with any earthworks or the construction of new tracks and is (for the most part) bush camping. It is therefore unlikely that any sediment and erosion issues would occur as a result of this use.

3. The submitter raises some concerns weed control on the property.Response:

The submitter's concerns stem from the introduction of weeds on their own property at the time that the Mulligan Highway was sealed. While weed control has been an issue for the submitter which has prompted various weed control strategies to be implemented, the applicant advises that similar strategies have already been implemented at the subject site. For this reason, it is considered that the applicant is familiar with potential weed issues and control, and that a best practice approach is suitable to offset any increased risk as a result of additional persons/vehicles being accommodated on site. It is recommended that a weed control plan be conditioned as part of any decision.

6. DISCUSSION**Access Road and Intersection with the Mulligan Highway**

The access track that leads to the site intersects the old alignment of the Mulligan Highway. This section of the old highway then intersects the new (sealed) alignment in two locations. The first is slightly south of the end of the access track where it informally intersects the highway. The second is approximately 600m north of the end of the access track where it intersects the highway at a sealed and formed 'T' intersection. In the applicant's response to submissions, it was confirmed that it the southern informal access is proposed to be used. It is considered that the northern access is the safe and logical access point for the proposed uses and it is recommended that a condition of approval be included on any approval limiting access to this point.

Council (through its Information Request) sought additional information on traffic movements

generated by the proposed use and the associated impact on the access road. The applicant indicated that the standard of the existing access road from the Mulligan Highway was appropriate for the use because it provided an introductory experience. It is accepted that the internal access to the camping (Caravan Park) can be constructed at a lesser standard on the basis that the applicant seeks a limited approval (excluding use by Caravans and RVs) and because the length of access road from the site entry would make upgrading a substantial burden.

The road from the Mulligan Highway to the entry of the site will be subject to additional heavy vehicle traffic from the expanded Intensive Animal Industry, substantial additional traffic from the camping (in the event that the camp ground is fully utilised) and limited additional traffic from the Remote Workers Accommodation. On this basis it is recommended that a condition of approval be placed on any decision to approve the application requiring the upgrading of the access road to an all-weather gravel standard.

Bushfire

The site is mapped as being at risk of bushfire, which is supported by anecdotal evidence of bushfire events occurring in the area. As indicated earlier in this report, the fire risk to the Intensive Animal Keeping and Remote Workers Accommodation is considered low, due to the lack of vegetation and presence of large water supplies. The applicant indicated in their application that no clearing was proposed for the camping use, whereas the approval from the Department of Natural Resources and Mines limited clearing to a specific area identified on attached mapping. Some clearing may therefore occur around the proposed camping, however the applicant has also suggested a series of best practice fire management strategies to combat the threat, including:

- Use of portable fire-fighting equipment;
- Access to earthmoving equipment;
- Regular maintenance of existing fire breaks and access tracks;
- Provision of fire pits for guests;
- Application for fire bans during elevated periods of bushfire risk; and
- Other recommendations of the Rural Fires Agency.

It is recommended that the development and implementation of a Fire Management Strategy incorporating but not limited to, the items listed above be conditioned as part of any decision.

RECOMMENDATION

That Council issue an approval for the Development Application submitted by Morgan Bartlett c/- Peter Robinson – Projex Partners, for a Material Change of Use for Intensive Animal Keeping, Remote Workers Accommodation and Caravan Park over Lot 5 on SP188123, subject to the following conditions:

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

1. The development must be carried out generally in accordance with the following proposal plans (refer to Appendix A) except for any modifications required to comply with the conditions of this approval:
 - Plan 01 – Limit of Intensive Animal Husbandry - Dated 08/09/16;
 - Plan 02 – Location of Remote Workers Accommodation - Dated 08/09/16;
 - Plan 03 – Location of Reception and Ablution Facilities – Dated 08/09/16;
 -

Limitation of the Use

2. The Caravan Park component of the use is to be located within the area identified as:
 - a. Areas A1 – A3 as shown on attached Referral Agency Response Plan (RARP) SDA-0216-028401 dated 29 June 2016;
 - b. Reception and Ablution Facilities shown on the approved plan ‘Plan 03 – Location of Reception and Ablution Facilities – Dated 08/09/16’;

The use is limited to forty (40) sites with up to ten (10) of those sites able to be used for cabins. The use is further limited for Bush Camping only (or for occupation of the cabins) is not to be used by caravans or recreational vehicles (RVs). Ablution and reception facilities are to be provided in the locations shown on the approved plans prior to the commencement of the use.

3. The Remote Worker Accommodation component is to be used for legitimate employees for the Intensive Animal Keeping use on the site. It is limited to accommodation for twelve (12) persons in the location shown on the approved plan.
4. The Intensive Animal Keeping is limited to the area indicated on the approved plan. Tours of the Intensive Animal Keeping are permitted for persons accommodated on site as part of the Caravan Park component of the use and shall not otherwise be made available to the general public unless otherwise approved by Council.

Access

5. Access to the unnamed road must be via the existing sealed intersection with the Mulligan Highway, located approximately 600m north of the eastern end of the access track.
6. Prior to commencement of the use upgrading of the access road to an all-weather (gravel) standard is to be undertaken to the requirements of the FNQROC Manual. Plans must be submitted for approval by Council’s Director Infrastructure Services as part of an Operational Works Application prior to works commencing.

Internal Access

7. The internal access roads are to be sited generally in accordance with the approved plans and maintained at all times.

Car Parking

8. At least twelve (12) car parking spaces are to be provided for the Remote Workers Accommodation component, constructed to an all-weather (gravel with dust suppressant) standard, delineated to the satisfaction of Council and located adjacent to the use prior to the commencement of the use. Car parking spaces must be in accordance with the Australian Standard.
9. A plan is required demonstrating that the car park and internal manoeuvring areas are designed in accordance with the FNQROC Manual. The plan is to be certified by an RPEQ and submitted to Council prior to the commencement of the use.

Operational Works

10. Prior to construction commencing, Council will require approval of an Operational Works application for the following:
 - Upgrading of the access road between the Mulligan Highway and the property boundary to an all-weather (gravel) standard and constructed to the requirements of the FNQROC Manual.
 - Submission of erosion and sediment control plans as part of this road access upgrading

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

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

Water Supply

11. The Remote Workers Accommodation must be provided with a potable water supply. This would be satisfied by the provision of rainwater tanks with a minimum capacity of 50,000 litres where an alternative source of water is available within the allotment the applicant can provide certified evidence as to the flow rates and water quality of Bore Water or other supply to eliminate or reduce the requirement for on-site water. Details to be provided at the time of application for a development permit to carry out building work.
12. Prior to the issue of a Development Permit for Building Works and commencement of the use, the applicant is to submit to Council a report prepared by a qualified expert demonstrating the proposed water source complies with the Australian Drinking Water Guidelines. The report is to also detail proposed water treatment devices, including operating parameters and quality testing regimes.
13. In the event that the reports required by Condition 12 indicate that the proposed water source is unsuitable, the provision and maintenance of additional rainwater storage on the site with tanks and water supply infrastructure to meet the relevant Australian Codes and Standards for a potable drinking water supply and the relevant requirements of the FNQROC Manual is required prior to commencement of the use.

Bushfire

14. Prior to the commencement of the use, the applicant is to submit to the satisfaction of the Director Development, Environment and Community, a Bushfire Management Plan documenting best practice bushfire prevention including but not limited to:
- Use of portable fire-fighting equipment;
 - Access to earthmoving equipment;
 - Regular maintenance of existing fire breaks and access tracks;
 - Provision of fire pits for guests;
 - Application for fire bans during elevated periods of bushfire risk; and
 - Other recommendations of the Rural Fires Agency.

Effluent Disposal

15. Wastewater treatment and disposal applications must include details of proposed wastewater disposal systems and calculations demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – On-site Domestic Wastewater Management. Details to be provided at the time of lodgement of a Plumbing or Building application and prior to the issue of a Development Permit for Plumbing and Building Works. The works are to be completed to the satisfaction of Council's Director Development Environment and Community, prior to the use commencing.
16. If the on-site sewage system exceeds 21EP the applicant is required to obtain the necessary ERA permit. The applicant is reminded that an ERA relates to the capacity of the site as a whole, not the capacity of each system.

Environmental Protection

17. Prior to the commencement of the use, the applicant is to submit to the satisfaction of the Director Infrastructure Services (Bio-Security section), a Weed Management Plan documenting best practice weed prevention.

Public Utilities

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

Utilities design must be in accordance with the FNQROC Development manual D8 Operational Works Design Guidelines "Utilities".

Kitchen

19. Should a communal kitchen be provided for the Remote Workers Accommodation it must comply with the requirements of the *Food Act 2006*.
20. A detailed design of the kitchen, showing location and types of fittings must be submitted to Council for approval by Council's Environmental Health Officer prior to construction commencing.

Compliance

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

Outstanding Charges

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

Currency Period

23. The currency period for this application is four (4) years. Should the approved Intensive Animal Industry, Remote Workers Accommodation and Caravan Park not be established within this time, the approval shall lapse.

B. Assessment Manager (COUNCIL) Advice

- a. A development permit is required for carrying out Building works and a Plumbing and Drainage approval/compliance permit is required for Plumbing and Drainage works prior to construction of any structures associated with this development.

C. Concurrence Agency (Department of Infrastructure, Local Government & Planning) Response:

See the attached (Appendix B) letter from the Department of Local Government, Infrastructure & Planning dated 05 July 2016.

'Appendix A'



Indicative boundary of that section of the property developed for and to be used for Intensive Animal Keeping.
 Metes and Bounds description of the indicative boundary of that section of the property developed for and to be used for Intensive Animal Keeping.

	Bearing	Distance (m)	
A	70.77	843.4	
	150.7	124.2	
	73.1	123.5	
	122.2	248.8	Road
	203.4	342.2	
	222.5	124	
	248.1	147.2	
	216.2	138	
	225.1	845.4	End road
	317.6	136	
	262.7	179.7	
	293.3	203.9	
	321.2	182.5	
	345.3	42	Track
	66.4	414	
	335.9	218.7	
	65.9	278.8	
	338.6	280.2	A

'Plan 01 – Limit of Intensive Animal Husbandry – Dated 08/09/16'



'Plan 02 – Location of Remote Workers Accommodation – Dated 08/09/16'



'Plan 03 – Location of Reception and Ablution Facilities – Dated 08/09/16'



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0216-028401
Your reference: DA/3570
Applicant reference: 647-001-001R

05 July 2016

The Chief Executive Officer
Cook Shire Council
PO Box 3
COOKTOWN QLD 4895

Attn: John Harrison

Dear Sir

Concurrence agency response—with conditions

Material change of use for intensive animal husbandry (crocodile farm) and tourist accommodation (camping areas) at 4684 Mulligan Highway Lakeland known as Lot 5 on SP188123
(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 Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 7 March 2016.

Applicant details

Applicant name: Morgan Bartlett
Applicant contact details: C/- Projex Partners
PO Box 2133
Cairns QLD 4870
peterrobinson@projexpartners.com.au

Site details

Street address: 4684 Mulligan Highway Lakeland
Lot on plan: Lot 5 on SP188123
Local government area: Cook Shire Council

Application details

Page 1

Far North Queensland Regional Office
Ground Floor, Cairns Port Authority
PO Box 2358
Cairns QLD 4870

SDA-0216-028401

Proposed development: Development permit for material change of use for intensive animal husbandry (crocodile farm) and tourist accommodation facility

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Fish and Crocodile farm (Intensive Animal Keeping)	Impact Assessment

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 3, Item 10—Vegetation clearing

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must 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 must be attached to any development approval.

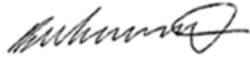
Drawing/Report Title	Prepared by	Date	Reference no.	Version/ Issue
Aspect of development: material change of use				
Referral Agency Response Plan	Department of Natural Resources and Mines	29 June 2016	SDA-1115-025608	n/a

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

SDA-0216-028401

For further information, please contact Michele Creecy, Senior Planning Officer, SARA Far North QLD on 4037 3206, or email michele.creecy@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc: Morgan Bartlett, peterrobinson@projexpartners.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

Our reference: SDA-0216-028401
 Your reference: DA/3570

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Aspect of development: material change of use		
Schedule 7, Table 3, Item 10—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Natural Resources and Mines 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.	The clearing of vegetation is limited to the extent identified as Areas A1 – A3 as shown on attached Referral Agency Response Plan (RARP) SDA-0216-028401 dated 29 June 2016.	At all times
2.	<p>Clearing of assessable vegetation in Areas A1 – A3 as shown on the attached Referral Agency Response Plan (RARP) SDA-0216-028401 dated 29 June 2016, must not occur in or within 25 metres of each defining bank of the watercourse represented by a line marked as 'X'.</p> <p>Note: the location of the watercourses shown on the RARP is indicative only and the actual location of the watercourses may vary in the landscape. It is the responsibility of the permit holder to ensure that the actual location of the <u>defining bank</u>¹ of any mapped watercourses is used in meeting this condition.</p> <p>¹ The <u>defining bank</u> is the bank which confines the seasonal flows but may be inundated by flooding from time to time. This can be either: (a) the bank or terrace that confines the water before the point of flooding, or (b) where there is no bank, the seasonal water line which represents the point of flooding.</p> <p>Reference SDAP version 1.7 dated 23 November 2015, Module 8, page 8-33.</p>	At all times
3.	<p>The permit holder is responsible for ensuring that:</p> <p>(a) a full copy of the permit is held by; and</p> <p>(b) that the extent of clearing authorised by this permit is properly understood by,</p> <p>any person(s) engaged or employed to carry out the clearing of the vegetation under this permit.</p>	At all times

SDA-0216-028401

Our reference: SDA-0216-028401
Your reference: DA/3570

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- **Condition 1** - to ensure the clearing works are carried out in the location and to the extent specified on the approved plans.
- **Condition 2** – to ensure any clearing is confined to a suitable distance from the banks of the watercourse to protect that riverine vegetation.
- **Condition 3** – to ensure the person undertaking the clearing works is aware of, and understands, all of the requirements and conditions associated with the carrying out of the works.

Our reference: SDA-0216-028401
 Your reference: DA/3570

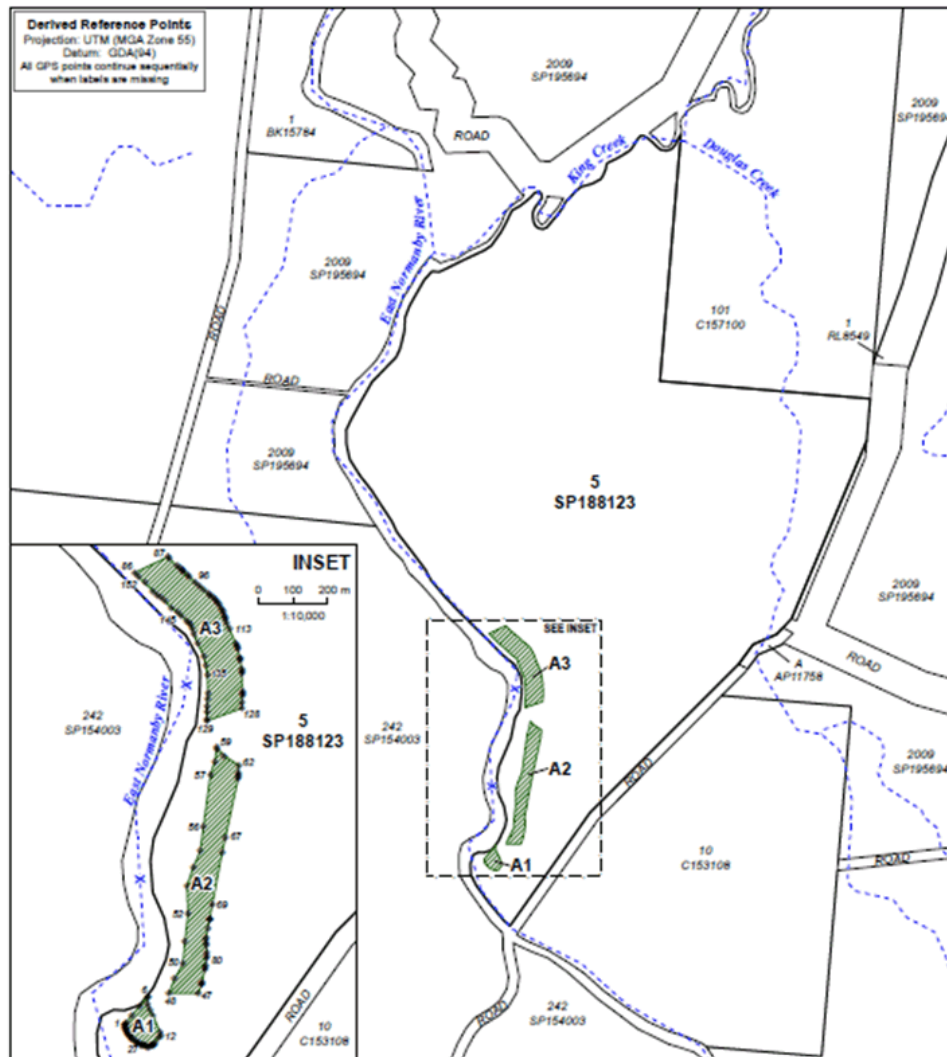
Attachment 3—Further advice

General advice	
Ref.	State Planning Policy July 2014 interim development assessment provisions
1.	Cook Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy July 2014, and in particular the interim development assessment provisions, such as Biodiversity, Water quality (receiving waters) and Natural hazards, risk and resilience to the extent it is relevant to the proposed development.
Ref.	Cape York Regional Plan
2.	Cook Shire Council, in its role as assessment manager, must assess the development application against the Cape York Queensland Regional Plan to the extent it is not identified in its planning scheme as being appropriately reflected.

SDA-0216-028401

Our reference: SDA-0216-028401
 Your reference: DA/3570

Attachment 4—Approved plans and specifications



1:20000 @ A3 size
 Projection: UTM (MGA Zone 55) Datum: GDA94
 Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).
 The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.
 Note: This plan must be read in conjunction with Referral Agency Response SDA-0216-02840

LEGEND * Derived Reference Points for GPS (See Attachment to Plan) □ Subject Lot(s) ■ Area A (Parts A1-A3) ~~~~~ Watercourse (labels - see Decision Notice)	Referral Agency Response (Vegetation) Plan Plan of Area A (Parts A1-A3) in Lot 5 on SP188123 eLVAS Case ID: 2016/001263		
	CENTRE: MAREEBA REGION: NORTH LOCAL GOVT: COOK SHIRE Map Reference: 7866,7966 Compiled from: DCCB, PUMP & VMO Notes File Reference: eDOCs 062/0003960 Prepared by: SAK - J5275 Date: 29 June 2016		
RARP SDA-0216-028401 Sheet 1 of 1			

Attachment to Plan: SDA-0216-028401
Derived Reference Points for GPS
 Horizontal Datum: GDA84 Projection: Transverse Mercator MGA 94 Zone 55

Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response SDA-0216-028401. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
A1	1	283614	8261563	A2	51	283898	8262334	A3	121	283949	8262579
A1	2	283615	8261564	A2	52	283941	8262306	A3	122	283950	8262574
A1	3	283617	8261567	A2	53	283940	8262284	A3	123	283950	8262568
A1	4	283635	8261589	A2	54	283940	8262278	A3	124	283952	8262515
A1	5	283657	8261615	A2	55	283939	8262272	A3	125	283952	8262512
A1	6	283680	8261643	A2	56	283938	8262266	A3	126	283951	8262506
A1	7	283680	8261641	A2	57	283902	8262100	A3	127	283950	8262488
A1	8	283680	8261620	A2	58	283892	8262054	A3	128	283949	8262469
A1	9	283686	8261605	A2	59	283884	8261906	A3	129	283849	8262433
A1	10	283695	8261591	A2	70	283858	8261867	A3	130	283849	8262436
A1	11	283715	8261540	A2	71	283857	8261866	A3	131	283849	8262457
A1	12	283719	8261533	A2	72	283857	8261863	A3	132	283849	8262475
A1	13	283711	8261525	A2	73	283852	8261841	A3	133	283850	8262484
A1	14	283700	8261511	A2	74	283847	8261814	A3	134	283852	8262512
A1	15	283697	8261504	A2	75	283846	8261808	A3	135	283850	8262565
A1	16	283695	8261503	A2	76	283847	8261794	A3	136	283846	8262592
A1	17	283691	8261503	A2	77	283848	8261789	A3	137	283841	8262615
A1	18	283688	8261502	A2	78	283848	8261769	A3	138	283823	8262665
A1	19	283684	8261502	A2	79	283848	8261761	A3	139	283811	8262681
A1	20	283680	8261502	A2	80	283848	8261752	A3	140	283807	8262696
A1	21	283676	8261502	A2	81	283845	8261731	A3	141	283804	8262705
A1	22	283673	8261502	A2	82	283844	8261725	A3	142	283799	8262714
A1	23	283669	8261503	A2	83	283843	8261721	A3	143	283791	8262721
A1	24	283665	8261503	A2	84	283836	8261687	A3	144	283776	8262733
A1	25	283662	8261505	A2	85	283835	8261682	A3	145	283764	8262743
A1	26	283658	8261506	A3	86	283642	8262857	A3	146	283747	8262758
A1	27	283655	8261507	A3	87	283737	8262903	A3	147	283730	8262775
A1	28	283621	8261509	A3	88	283741	8262899	A3	148	283717	8262785
A1	29	283648	8261511	A3	89	283764	8262877	A3	149	283706	8262794
A1	30	283645	8261513	A3	90	283771	8262870	A3	150	283694	8262805
A1	31	283643	8261515	A3	91	283778	8262865	A3	151	283672	8262827
A1	32	283635	8261522	A3	92	283780	8262863	A3	152	283653	8262845
A1	33	283634	8261523	A3	93	283781	8262862				
A1	34	283631	8261526	A3	94	283794	8262852				
A1	35	283628	8261528	A3	95	283799	8262847				
A1	36	283626	8261531	A3	96	283814	8262832				
A1	37	283624	8261534	A3	97	283828	8262820				
A1	38	283622	8261537	A3	98	283840	8262810				
A1	39	283620	8261541	A3	99	283855	8262798				
A1	40	283618	8261544	A3	100	283858	8262795				
A1	41	283617	8261548	A3	101	283867	8262787				
A1	42	283616	8261551	A3	102	283872	8262782				
A1	43	283615	8261555	A3	103	283876	8262777				
A1	44	283615	8261559	A3	104	283880	8262771				
A1	45	283614	8261562	A3	105	283884	8262765				
A2	46	283833	8261677	A3	106	283890	8262757				
A2	47	283825	8261662	A3	107	283893	8262750				
A2	48	283740	8261652	A3	108	283896	8262743				
A2	49	283757	8261694	A3	109	283899	8262736				
A2	50	283780	8261736	A3	110	283902	8262728				
A2	51	283786	8261800	A3	111	283903	8262724				
A2	52	283795	8261879	A3	112	283905	8262715				
A2	53	283792	8261989	A3	113	283914	8262696				
A2	54	283810	8262012	A3	114	283932	8262657				
A2	55	283830	8262069	A3	115	283934	8262650				
A2	56	283839	8262130	A3	116	283936	8262644				
A2	57	283860	8262280	A3	117	283938	8262638				
A2	58	283872	8262315	A3	118	283943	8262615				
A2	59	283877	8262364	A3	119	283944	8262610				
A2	60	283878	8262396	A3	120	283945	8262607				

15.4 AMENDMENT OF SUBORDINATE LOCAL LAWS –ADOPTION OF CONSOLIDATED LOCAL LAWS

File Number: D16/9804
Author: Preston Law
Authoriser: Gary Kerr, Director Development, Environment & Community
Attachments: 1 Subordinate Local Law 1
2 Subordinate Local Law 3
3 Subordinate Local Law 4
4 Subordinate Local Law 5

PRECIS

1. This report consists of a proposal to adopt consolidated versions of Subordinate Local Law No.1 (Administration) 2016, Subordinate Local Law No.3 (Community and Environment Management) 2016, Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2016, and Subordinate Local Law No.5 (Parking) 2016.
2. The subordinate local laws have been amended and were gazetted and in force on and from 19 August 2016.
3. Those amendments:
 - (a) exempt temporary entertainment events that occur in buildings owned or managed by Council from requiring approval under the local laws;
 - (b) designate a regulated off-street parking area for recreational vehicles at the Cooktown Racecourse;
 - (c) make the local laws regulating RV parking consistent with that proposed off-street parking area;
 - (d) allow an entertainment event for up to 30 persons on private property to occur without a permit within the urban area; and
 - (e) increase the number of people that can attend an invite only event in a public place from 20 to 30.
4. Adopting consolidated local laws enables the public and Council staff to rely on the consolidated local law as opposed to reviewing each amending local law.

BACKGROUND/HISTORY

The Local Laws are a regulatory document that may be amended at any time and should be reviewed on an on-going basis to ensure the local laws effectively regulate community activities, and do not place unnecessary regulatory requirements on the community.

Council resolved to adopt, consolidated versions of the local laws at its July Council meeting.

The amendments to the local laws took effect on 19 August 2016 which now enables Council to authorise the consolidated versions.

Once Council authorises the consolidated local laws a copy of the consolidated local laws shall be provided to the Department of Infrastructure, Local Government in Planning, and displayed on Council's website.

Adopting consolidated local laws

A consolidated version of a local law or subordinate local law is a document that accurately combines a local government's local law with all the amendments made to the local laws since the local law was originally made.

Adopting consolidating local laws does not amend the local law. Amending Subordinate Local Law No.1 (Miscellaneous Subordinate Local Laws) 2016 amended the local laws as of 19 August 2016. Only the amendments made to the local laws by the amending subordinate local law are consolidated into the original local laws.

The consolidated versions of the local laws are attached at schedule 1 of this report as:

Subordinate Local Law No.1 (Administration) 2016;

Subordinate Local Law No.3 (Community and Environment Management) 2016;

Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2016;
and

Subordinate Local Law No.5 (Parking) 2016.

Options

1. Take no action.
2. Adopt the consolidated versions of the subordinate local laws attached to this report.

LINK TO CORPORATE PLAN

Strategic Direction:

"Natural Environment, Environmental Health Services and Sustainable Development

4.2.1 Undertaking the management and provision of the following, to a standard that ensures legislative compliance:

(a) Effective and appropriate local laws and their enforcement"

CONSULTATION

- External-Legal Advice from Preston Law
- Internal-Relevant Staff

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Council may adopt a consolidated version of local laws subject to complying with section 32 of the Local Government Act 2009.

The consolidated versions must comply with the legislative standards for subordinate legislation.

The relevant legislative considerations are as follows:-

1. Local Government Act 2009 – Chapter 3, Part 1, Division 2;

POLICY IMPLICATIONS

The adoption of consolidated local laws is in accordance with the principles of local government.

The adoption of the proposed consolidated local laws will have no effect on the regulatory environment in Council's local government area.

Public notification is required once local laws are adopted.

Public consultation is not required.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Nil

RECOMMENDATION

It is recommended that Council make the following resolution:-

Cook Shire Council adopts the following Consolidated Subordinate Local Laws:-

- (i) *Subordinate Local Law No.1 (Administration) 2016;*
- (ii) *Subordinate Local Law No.3 (Community and Environment Management) 2016;*
- (iii) *Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2016; and*
- (iv) *Subordinate Local Law No.5 (Parking) 2016.*



Cook Shire Council

Subordinate Local Law No. 1 (Administration) 2016

CONSOLIDATED VERSION NO.1

As in force on September 2016

Adopted by Cook Shire Council on pursuant to section 32 of the *Local Government Act 2009*

Contents

Part 1	Preliminary	5
1	Short title	5
2	Purpose and how it is to be achieved	5
3	Authorising local law.....	5
4	Definitions	5
Part 2	Approvals for prescribed activities	5
5	Prescribed activities that do not require an approval—Authorising local law, s 6(3).....	5
6	Categories of prescribed activities for the purposes of maximum penalties—Authorising local law, s 6(4).....	5
7	Approvals that are non-transferable—Authorising local law, s 15(2)	6
8	Prescribed complementary accommodation—Authorising local law, schedule 1	6
10	Public place activities that are prescribed activities—Authorising local law, schedule 2, part 2	6
11	Matters regarding prescribed activities—Authorising local law, ss 6(3), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)	6
Part 3	Repeal Provision.....	7
12	Repeal of Subordinate Local Laws	7
Schedule 1	Prescribed activities that do not require an approval under the authorising local law	8
Schedule 2	Categories of prescribed activities for the purposes of maximum penalties	9
Schedule 3	Categories of approval that are non-transferable	10
Schedule 4	Prescribed complementary accommodation	11
Schedule 5	State-controlled roads to which the local law applies.....	12
Schedule 6	Public place activities that are prescribed activities	13
Schedule 7	Alteration or improvement to local government controlled areas	

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

	and roads.....	14
Schedule 8	Commercial use of local government controlled areas and roads	16
Schedule 9	Establishment or occupation of a temporary home	18
Schedule 10	Installation of advertising devices	20
Schedule 11	Keeping of animals.....	25
Schedule 12	Operation of camping grounds	27
Schedule 13	Operation of cane railways	29
Schedule 14	Operation of caravan parks	30
Schedule 15	Operation of cemeteries.....	33
Schedule 16	Operation of public swimming pools	36
Schedule 17	Operation of shared facility accommodation	39
Schedule 18	Operation of temporary entertainment events	43
Schedule 19	Undertaking regulated activities regarding human remains—(a) disturbance of human remains buried outside a cemetery; or (c) disturbance of human remains in a local government cemetery	45
Schedule 20	Undertaking regulated activities regarding human remains—(b) burial or disposal of human remains outside a cemetery.....	47
Schedule 21	Undertaking regulated activities on local government controlled areas and roads— (a) driving or leading of animals to cross a road.....	49
Schedule 22	Undertaking regulated activities on local government controlled areas and roads— (b) depositing of goods or	

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

	materials	51
Schedule 23	Undertaking regulated activities on local government controlled areas and roads— (c) holding of a public place activity prescribed by subordinate local law.....	53
Schedule 24	Undertaking regulated activities on local government controlled areas and roads - (c) - Film and Television Activities.....	55
Schedule 25	Bringing or driving motor vehicles onto a park or reserve	57
Schedule 26	Bringing or driving prohibited vehicles onto motor vehicle access areas	59
Schedule 27	Use of bathing reserves for training, competitions etc	60
Schedule 28	Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee	61
Schedule 29	Parking in a loading zone by displaying a commercial vehicle identification label	63
Schedule 30	Carrying out works on a road or interfering with a road or its operation	65
Endnotes	69
1	Date to which amendments incorporated	69
2	Table of consolidated versions	69
3	List of amending local laws	69
4	List of annotations.....	69

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1 (Administration) 2016*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2016* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2016* (the **authorising local law**).

4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

Part 2 Approvals for prescribed activities

5 Prescribed activities that do not require an approval—Authorising local law, s 6(3)

For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the prescribed activities listed in schedule 1.

6 Categories of prescribed activities for the purposes of maximum penalties—Authorising local law, s 6(4)

For section 6(4) of the authorising local law, it is declared that—

- (a) the prescribed activities listed in part 1 of schedule 2 are category 1 activities; and
- (b) the prescribed activities listed in part 2 of schedule 2 are category 2 activities; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (c) the prescribed activities listed in part 3 of schedule 2 are category 3 activities.

7 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 3 are non-transferable.

8 Prescribed complementary accommodation—Authorising local law, schedule 1

For the purposes of the definition of *complementary accommodation* in schedule 1 of the authorising local law, the accommodation listed schedule 4 is prescribed as appropriate for caravan parks.

9 State-controlled roads to which the local law applies—Authorising local law, schedule 1

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 5 are roads to which the authorising local law applies unless otherwise provided in the local law.

10 Public place activities that are prescribed activities—Authorising local law, schedule 2, part 2

For the purposes of paragraph (c) of the definition of *regulated activities on local government controlled areas and roads* in part 2 of schedule 2 of the authorising local law, the holding of a public place activity listed in schedule 6 is a prescribed activity.

11 Matters regarding prescribed activities—Authorising local law, ss 6(3), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) For each prescribed activity, a schedule prescribes the matters specified in this section for the prescribed activity named in section 1 of the schedule.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to an activity stated in section 2 of the schedule relating to the prescribed activity.
- (3) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of the schedule relating to the prescribed activity.
- (4) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for a prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of the schedule relating to the prescribed activity.
- (5) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for a prescribed activity are stated in section 5 of the schedule relating to the prescribed activity.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (6) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for a prescribed activity are stated in section 6 of the schedule relating to the prescribed activity.
- (7) For section 13(a) of the authorising local law, the term of an approval for a prescribed activity is provided for in section 7 of the schedule relating to the prescribed activity.
- (8) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for a prescribed activity is provided for in section 8 of the schedule relating to the prescribed activity.
- (9) For section 12 of the authorising local law, in Table 1 of the schedule relating to a prescribed activity—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

Part 3 Repeal Provision

12 Repeal of Subordinate Local Laws

The following subordinate local laws are repealed—

- (a) *Cook Shire Council Subordinate Local Law No. 2 (Libraries) 2001*; and
- (b) *Cook Shire Council Subordinate Local Law No. 3 (Temporary Homes) 2001*; and
- (c) *Cook Shire Council Subordinate Local Law No. 4 (Commercial Recreational Activities) 2001*; and
- (d) *Cook Shire Council Subordinate Local Law No. 5 (Control of Nuisances) 2001*; and
- (e) *Cook Shire Council Subordinate Local Law No. 8 (Extractive Industries) 2001*; and
- (f) *Cook Shire Council Subordinate Local Law No. 9 (Entertainment Venues) 2001*; and
- (g) *Cook Shire Council Subordinate Local Law No. 11 (Control of Advertisement) 2001*; and
- (h) *Cook Shire Council Subordinate Local Law No. 13 (Rental Accommodation with Shared Facilities) 2001*; and
- (i) *Cook Shire Council Subordinate Local Law No. 18 (Gates and Grids) 2001*; and
- (j) *Cook Shire Council Subordinate Local Law No. 20 (Domestic Water Carriers) 2001*; and
- (k) *Cook Shire Council Subordinate Local Law No. 21 (Meetings) 2001*; and
- (l) *Cook Shire Council Subordinate Local Law No. 22 (Caravan Parks and Camping)*; and
- (m) *Cook Shire Council Subordinate Local Law No. 23 (Cemeteries) 2001*; and
- (n) *Cook Shire Council Subordinate Local Law No. 24 (Commercial Use of Roads) 2001*.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 1 Prescribed activities that do not require an approval under the authorising local law

Section 5

This schedule has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 2 Categories of prescribed activities for the purposes of maximum penalties

Section 6

Part 1 Category 1 activities¹ —

- 1 establishment or occupation of a temporary home.
- 2 installation of advertising devices.
- 3 keeping of animals.
- 4 alteration or improvement to local government controlled areas or roads.
- 5 commercial use of local government controlled areas and roads.

Part 2 Category 2 activities²

- 1 operation of camping grounds.
- 2 operation of caravan parks.
- 3 operation of public swimming pools.
- 4 operation of shared facility accommodation.

Part 3 Category 3 activities³

- 1 operation of cemeteries.
- 2 undertaking regulated activities regarding human remains.
- 3 undertaking regulated activities on local government controlled areas and roads.
- 4 operation of temporary entertainment events.

¹ Prescribed activities for which the penalty for not having an approval will be 50 penalty units under section 6(2)(b) of the authorising local law.

² Prescribed activities for which the penalty for not having an approval will be 200 penalty units under section 6(2) of the authorising local law

³ Prescribed activities for which the penalty for not having an approval will be 500 penalty units under section 6(2) of the authorising local law.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 3 Categories of approval that are non-transferable

Section 7

1. approvals to operate a camping ground.
2. approvals to operate a caravan park.
3. approvals to operate a public swimming pool.
4. approval to have 3 dogs.
5. approvals to operate of accommodation with shared facilities.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 4 Prescribed complementary accommodation

Section 8

1. converted railway carriages.
2. demountable accommodation units.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

**Schedule 5 State-controlled roads to which the local
law applies**

Section 9

This section has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 6 Public place activities that are prescribed activities

Section 10

The following public place activities are prescribed activities that require approval—

- (a) film and television production activities for which a development application is not required under the local government's planning scheme.
- (b) an invitation only ceremony, party or celebration attended by more than 30 people.
- (c) a cake stall, sausage sizzle, car wash, school fete or similar fundraiser held on no more than 1 day.
- (d) a training event held on no more than 1 day.
- (e) a training event held on more than 1 day without payment of a fee.
- (f) a display, demonstration or information booth.
- (g) a right of occupation and use of a specified part of a park or reserve by a sporting association.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 7 Alteration or improvement to local government controlled areas and roads

Section 11

1 Prescribed activity

Alteration or improvement to local government controlled areas and roads

2 Activities that do not require approval under the authorising local law

An approval under the authorising local law is not required for vegetation maintenance by a person of a nature strip immediately adjacent to the person's property provided the maintenance is not likely to create a risk to the safety of pedestrian and vehicular traffic;

In this section—

vegetation maintenance means mowing, slashing or edging of grass, weeding or watering.

3 Documents and materials that must accompany applications for approval

The application for approval must be accompanied by—

- (a) the name and address of the applicant and, if the applicant is a body corporate or partnership, the name and address of an individual who is authorised by the applicant to act on its behalf; and
- (b) full details of the proposed alteration or improvement; and
- (c) if the applicant proposes to erect or install a structure on, over or under the road—plans and specifications of the structure; and
- (d) details of building or other work to be carried out under the approval.

4 Additional criteria for the granting of approval

The following additional criteria must be considered for the granting of approval—

- (a) the alteration or improvement must not unduly interfere with the usual use or amenity of the area.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The approval may require the holder of the approval to—

- (a) carry out additional specified works; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (b) give the local government a signed indemnity in the wording specified in the application form; and
- (c) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity; and
- (d) maintain structures erected or installed, or vegetation planted, under the approval in good condition; and
- (e) remove a structure erected or installed under the approval once the term of the approval has expired; and
- (f) lodge a security or performance bond in the amount specified in the approval; and
- (g) comply with safety requirements as specified in the approval; and
- (h) regulate the time within which work must be carried out.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of September, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 8 Commercial use of local government controlled areas and roads

Section 11

1 Prescribed activity

Commercial use of local government controlled areas and roads

2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank

3 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by—

- (a) details of the nature, time and place of the proposed activities; and
- (b) a plan showing the relevant part of the local government controlled area or road that is to be used for the prescribed activity; and
- (c) details of the type of signage which is intended to be displayed and the method intended to be used to ensure stability of the signage; and
- (d) evidence of any necessary statutory permit, authorisation or approval; and
- (e) details of all insurances relevant to the authority held by the person who will be undertaking the activity.

4 Additional criteria for the granting of approval

The local government may grant an approval if satisfied that the activity will not—

- (a) unduly interfere with the proper use of the local government controlled area or road; and
- (b) cause nuisance, inconvenience or annoyance to the occupiers of adjoining land.

5 Conditions that must be imposed on approvals

The following conditions must be imposed on approvals—

- (a) any statutory permit, authorisation or approval required for the activity must be obtained and maintained for the currency of the approval.

6 Conditions that will ordinarily be imposed on approvals

The following conditions will ordinarily be imposed on approvals—

- (a) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- also indemnifies the local government in respect to any liability arising from the activity; and
- (b) the approval must be exhibited as specified in the approval, or if not specified, produce the approval for inspection on demand by an authorised officer; and
 - (c) the activity must be conducted to ensure the amenity of residences or businesses in the adjacent areas are respected by—
 - (i) only being undertaken within the days and hours specified in the approval; and
 - (ii) not causing a nuisance; and
 - (iii) not displaying or showing offensive or discriminatory material; and
 - (iv) directing amplified noise away from a noise sensitive place; and
 - (d) the activity must be designed, sited, constructed and maintained to ensure the health and safety of the community by—
 - (i) complying with structural standards, specified safety requirements and codes under applicable laws; and
 - (ii) exhibiting specified warning notices where required; and
 - (iii) storing and using hazardous or dangerous materials or things in a safe manner; and
 - (iv) limiting the activities to a single specified location or to a specified area; and
 - (v) prohibiting or restricting the activities during periods of poor visibility; and
 - (e) the approval holder be required pay fees to the local government as specified in the approval.

7 Term of approval

An approval commences on the date the approval is granted and expires—

- (a) in the case of an application for an approval for a single occasion—the period stated in the approval; or
- (b) in the case of an application for an approval to continually operate a commercial activity—until the next 30 September following the grant or renewal of the approval,
unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 9 Establishment or occupation of a temporary home

Section 11

1 Prescribed activity

Establishment or occupation of a temporary home

2 Activities that do not require approval under the authorising local law

Establishment or occupation of a temporary home for less than two weeks.

3 Documents and materials that must accompany applications for approval

The application for approval must be accompanied by—

- (a) details of the application including—
 - (i) the purpose for which occupation is required; and
 - (ii) the number of occupants, adults and children, to be normally accommodated; and
 - (iii) toilet, bathing, laundry, water storage and refuse facilities; and
 - (iv) a drawing showing the design, dimensions, structural details and construction materials of the proposed temporary home; and
 - (v) the location of the temporary home; and
- (b) if the applicant is not the owner of the land on which the temporary home is or is to be located, the written consent of the owner; and
- (c) details of a current building approval for the construction or renovation of a permanent residence and evidence of financial capacity and ability to construct the permanent residence.

4 Additional criteria for the granting of approval

For all approvals, the additional criteria are that—

- (a) the applicant is able to demonstrate an ability and capacity to construct a permanent dwelling within the term of the approval; and

Example—

The applicant has a contract with a registered builder and sufficient funds are available. However this criterion may not be satisfied if a genuine application has not been made for building approval of a permanent residence or there is insufficient time remaining under the building approval to finish the relevant building work.

- (b) an adequate source of water will be available to the proposed temporary home; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (c) an adequate means of waste disposal and sanitation will exist to ensure that reasonable standards of health and hygiene can be maintained.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The following conditions will ordinarily be imposed on an approval—

- (a) the approval holder shall construct or modify a permanent residence on the allotment within the timeframe specified in the approval; and
- (b) the temporary home must be designed, sited, constructed and maintained to ensure it does not adversely impact on public health or safety, and must be—
 - (i) compliant with any structural standards, specified safety requirements and codes under applicable laws; and
 - (ii) maintained in good working order and in a good state of repair; and
 - (iii) maintained in a clean, tidy, sanitary and hygienic condition (including all facilities, fixtures, fittings, equipment and furniture); and
 - (iv) provided with adequate shower, toilet, and ablution facilities; and
 - (v) provided with potable water suitable for consumption; and
 - (vi) provided with an adequate and continuous supply of water to all permanent toilet, bathroom, kitchen, laundry and drinking water facilities that form part of the temporary home; and
- (c) the temporary home must not accommodate more than the number of persons specified in the approval; and
- (d) the temporary home must be dismantled and removed by the date specified in the approval.

7 Term of approval

The term of an approval commences on the date the approval is granted and expires on the earlier of the following events—

- (a) the end of the term specified in the approval which can be no more than 18 months from the commencement date; or
- (b) the date a permanent residence on the allotment can be occupied.

8 Term of renewal of approval

The approval may only be renewed for the term that a permanent residence on the allotment is reasonably likely to be made habitable.

Schedule 10 Installation of advertising devices

Section 11

1 Prescribed activity

Installation of advertising devices

2 Activities that do not require approval under the authorising local law

- (a) Approval is not required under the authorising local law for an advertising device that is regulated by the local government's planning scheme.
- (b) The following advertising devices (signs) do not require approval—
 - (i) **Tear Drop Flag** – a free standing single piece of lightweight material attached or supported by a flexible pole that allows the material to move in the wind that meets the following criteria—
 - (A) the sign may only be used when the business is open; and
 - (B) a maximum of (1) one sign per tenancy is permitted; and
 - (C) the sign must be placed on the property to which it refers or where this is not practically possible immediately adjacent to the property; and
 - (D) the maximum height permitted is 2.0 metres; and
 - (E) may be displayed instead of using an A Frame sign;
 - (ii) **Event Directional** – signs intended to provide directional information to motorists about the location of an event/facility or feature that meets the following criteria—
 - (A) Must only be displayed 7 days prior to, and on the day or days of the event; and
 - (B) Shall be removed within 24 hours of the conclusion of the event; and
 - (C) A maximum of (5) five signs per each event may be displayed, unless approval for more signs has been given in writing by an authorised person for the local government; and
 - (D) Have a maximum face area (0.54m² – 900mm x 600mm); and
 - (E) Must not be placed on roundabouts, centre traffic islands, median strips, or any state-controlled road; and
 - (F) Must not be nailed to trees or attached to road infrastructure, including traffic or road advisory signs; and
 - (G) Shall be constructed to withstand consequent wind or other loads.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (iii) **The following Real Estate Signs.**
- (A) **“For sale signs”** that meet all of the following criteria—
- (1) only (1) one sign per property is permitted; and
 - (2) the sign must be placed on the property that is for sale or where this is not practically possible immediately adjacent to the property; and
 - (3) the sign may be double sided or V shaped, provided it does not create a hazard for pedestrians or motorists by protruding from the property; and
 - (4) the maximum size permitted is 2.16m² in total area; - a single sided sign maximum size is 2.16m²; or
 - (5) a double sided sign maximum size each side 1.08m² = 2.16m².
- (B) **Open for Inspection & Auction** directional signs that meet the following criteria—
- (1) signs may only be placed on the day of the auction/open for inspection and removed immediately after the auction/open for inspection; and
 - (2) a sign must not exceed 750mm x 400mm or 0.3m² in area per side; and
 - (3) only (4) four, directional signs per event are permitted including the auction/open for inspection sign erected at the property; and
 - (4) signs may not be placed on roundabouts, centre traffic islands, median strips, or any state-controlled road; and
 - (5) only (1) sign may be placed at each intersection; and
 - (6) signs shall not be illuminated or animated.
- (iv) **Garage sale sign** that meets the following criteria—
- (A) does not exceed 750mm x 400mm or 0.3m² in area per side;
 - (B) the number of signs must not exceed (5) per event which includes the sign erected at the property; and
 - (C) signs may not be placed on roundabouts, centre traffic islands, median strips, any state-controlled road or on any road infrastructure; and
 - (D) signs must not be placed on road infrastructure including traffic or advisory signs; and
 - (E) signs must not be nailed to trees or other vegetation; and
 - (G) only (1) sign may be placed at each intersection; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (H) signs may be put out on the day of the garage sale only and must be removed promptly after the garage sale ends; and
- (I) signs shall not be illuminated or animated.
- (v) **Election signs** that meets the following criteria—
 - (A) Only one election sign per candidate per allotment must be displayed; and
 - (B) Signs must not exceed 0.6m²; and
 - (C) Signs must not be erected prior to an election date being announced; and
 - (D) Signs must be removed within one week after an election; and
 - (E) Signs must be registered in writing with the local government prior to being displayed; and
 - (F) Each candidate must pay a \$100.00 deposit to the local government prior to the display of any sign which is refundable upon removal of all signs within 7 days after the election.

3 Documents and materials that must accompany applications for approval

The application for approval must be accompanied by—

- (a) details of the advertising device including the dimensions, colour, content, materials and construction; and
- (b) details of where the device is to be located and how it is to be affixed; and
- (c) where necessary, an engineer's certification of the structural adequacy of the device with reference to wind velocity loadings; and

4 Additional criteria for the granting of approval

The additional criteria for the granting of approval are that the advertising device is—

- (a) structurally sound; and
- (b) unlikely to cause significant obstruction of or distract to vehicular or pedestrian traffic; and
- (c) unlikely to unreasonably obstruct views; and
- (d) not detrimental to the amenity of the area; and
- (e) is consistent with surrounding buildings and environment.

5 Conditions that must be imposed on approvals

- (a) The dimensions of the sign shall not exceed the following:
 - (i) Under awning sign which is securely fixed under a permanent awning—length 2.4 metres; width 200 mm; and
 - (ii) Fascia sign which is painted to the fascia of the permanent awning—the

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- face of the fascia; and
- (iii) Flush wall sign which is secured flat to a building or fence or painted on a building or fence: length 3 metres; depth 3 metres; and
 - (iv) Above awning sign which is securely fixed above a permanent awning – length 3 metres; width 200 mm; depth 1.5 metres; and
 - (v) Wall mounted sign which is securely fixed to a wall of a building and does not protrude more than 1.2 metres from the wall length 1.2 metres depth 600 mm; and
 - (vi) Roof sign which is securely fixed to either the roof or parapet wall at the front of a building - length 3 metres; depth 1.5 metres; and
 - (vii) Sandwich board/A Frame sign placed on a footpath or public area must not be more than 900mm x 600mm or 0.54m² on each side of the sign
- (b) All signs that protrude over a footpath by more than 50 mm shall be a minimum of 2.4 metres above the footpath measured from the underside of the sign; and
 - (c) Sandwich board/A frame—a portable sign used to advertise a business or goods and services available at the business must meet the following criteria—
 - (i) The sign may only be used when the business is open; and
 - (ii) A maximum of (1) one sign per tenancy is permitted; and
 - (iii) The sign must be placed on the property to which it refers, or where this is not practically possible immediately adjacent to the property; and
 - (d) the advertisement content shall not be offensive.

6 Conditions that will ordinarily be imposed on approvals

The following conditions will ordinarily be imposed on approvals are that the approval holder must—

- (a) maintain public liability insurance of no less than \$20,000,000.00, or such an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity; and
- (b) provide to the local government any certificates specified in the approval, such as—
 - (i) a certificate of structural adequacy from a qualified engineer; and
 - (ii) a certificate demonstrating no conflict with underground or overground services; and
 - (iii) public liability insurance certificate of currency; and
- (c) maintain the advertisement in good repair and sightly appearance for the duration of the approval; and
- (d) upon cessation of the business or activity to which the advertisement refers, the

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

advertisement must be removed and the site made good within thirty (30) days of the last day on which the business or activity operated; and

- (e) the illumination of an advertisement must not cause any nuisance or distraction to traffic.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 11 Keeping of animals

Section 11

1 Prescribed activity

Keeping of animals

2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank

3 Documents and materials that must accompany applications for approval

An application must be accompanied by the following information—

- (a) the species, breed, age and gender of the animal or each of the animals for which the approval is sought; and
- (b) the number of animals to be kept; and
- (c) the area, or part of the area, in which the animal or animals are to be kept; and
- (d) the nature of the premises in which the animal or animals are to be kept; and
- (e) details of the proposed keeper's experience and qualifications to conduct the activity; and
- (f) if the applicant is not the owner of the property on which the animals are to be kept—consent in writing of the owner of the property.

4 Additional criteria for the granting of approval

Additional criteria are that the—

- (a) land is physically suitable for the keeping of the animals; and
- (b) enclosures in which the animals are to be kept are structurally suitable; and
- (c) animals are not likely to cause undue nuisance, inconvenience, or annoyance to the occupiers of adjoining land; and
- (d) animals will not have a significant detrimental effect on the amenity of the surrounding area; and
- (e) animals will not have a significant detrimental effect on the local environment or cause pollution or other environmental damage.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on an approval are that the approval holder must—

- (a) care for the animals in accordance with appropriate standards; and
- (b) keep the animals in enclosures that comply with specified structural requirements; and
- (c) comply with specified standards of hygiene; and
- (d) ensure that the animal wears or displays an appropriate identifying tag as long as this is not inconsistent with requirements of the *Animal Management (Cats and Dogs) Act 2008*; and
- (e) take specified action to protect against possible harm to the local environment; and
- (f) ensure the animal/s do not cause nuisance to neighbours by barking, howling, squawking, crowing or wailing indiscriminately.

7 Term of approval

The term of an approval commences on the date the approval is granted and expires on the next 31st day of October, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 12 Operation of camping grounds

Section 11

1 Prescribed activity

Operation of camping grounds

2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank

3 Documents and materials that must accompany applications for approval

An application must be accompanied by—

- (a) if the applicant is not the owner of the land on which the camping ground is situated—the written consent of the owner to the application; and
- (b) details of the facilities to be provided for campers; and
- (c) details of water quality, reticulation and drainage; and
- (d) an evacuation plan; and
- (e) a plan of the proposed camping ground drawn to scale showing—
 - (i) the boundaries of the premises; and
 - (ii) the location and real property description of the premises; and
 - (iii) the location, number, designation and type of sanitary conveniences; and
 - (iv) the location, number, and designation of ablutionary facilities; and
 - (v) each camp site clearly defined and bearing a distinguishing mark or number and indicating the number of persons who may occupy each site; and
- (f) a drainage plan; and
- (g) evidence of any necessary statutory permit, authorisation or approval.

4 Additional criteria for the granting of approval

Applications must also meet the following additional criteria—

- (a) the camping ground can be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
- (b) the facilities are an acceptable standard or can be brought to acceptable standard; and
- (c) the applicant is a suitable person to operate a camping ground.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

5 Conditions that must be imposed on approvals

An approval holder must—

- (a) keep a register, available for inspection at any time by an authorised person, containing—
 - (i) the name and address of each person who hires a camping site; and
 - (ii) an identifying number for the site; and
 - (iii) if a vehicle is brought onto the site—the registration number of the vehicle; and
 - (iv) the dates when the hiring of the site begins and ends; and
- (b) not permit a person to camp or sleep in the camping site other than in accordance with the plan approved by the local government; and
- (c) maintain all buildings, structures and facilities provided by the operator on the camping ground in good and serviceable condition; and
- (d) keep the camping ground (including all camping sites) clean and tidy.

6 Conditions that will ordinarily be imposed on approvals

An approval may require the holder of an approval to—

- (a) maintain an adequate supply of water to the camping ground, including water suitable for drinking, cooking and personal hygiene; and
- (b) ensure that, if water obtained from a particular water outlet in the camping ground may be unsuitable for drinking, a sign is prominently displayed at the outlet stating “**Unsuitable for Drinking**”; and
- (c) maintain toilets and bathing or showering facilities for each gender and disabled persons; and
- (d) maintain facilities for disposal of wastes; and
- (e) ensure that the number of persons who may occupy a camping site is not contravened; and
- (f) maintain all bedding and bed linen supplied by the approval holder in a clean and sanitary condition; and
- (g) ensure all bed linen is changed whenever there is a change of occupier.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section is intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 13 Operation of cane railways

Section 11

This schedule has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 14 Operation of caravan parks

Section 11

1 Prescribed activity

Operation of caravan parks

2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank

3 Documents and materials that must accompany applications for approval

An application for an approval authorising a person to operate a caravan park must include or be accompanied by—

- (a) if the applicant is not the owner of the land on which the caravan park is situated—the written consent of the owner to the application; and
- (b) the name and address of the proposed resident manager of the caravan park and the proposed resident manager's written agreement accepting the responsibilities of resident manager of the caravan park; and
- (c) copies of statutory permits, authorisations or approvals—
 - (i) for the development and use of the relevant land as a caravan park; and
 - (ii) for the occupation and use of buildings and structures on the land in connection with the operation of the caravan park; and
- (d) a plan of the proposed caravan park drawn to scale showing—
 - (i) the location and real property description of the land; and
 - (ii) the location, number, designation and type of sanitary conveniences; and
 - (iii) the location, number, and designation of ablutionary facilities; and
 - (iv) details of each site clearly defined and bearing a distinguishing mark or number.

4 Additional criteria for the granting of approval

Applications must also meet the following additional criteria—

- (a) the caravan park can be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
- (b) all facilities in the caravan park are at an acceptable standard or can be brought to acceptable standard; and
- (c) the proposed resident manager is a suitable person to operate a caravan park.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

5 Conditions that must be imposed on approvals

An approval holder must—

- (a) ensure that the caravan park is managed and supervised by a resident manager who is resident on or near the caravan park; and
- (b) ensure that a resident manager or a representative of the resident manager is present at the caravan park at all reasonable times; and
- (c) keep a register, available for inspection by an authorised person at all times, containing—
 - (i) the name and address of each person who hires a camping site; and
 - (ii) identifying number for the site; and
 - (iii) if a vehicle is brought onto the site—the registration number of the vehicle; and
 - (iv) the dates when the hiring of the site begins and ends; and
- (d) not permit occupation of a caravan site by more persons than the limit fixed for the relevant site; and
- (e) not hire out a part of the caravan park for separate occupation unless it is a site approved by the local government for separate occupation; and
- (f) not permit a person to bring a caravan or other type of accommodation onto the caravan park that is not fit for human habitation; and
- (g) not change the sites, structures or facilities in the caravan park without the consent of the local government.

6 Conditions that will ordinarily be imposed on approvals

An approval holder may be required to—

- (a) maintain an adequate supply of water to the caravan park, including water suitable for drinking, cooking and personal hygiene; and
- (b) ensure that, if water obtained from a particular water outlet in the caravan park may be unsuitable for drinking, a sign is prominently displayed at the outlet stating “**Unsuitable for Drinking**”; and
- (c) maintain toilets and bathing or showering facilities for each gender and disabled people; and
- (d) maintain recreational facilities; and
- (e) maintain sewerage, drainage, refuse collection, waste disposal, electricity supply, telephone and postal services; and
- (f) provide lighting of the caravan park to specified standards during specified hours; and
- (g) ensure that the number of persons who may occupy a camping site is not contravened; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (h) maintain all bedding and bed linen supplied by the approval holder in a clean and sanitary condition; and
- (i) ensure all bed linen is changed whenever there is a change of occupier.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 15 Operation of cemeteries

Section 11

1 Prescribed activity

Operation of cemeteries

2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank

3 Documents and materials that must accompany applications for approval

An application must be accompanied by—

- (a) the location and real property description of the land; and
- (b) a plan of the proposed cemetery drawn to scale showing the location of proposed grave sites and other structures, which may include—
 - (i) a columbarium; or
 - (ii) a mausoleum or vault; or
 - (iii) a garden of remembrance; and
- (c) if the applicant is not the owner of the land on which the cemetery is situated—the written consent of the owner to the application; and
- (d) soil and drilling tests verifying the allotment's suitability for use as a cemetery; and
- (e) details of the occupation and use of buildings and structures on the land in connection with the operation of the cemetery; and
- (f) details of the proposed administration and management of the cemetery including the establishment of a cemetery authority.

4 Additional criteria for the granting of approval

This section has been intentionally left blank

5 Conditions that must be imposed on approvals

The conditions that must be imposed on all approvals are as follows—

- (a) an approval holder must not dispose of human remains in a cemetery unless authorised by an approval issued by the cemetery authority; and
- (b) an application for an approval permitting disposal of human remains in a cemetery must be accompanied by certified copies of other legal authorities that are required for the disposal of the remains; and
- (c) human remains brought into a cemetery must be in a coffin or other form of container of water tight construction; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (d) publicly available records must be kept about the disposal of human remains within the cemetery; and
- (e) have in place provision for the proper maintenance of memorials and other buildings and structures in the cemetery; and
- (f) have in place policies about matters such as the exhumation or disturbance of human remains.

6 Conditions that will ordinarily be imposed on approvals

1. Standards which must be met for the disposal of human remains in cemeteries are as follows—
 - (a) graves must be dug to a depth of at least —
 - (i) 1.2 metres for a child under the age of 5 years; or
 - (ii) 1.8 metres for all other graves; and
 - (b) no more than two bodies of adults or children to be buried in any grave; and
 - (c) the upper surface of a coffin must be at least 1 metre below the natural soil surface; and
 - (d) in no case shall a grave be sunk deeper after the first burial therein; and

Example—

No coffin once buried shall be disturbed for the purpose of deepening the grave

 - (e) grave plots must be at least—
 - (i) 2.4 metres by 1.2 metres for a single grave plot; or
 - (ii) 2.4 metres by 2.4 metres for a double grave plot; or
 - (iii) 2.4 metres by 3.7 metres for a family grave plot; and
 - (f) any body interred in a mausoleum or vault must be enclosed—
 - (i) firstly, in a wooden shell; and
 - (ii) secondly, in a leaden hermetically sealed shell; and
 - (iii) thirdly, in a coffin on the lid of which a metal plate must be placed that has the deceased person's name stamped or inscribed.
2. A cemetery authority may enter into contracts—
 - (a) giving rights to burial sites or other rights relating to the placement of human remains in the cemetery; and
 - (b) granting an approval authorising the erection or installation of a memorial to a deceased person provided that if a development permit is required under the *Sustainable Planning Act 2009* for the erection or installation of the proposed memorial, the application must be accompanied by a copy of the relevant permit; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (c) authorising a person to construct and maintain a private columbarium, mausoleum or vault in a local government cemetery, provided that—
 - (i) a contract under this section does not dispense with the need for a development permit for the proposed structure under the *Sustainable Planning Act 2009*; and
 - (ii) a contract under this section must provide for the maintenance and repair of the structure and if the structure is not to be maintained by the cemetery authority under the terms of the contract—authorise the cemetery authority to demolish and remove the structure if it falls into disrepair; and
 - (iii) If a party to a contract under this section dies, the cemetery authority must (subject to wishes the deceased had made known to the cemetery authority) allow relatives of the deceased whose identity and whereabouts are known to the cemetery authority a reasonable opportunity to take over the deceased's contractual rights and liabilities.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 16 Operation of public swimming pools

Section 11

1 Prescribed activity

Operation of public swimming pools

5 Activities that do not require approval under the authorising local law

The operation of a public swimming pool if the public swimming pool is—

- (a) on a local government controlled area; or
- (b) a swimming pool made available by the body corporate of a community titles scheme for use by the owners or occupiers of lots in the scheme or their invitees; or
- (c) a swimming pool made available by a hotel or motel for use by paying guests and visitors.

6 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by—

- (a) a plan or other information identifying the swimming pool; and
- (b) details of the nature and extent of the public use that is proposed by the applicant including any training programs intended to be conducted; and
- (c) details of the proposed management and supervision of the swimming pool; and
- (d) if the applicant is not the owner of the land on which the swimming pool is situated—the owner's consent to the application; and
- (e) any necessary statutory permit, authorisation or approval—
 - (i) for the development and use of the relevant land as a public pool; and
 - (ii) for the use of buildings and structures on the land in connection with the operation of the public pool.

7 Additional criteria for the granting of approval

The additional criteria for approvals are that—

- (a) the equipment for chlorination, filtration and recirculation of swimming pool water is adequate to protect public health; and
- (b) the management and supervision of the swimming pool is adequate to protect public safety and prevent nuisance.

for example:

whether the management plan complies with the Royal Life Saving Society's Guidelines for Safe Pool Operation including the qualifications and experience of proposed managers and supervisors.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

8 Conditions that must be imposed on approvals

This section has been intentionally left blank

9 Conditions that will ordinarily be imposed on approvals

The conditions ordinarily imposed on approvals are that the approval holder must—

- (a) install and maintain special equipment for filtering, purifying and recirculating the water; and
- (b) test the water daily to ensure that biological contaminants are kept within levels specified in the Australian Standards; and
- (c) maintain equipment specified in the approval for emergency medical treatment, first aid and rescue operations; and
- (d) erect and maintain and display of notices—
 - (i) providing information about basic life saving, resuscitation and first aid techniques; and
 - (ii) warning about possible dangers
- (e) maintain dressing rooms and facilities for showering and sanitation; and
- (f) erect and maintain exterior fencing of the pool in accordance with the conditions of the approval; and
- (g) give the local government at least 24 hours notice prior to emptying the water from the pool, and to comply with any directions given by an authorised person about when and how the pool is to be emptied.

10 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

11 Term of renewal of approval

This section has been intentionally left blank

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
Management Plan	Royal Life Saving Society	Certificate issued by the Royal Life Saving Society
Life Saving Certificate	Royal Life Saving Society	Certificate issued by the Royal

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

		Life Saving Society
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CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 17 Operation of shared facility accommodation

Section 11

1 Prescribed activity

Operation of shared facility accommodation

2 Activities that do not require approval under the authorising local law

Approval is not required for the operation of shared facility accommodation in a private home in which accommodation is provided for not more than 3 holiday makers or travellers.

3 Documents and materials that must accompany applications for approval

An application must be accompanied by—

- (a) the name, location and real property description of the premises; and
- (b) a plan of the premises drawn to scale and showing—
 - (i) the location of the building on the site including location of vehicle accesses and parking, areas for clothes drying and open recreation areas; and
 - (ii) the internal layout of the building showing the proposed function of each room and in the case of bedrooms and dormitories—the maximum number of beds proposed; and
- (c) details of shared facilities including—
 - (i) number of toilets; and
 - (ii) number of bathrooms and showers; and
 - (iii) laundry facilities; and
 - (iv) dining facilities; and
 - (v) cooking facilities; and
 - (vi) vehicle parking; and
- (d) a report from an appropriately qualified professional that the fire safety provisions of the *Building Act 1975* have been complied with; and
- (e) if the applicant is not the owner of the premises for which the approval is sought—the written consent of the owner to the application; and
- (f) copies of any necessary statutory permit, authorisation or approval including any development permit for the premises required under the *Sustainable Planning Act 2009*.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

4 Additional criteria for the granting of approval

In deciding requirements to be made of holders of approvals under this subordinate local law, the local government must have regard to—

- (a) the need for a reasonable degree of uniformity between local government areas; and
- (b) the need to encourage prospective operators to enter the market for accommodation to which this local law applies as a way of promoting tourism.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed in an approval are as follows—

(a) Bedrooms and Dormitories

- (i) Sleeping accommodation and beds are not provided in any room or space except those rooms designated on the plan accompanying the application as bedrooms or dormitories.
- (ii) Every person accommodated on the premises to be provided with a clean and comfortable bed which shall be designated by a room and bed number.
- (iii) Each bedroom or dormitory shall have—
 - (A) cupboard space provided at a rate of 0.03 square metres per person; and
 - (B) one (1) towel rail per person.
- (iv) the maximum number of people to be accommodated in any bedroom or dormitory shall be eight (8).
- (v) No beds to be more than two tiers in height and the clearance between the upper and lower beds to be at least 870mm with a clearance of one (1) metre between the upper bed and the ceiling, light fittings or any other projection from the ceiling.

(b) Kitchen Facilities

- (i) A kitchen separate from all other rooms shall be provided.
- (ii) Kitchens shall be kept in a clean and hygienic manner at all times.
- (iii) All kitchen walls and ceilings shall be smooth and free of ledges, protrusions, cracks and crevices and treated with washable gloss paint or other washable surface.
- (iv) All kitchen floors to shall be covered with a smooth impervious floor covering.
- (v) All kitchen benches, tables and shelving shall be covered in smooth

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

impervious material.

- (vi) Cooking appliances shall be provided at a rate of at least four (4) burners or hotplates and one (1) oven for each 15 people.
 - (vii) Refrigeration space to be provided at a rate of 15 litres per person.
 - (viii) Dishwashing facilities shall be provided at a rate of one stainless steel sink per 15 people.
 - (ix) Adequate crockery, cutlery and cooking utensils shall be provided and maintained in a sound and clean condition.
 - (x) Kitchen cupboard space shall be provided at a rate of 0.015 square metres per person.
- (c) **Dining Room**
- (i) A dining room under the same roof as the kitchen shall be provided.
 - (ii) Dining room seating shall be available at the rate of 50 percent of the maximum occupancy authorised under the approval.
- (d) **Common Living Rooms**
- (i) One or more common living rooms shall be required.
 - (ii) Floor area of common living rooms shall be at least two square metres per person, which may include the area of the dining room but which shall not include a—
 - (A) passage way; or
 - (B) fire access way; or
 - (C) non-habitable room.
- (e) **Toilets and Ablution Facilities**
- The provision of toilet and abluion facilities shall be in accordance with the Building Code of Australia.
- (f) **Laundry Facilities**
- Laundry facilities to be provided at a rate of one (1) wash tub and one (1) washing machine per 15 people.
- (g) **Office**
- (i) Every premises shall have a clearly designated office.
 - (ii) An emergency telephone service shall be available when the office is closed.
- (h) **Refuse Disposal**
- (i) Refuse shall be disposed of at least once in every week in an approved manner.
 - (ii) Refuse storage to be provided at the rate of one (1) 240 litre bin per six (6) people.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

(i) Maintenance

- (i) The premises to be treated for the control of vermin at least twice per year.
- (ii) The premises, including the grounds around any building, to be maintained in a state of good repair and in a clean and sanitary condition free from accumulated refuse and waste materials at all times.

(j) Storage

- (i) A secure, fire proof safe shall be provided for the keeping of the occupants valuables and papers.
- (ii) A security lock up for bulky packs and luggage shall be provided which is not accessible other than by permission of the operator.

(k) Fire Safety

Fire prevention, fire detection and fire suppression and control devices to be installed to ensure compliance with the *Building Act 1975*.

(l) Accommodation Register

- (i) A register to be kept which details—
 - (A) the full name of the occupant; and
 - (B) permanent residential address of the occupant; and
 - (C) the occupant's signature; and
 - (D) dates the occupant checked in and out; and
 - (E) room and bed number allocated to the occupant.
- (ii) The operator may not allow a bed to be occupied by any person who has failed to register his/her name and address in the accommodation register.

(m) Duties of the Operator:

The operator or a representative of the operator shall reside on the premises and be available for emergency contact at night.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 18 Operation of temporary entertainment events

Section 11

1 Prescribed activity

Operation of temporary entertainment events

2 Activities that do not require approval under the authorising local law

- (1) Trail rides conducted on a private property during the weekend.
- (2) Events that occur outside the urban area⁴ that are attended by less than 200 people.
- (3) Events that occur at the Cooktown Event Centre Complex located at 3 May Street Cooktown.
- (4) Events that occur inside a building located on land zoned for community use.
- (5) Events that occur on private property within an urban area that are attended by less than 30 people.

3 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by—

- (a) a plan of the temporary entertainment event's venue; and
- (b) details and drawings of buildings and other structural elements of the temporary entertainment event's venue; and
- (c) a detailed statement of the nature of the temporary entertainment event; and
- (d) the dates and times the temporary entertainment event will be open to the public; and
- (e) if the applicant is not the owner of the venue—the written consent of the owner; and
- (f) if approval of anything to be done under the approval is required under another law—a certified copy or other appropriate evidence of the approval.

4 Additional criteria for the granting of approval

The additional criteria are that—

- (a) the design and construction of the temporary entertainment event's venue is safe and appropriate to the nature of entertainment proposed and the number of people expected to attend the event's venue; and
- (b) entertainment provided at the temporary entertainment event's venue will not generate significant noise, dust or light pollution or other significantly adverse

⁴ See definition of *urban area* in the *Sustainable Planning Regulation 2009*, schedule 26.

effects on the surrounding neighbourhood; and

- (c) there will be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public; and
- (d) adequate provision will exist for the disposal of refuse generated by the use of the temporary entertainment event's venue; and
- (e) adequate provision will exist for people and (if relevant) vehicles to enter and leave the temporary entertainment event's venue.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on an approval are that—

- (a) public liability insurance is maintained of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity; and
- (b) all patrons must have access to adequate toilet and sanitary conveniences; and
- (c) all refuse generated by the use of the entertainment venue shall be disposed of the day following each use of the venue; and
- (d) action be taken to reduce noise, dust, odour and light emissions to an absolute minimum or to a level specified in an approval; and
- (e) if the approval relates to an activity on a road—require the approval holder to indemnify the State.

7 Term of approval

The term of an approval must be determined by the local government having regard to the information submitted by the applicant.

The term of the approval must be specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 19 Undertaking regulated activities regarding human remains—(a) disturbance of human remains buried outside a cemetery; or (c) disturbance of human remains in a local government cemetery

Section 11

1 Prescribed activity

Undertaking regulated activities regarding human remains—(a) disturbance of human remains buried outside a cemetery; or (c) disturbance of human remains in a local government cemetery

2 Activities that do not require approval under the authorising local law

The disturbance of human remains does not require approval if it is undertaken pursuant to orders of a coroner or other lawful authority.

3 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by—

- (a) details of and reasons for the proposed disturbance of human remains; and
- (b) a copy of the death certificate or medical certificate of cause of death for the deceased; and
- (c) written consent from the nearest living relative; and
- (d) evidence that there is no risk to public health; and
- (e) written confirmation from a recognised undertaker that he/she is prepared to carry out the exhumation.

4 Additional criteria for the granting of approval

The additional criteria for approvals are that—

- (a) the nearest living relative consents; or
- (b) the executor of a deceased estate is acting on instructions contained in the last will and testament of the deceased.

5 Conditions that must be imposed on approvals

It is a condition of an approval that the Registrar of Births, Deaths and Marriages must be advised.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on an approval are that—

- (a) any re-interment must be carried out in accordance with an approval granted for the following prescribed activities—
 - (i) the operation of cemeteries; or
 - (ii) undertaking regulated activities regarding human remains—(b) burial or disposal of human remains outside a cemetery.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 20 Undertaking regulated activities regarding human remains—(b) burial or disposal of human remains outside a cemetery

Section 11

1 Prescribed activity

Undertaking regulated activities regarding human remains—(b) burial or disposal of human remains outside a cemetery

2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank

3 Documents and materials that must accompany applications for approval

The application for approval must be accompanied by—

- (a) the real property description and exact location of the burial site by Global positioning System (GPS) reference points; and
- (b) a description of the burial method and ongoing management of the site; and
- (c) evidence of ownership of the property, or if not the owner, the written consent of the owner; and
- (d) time and date of the proposed burial; and
- (e) details of the relevant qualifications of the undertaker organising the burial.

4 Additional criteria for the granting of approval

Additional criteria are that—

- (a) the grant of the approval is justified by—
 - (i) special family, personal or historical association between the deceased person and the place in which the remains are to be buried or placed; or
 - (ii) some other special reason; and
- (b) the activity will not cause reasonable offence to others; and
- (c) the burial will be conducted by a registered undertaker or similarly qualified person.

5 Conditions that must be imposed on approvals

Conditions that must be imposed on approvals are that—

- (a) an authorised person must inspect the grave before burial of human remains in the grave; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (b) the disposal of the human remains must take place at a time, or within the period specified in the approval; and
- (c) a memorial or marker to identify a site in which human remains have been buried must be erected or installed.

6 Conditions that will ordinarily be imposed on approvals

This section has been intentionally left blank

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

**Schedule 21 Undertaking regulated activities on local government controlled areas and roads—
(a) driving or leading of animals to cross a road**

Section 11

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads—
driving or leading of animals to cross a road

2 Activities that do not require approval under the authorising local law

Leading of horses across a road by a member of a horse or pony club.

3 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by details of—

- (a) the proposed use of the local government controlled area or road, including location and times; and
- (b) the types and numbers of animals to be lead or driven; and
- (c) how the safety of the public will be safeguarded including any traffic control, safety signage, warning notices or other means of alerting other road users of the activity.

4 Additional criteria for the granting of approval

The additional criteria for approvals are that the leading of animals would not unduly interfere with the proper use of the road or create a safety hazard.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) conduct the activity on the days and times specified in the approval; and
- (b) limit the number of stock participating in the activity to the number specified in the approval; and
- (c) comply with specified safety requirements; and
- (d) exhibit specified warning notices and to take other specified precautions for the safety of users of the road or area; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (e) provide an indemnity to the State and the local government; and
- (f) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 22 Undertaking regulated activities on local government controlled areas and roads— (b) depositing of goods or materials

Section 11

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads— (b) depositing of goods or materials

2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank

3 Documents and materials that must accompany applications for approval

The application for approval must be accompanied by details of the—

- (a) goods or materials to be deposited on the road; and
- (b) time date, location and duration of the activity.

4 Additional criteria for the granting of approval

The additional criteria for the granting of approval are that the activity must not—

- (a) significantly detract from the capacity of the road to provide a vehicular and where relevant pedestrian thoroughfare; and
- (b) constitute a nuisance or a danger to any person or property; and
- (c) obstruct access from the footway to kerbside parking; and
- (d) adversely affect the amenity of the area or the environment; and
- (e) adversely affect the existing services located in, along, over or adjacent to a road.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) ensure unobstructed movement of vehicles and pedestrians; and
- (b) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which also indemnifies the local government and any other person who has an interest in or takes a benefit from the work or activity in respect to any

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

liability arising from the activity; and

- (c) observe standards specified by the local government in the carrying out of the works or activity; and
- (d) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades; and
- (e) lodge a security deposit with the local government in the amount specified in the approval; and
- (f) reinstate the road following completion of the works or ceasing of the activity.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

**Schedule 23 Undertaking regulated activities on local government controlled areas and roads—
(c) holding of a public place activity prescribed by subordinate local law**

Section 11

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads—(c) holding of a public place activity prescribed by subordinate local law, excluding the operation of a temporary entertainment event

2 Activities that do not require approval under the authorising local law

A cake stall, sausage sizzle, car wash, school fete or similar fundraising activity held on no more than 1 day.

3 Documents and materials that must accompany applications for approval

An application for an approval must be accompanied by—

- (a) a plan of the venue; and
- (b) a detailed statement of the nature of the activity; and
- (c) the dates and times the activity will be undertaken; and
- (d) if the applicant is not the owner of the land—the written consent of the owner; and
- (e) if approval of anything to be done under the approval is required under another law—a certified copy or other appropriate evidence of the approval.

4 Additional criteria for the granting of approval

The additional criteria are that—

- (a) the venue is safe and appropriate for the nature of the activity and for the number of people expected to attend; and
- (b) the activity will not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood; and
- (c) there will be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the activity; and
- (d) adequate provision will exist for the disposal of refuse generated by the activity; and
- (e) adequate provision will exist for people and (if relevant) vehicles to enter and leave the venue.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades; and
- (b) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity; and
- (c) lodge security bond with council in the amount specified in the approval; and
- (d) reinstate the area following the ceasing of the activity.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 24 Undertaking regulated activities on local government controlled areas and roads - (c) - Film and Television Activities.

Section 11

1 Prescribed activity

Undertaking regulated activities on local government controlled areas and roads - (c) film and television production activities for which a development application is not required under the local government's planning scheme

Example

commercial filming/photography

2 Activities that do not require approval under the authorising local law

Filming or photography undertaken only for personal use.

3 Documents and materials that must accompany applications for approval

The following documents and materials must accompany applications for approval—

- (a) details of the location where the activity will be carried out, by way of plans or otherwise; and
- (b) if an applicant for an approval is not the owner of the premises on which the activity is to be operated, the application must be accompanied by the written consent of the owner; and
- (c) details of contact person; and
- (d) details of times; and
- (e) a certificate of currency of the applicants public liability insurance for the activity.

2 Additional criteria for the granting of approval

The additional criteria are as follows—

- (a) Whether the premises or location is suitable taking into account the—
 - (i) type of activity proposed; and
 - (ii) number of people involved in the activity; and
 - (iii) means of entry and exit for attendees and or vehicles if applicable.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

3 Conditions that must be imposed on approvals

This section has been intentionally left blank

4 Conditions that will ordinarily be imposed on approvals

The conditions ordinarily imposed on an approval are that the approval holder must—

- (a) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades; and
- (b) maintain public liability insurance of no less than \$20,000,000, or such an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity; and
- (c) lodge security bond with council in the amount specified in the approval; and
- (d) reinstate the area following the ceasing of the activity; and
- (e) advise residents living adjacent to the location of the time, nature and scale of the activity at least seven (7) days before the activity commences; and
- (f) obtain additional approval under the local laws to use vehicles, aircraft, vessels and non-filming equipment on local government areas; and
- (g) vegetation must not to be disturbed or damaged; and
- (h) inform the local government of any alterations to the activity schedule; and
- (i) ensure a sufficient number of sanitary conveniences are available during the activity; and
- (j) fees are to be paid in accordance with the local government's current fees and charges schedule.

5 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

6 Term of renewal of approval

This section has been intentionally left blank

Schedule 25 Bringing or driving motor vehicles onto a park or reserve

Section 11

1 Prescribed activity

Bringing a motor vehicle onto or driving a motor vehicle on a place that is—

- (a) within a local government controlled area; and
- (b) not within a motor vehicle access area.

(Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2016, section 6(2)).

2 Activities that do not require approval under the authorising local law

- (a) Access to a local government controlled area by an authorised contractor for the purposes of repairing or maintaining a local government facility; or
- (b) Persons holding an approval under another local law permitting the bringing or driving of motor vehicles onto local government controlled areas.

3 Documents and materials that must accompany applications for approval

An application must accompanied by—

- (a) full details of the need and reasons for bringing the motor vehicle onto the local government controlled area; and
- (b) the date and time and duration of bringing the motor vehicle onto the area; and
- (c) the parts of the area where the motor vehicle will be driven; and
- (d) the type of motor vehicle to be driven; and
- (e) any other documentation and materials requested on the approved application form.

4 Additional criteria for the granting of approval

The additional criteria are that—

- (a) the vehicle access is required for—
 - (i) construction, repair and maintenance work within the local government controlled area; or
 - (ii) access to a temporary entertainment venue for which the applicant has received approval under another local law; or
 - (iii) holding a celebration, ceremony or competition for which the applicant has received approval under another local law.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (b) access by the vehicle will not—
 - (i) unduly interfere with the usual use and enjoyment of the area;
 - (ii) impact on the natural resources and native wildlife of the area;
 - (iii) cause damage to the area;
 - (iv) generate significant noise or dust or other significantly adverse effects on the surrounding neighbourhood or other users of the area.

5 Conditions that must be imposed on approvals

The conditions that must be imposed on an approval are that the approval—

- (a) will be valid only for the specific vehicle or type of vehicle specified in the approval; and
- (b) is not transferable; and
- (c) is displayed on the dashboard of the vehicle while it is within the local government controlled area; and
- (d) holder must ensure the safety of other users of the area arising from the carrying out of the activity; and
- (e) holder must pay to the local government the cost of rectifying any damage caused by the use of the vehicle in the area.

6 Conditions that will ordinarily be imposed on approvals

The following conditions will ordinarily be imposed on approvals—

- (a) The approval holder must give at least 24 hours notice to neighbouring land holders that the area will be accessed under the approval.

7 Term of approval

An approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

**Schedule 26 Bringing or driving prohibited vehicles onto
motor vehicle access areas**

Section 11

This schedule has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 28 Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee

Section 11

1 Prescribed activity

Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee

Local Law No.5 (Parking) 2016, section 7(1)

2 Activities that do not require approval under the authorising local law

This section is not applicable for this prescribed activity.

3 Documents and materials that must accompany applications for approval

An application for a parking permit must be accompanied by the following information—

- (a) for a works zone permit—
 - (i) the name, address, telephone number and e-mail address of the applicant; and
 - (ii) the trading name, address, telephone number and email address of the business under which the permit will be issued; and
 - (iii) the registration number, make, model and colour of any vehicle nominated in the application; and
 - (iv) the address at which the vehicle/s will be parked; and
 - (v) details of the works being carried out on the premises including—
 - (A) copy of the development application and/or building works approval; and
 - (B) in the case of continuing traffic, the nature and type of the traffic and the general class of vehicle likely to be parked in the works zone; and
 - (C) the hours of operation; and
- (b) for a business parking permit—
 - (i) the name, address, telephone number and e-mail address of the applicant; and
 - (ii) the trading name, address, telephone number and e-mail address of the business under which the permit will be issued; and
 - (iii) the registration number, make, model and colour of the vehicle nominated in the application; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

(iv) the location for and type of permit required.

4 Additional criteria for the granting of approval

The additional criterion for a works zone permit is that the applicant is undertaking building or construction work in the local government area.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on a parking permit are that—

- (a) the permit applies to the vehicle registration and applicant nominated on the application form; and
- (b) the permit must be affixed to the lower left-hand corner of the windscreen or other highly visible location on the left-hand side of the vehicle; and
- (c) the permit is not transferable to the new owner of the vehicle if the vehicle is sold; and
- (d) in the event of a change of vehicle the permit holder is required to destroy the permit; and
- (e) in the event of a change of vehicle the permit holder is to complete a new application form with new vehicle details; and
- (f) the permit is only valid on local government roads and off-street regulated parking areas; and
- (g) damaged or defaced permits must be returned to the local government; and
- (h) a permit must not be wilfully misused; and
- (i) the permit holder must not hold a permit for more than one vehicle.

7 Term of approval

The term of an approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 29 Parking in a loading zone by displaying a commercial vehicle identification label

Section 11

1 Prescribed activity

Parking in a loading zone by displaying a commercial vehicle identification label

Local Law No.5 (Parking) 2016, section 8(1)

2 Activities that do not require approval under the authorising local law

This section is not applicable for this prescribed activity

3 Documents and materials that must accompany applications for approval

An application for a parking permit must be accompanied by the following documents—

- (a) the name, home address, telephone number and e-mail address of the applicant; and
- (b) the business name, address, telephone number and e-mail address of the applicant's business; and
- (c) the registration number, make, model and colour of the vehicle nominated in the application; and
- (d) a copy of the current registration notice for the vehicle; and
- (e) the number of persons the vehicle is built to carry; and
- (f) details of the usage of the vehicle, including the—
 - (i) nature of goods carried in the vehicle; and
 - (ii) quantity of goods carried; and
 - (iii) hours that goods are carried; and
 - (iv) frequency with which goods will be loaded/unloaded.

4 Additional criteria for the granting of approval

This section has been intentionally left blank

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

6 Conditions that will ordinarily be imposed on approvals

The conditions that will ordinarily be imposed on an approval for a commercial vehicle identification label are that—

- (a) the approval applies to the vehicle registration and applicant nominated on the application form; and
- (b) the label must be affixed to the lower left-hand corner of the windscreen or other highly visible location on the left-hand side of the vehicle; and
- (c) the label is not transferable to the new owner of the vehicle if the vehicle is sold; and
- (d) in the event of a change of vehicle the approval holder is required to destroy the label; and
- (e) in the event of a change of vehicle the approval holder is to complete a new application form with new vehicle details; and
- (f) damaged or defaced labels must be returned to the local government; and
- (g) a label must not be wilfully misused.

7 Term of approval

The term of an approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Schedule 30 Carrying out works on a road or interfering with a road or its operation

Section 11

1 Prescribed activity

Carrying out works on a road or interfering with a road or its operation

Local Government Act 2009, section 75(2)

2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank

3 Documents and materials that must accompany applications for approval

1. The application must be accompanied by—
 - (a) full details of the proposed works on the road or interference with its operation; and
 - (b) if the applicant proposes to erect or install a structure on, over or under the road – plans and specifications of the structure; and
 - (c) details of building or other work to be carried out under the approval.
2. For approvals for installation of a gate or grid, an application must also be accompanied by—
 - (a) the name, address and telephone number of the person who will be installing the gate or grid; and
 - (b) details of the gate or grid to be installed including—
 - (i) its design, dimensions and construction, including details of the grid structure, the foundations, the abutment, the approach ramps and the horizontal and vertical alignment; and
 - (ii) when, where and how the gate or grid is to be installed; and
 - (iii) a site plan to scale and specifications of the gate or grid to be installed; and
 - (c) details of all insurances held by the person who will be installing the gate or grid.

4 Additional criteria for the granting of approval

- (1) The additional criteria for approvals for the installation of a vehicular access to premises are the following—
 - (a) the owner of the premises accepts the responsibility for the cost of installing and maintaining the vehicular access; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (b) unless special reasons exist, there is only one vehicular access per allotment or one every 20 metres of road frontage.
- (2) The additional criteria for approvals for the installation of a gate or grid on a road are the following—
 - (a) the gate or grid will not unduly obstruct pedestrian or vehicular traffic; and
 - (b) the gate or grid will not prejudice the safety of pedestrian or vehicular traffic; and
 - (c) the gate or grid will not prejudice the proper maintenance of the road; and
 - (d) the matters which are the subject of the conditions specified in section 6(2) of this schedule which are relevant to the installation of the gate or grid can be adequately addressed by the imposition of those conditions.

5 Conditions that must be imposed on approvals

This section has been intentionally left blank

6 Conditions that will ordinarily be imposed on approvals

- (1) For approvals for installing a vehicular access to premises, the conditions that will ordinarily be imposed on an approval are that the approval holder must ensure that—
 - (a) if an allotment is located on a corner—the vehicular access to the premises is not constructed along the arc of the kerb return into the side street; and
 - Example for paragraph (a)—*

A vehicular access to the premises cannot lie between the tangent points of the turnout arc.
 - (b) the vehicular access to the premises is—
 - (i) 600 millimetres clear of stormwater drainage and catchpits; and
 - (ii) 800 millimetres clear of power poles or light poles; and
 - (c) the vehicular access is not built over hydrants or other services; and
 - (d) where a vehicular access is built over a service cover, the cover is altered and reconstructed to the level of the new driveway; and
 - (e) the vehicular access is constructed in accordance with the engineering guidelines adopted by the local government.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (2) For approvals for installing or operating gates or grids on a road, the conditions that will ordinarily be imposed are that the approval holder must ensure that—
- (a) the gate or grid, the approaches to the gate or grid and the warning signs are erected and installed in accordance with the following requirements—
- (i) a grid or gate must be erected—
- (A) at locations approved by the local government; and
- (B) as directed by the local government; and
- (ii) a grid is constructed at a skew of 1 in 12 to the centreline of the road; and
- (iii) the centre of the grid or gate coincides with the centreline of the road; and
- (iv) a gate is constructed at right angles to the road centreline; and
- (v) the grade of the motor grid conforms to the grade of the road unless otherwise ordered by the local government; and
- (vi) the levels of the grid surface (including crossfalls) are in accordance with the directions of the local government; and
- (vii) when the grid is on a curve, the crossfall conforms to the cant of the curve; and
- (viii) the surface of the grid is 0.5 metres (with a tolerance of 0.1 metre) above the natural surface of the surrounding country; and
- (ix) approach ramps are constructed for the full width of the running surface of the grid; and
- (x) the longitudinal grade of the approach ramps are such that the surface levels of the ramps deviate from the existing average grade of the road by not more than 1%; and
- (xi) the fill used in the approach ramps is thoroughly compacted and finished to the satisfaction of the local government; and
- (xii) a grid is constructed of steel or concrete and is—
- (A) of dimensions not less than 3.66 metres by 1.80 metres; or
- (B) of such greater dimensions as may be required by the local government; and
- (xiii) the grid structure, the foundations, the abutment, the approach ramps and the horizontal and vertical alignment—
- (A) are sufficient to guarantee the safe transit of vehicles; and
- (B) will not interfere with the natural drainage of the area; and

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

- (xiv) the construction of the grid will allow for the movement of stock by a suitable gate erected—
 - (A) beside the grid; and
 - (B) within the road reserve; and
- (xv) sufficient guide posts and rails are provided, as shown on the drawings, to satisfy road traffic safety requirements at the specific location; and
- (xvi) reflectorised grid warning signs which satisfy the requirements of the Manual of Uniform Traffic Control Devices (Queensland) are provided at the approaches to the grid in accordance with best traffic safety practice; and
- (b) the gate or grid, the approaches thereto and the warning signs are maintained to the standard specified in the local government's standard specification; and
- (c) a sign on which the words "Permitted Public Gate/Grid" are prominently and permanently displayed is exhibited on a conspicuous part of the structure so that it can be viewed by members of the public; and
- (d) public liability insurance in relation to the gate or grid is taken out and maintained for an amount not less than \$5,000,000 or such an amount as determined by the local government and which also indemnifies the local government in respect of any liability arising from the gate or grid; and
- (e) a management program is maintained, which details how and when the gate or grid will be monitored and maintained.

7 Term of approval

- (1) The term of an approval commences on the date the approval is granted and expires on the next 30th day of June, unless otherwise specified in the approval.

8 Term of renewal of approval

This section has been intentionally left blank

Endnotes

1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before September 2016.

2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
1	<i>Amending Subordinate Local Law No.1 (Miscellaneous Subordinate Local Laws) 2016</i>	September	

3 List of amending local laws

Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2016

date notified in the gazette 19 August 2016
commenced on date of notification

4 List of annotations

Schedule 6— Public place activities that are prescribed activities

s a. amd 2016 No.1 s6

Schedule 18— Operation of temporary entertainment events

Activities that do not require approval under the authorising local law

s 2 amd 2016 No.1 s 7

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016



Cook Shire Council

Subordinate Local Law No. 3 (Community and Environment Management) 2016

CONSOLIDATED VERSION NO.1

As in force on September 2016

Adopted by Cook Shire Council on pursuant to section 32 of the *Local Government Act 2009*

Contents

Part 1	Preliminary.....	3
1	Short title.....	3
2	Purpose and how it is to be achieved.....	3
3	Authorising local law.....	3
4	Definitions.....	3
Part 2	Declared local pests	3
5	Declaration of local pests—Authorising local law, s 6(1).....	3
6	Persons exempted from introducing etc a declared local pest—Authorising local law, s 12(2).....	4
Part 3	Overgrown and unsightly allotments	4
Part 4	Fires and fire hazards	4
7	Prohibition on lighting or maintaining fires—Authorising local law, s 15(2).....	4
8	Fire hazards—Authorising local law, s 16(3)(b).....	4
Part 5	Community safety hazards.....	5
9	Community safety hazards—Authorising local law, s 17(c).....	5
10	Prescribed requirements for community safety hazards—Authorising local law, s 20(1).....	5
Part 6	Noise standards	5
11	Prescribed noise standards—Authorising local law, s 21(2).....	5
Part 7	Miscellaneous.....	5
Schedule 1	Declared local pests	6
Schedule 2	Persons exempted from offence of Introducing etc declared local pest.....	7
Schedule 3	Prohibited fires.....	8
Schedule 4	Prescribed requirements for community safety hazards	9
Schedule 5	Prescribed noise standards	10
Endnotes	11
1	Date to which amendments incorporated.....	11
2	Table of consolidated versions.....	11
3	List of amending local laws.....	11
4	List of annotations.....	11

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 3 (Community and Environment Management) 2016*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 3 (Community and Environment Management) 2016*, which provides for protecting the environment and public health, safety and amenity within the local government's area.
- (2) The purpose is to be achieved by providing for—
 - (a) declaration of local pests; and
 - (b) prohibition of lighting or maintaining certain fires; and
 - (c) declaration of fire hazards; and
 - (d) declaration of community safety hazards; and
 - (e) prescribed requirements for owners of land containing community safety hazards; and
 - (f) declaration of noise standards.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 3 (Community and Environment Management) 2016* (the **authorising local law**).

4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

Part 2 Declared local pests

5 Declaration of local pests—Authorising local law, s 6(1)

For section 6(1) of the authorising local law, the animal or plant prescribed in column 1 of schedule 1 is a declared pest in the corresponding part of the local government's area mentioned in column 2 of schedule 1.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

6 Persons exempted from introducing etc a declared local pest— Authorising local law, s 12(2)

For section 12(2) of the authorising local law, a person mentioned in column 1 of schedule 2 is exempt from section 12(1) of the authorising local law in relation to introducing, propagating, breeding or providing harbour to a declared local pest mentioned in the corresponding part of column 2 of schedule 2.

Part 3 Overgrown and unsightly allotments

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Part 4 Fires and fire hazards

7 Prohibition on lighting or maintaining fires—Authorising local law, s 15(2)

- (1) This section applies to the following fires¹—
 - (a) a fire in which neither the height, width nor length of the material to be consumed exceeds 2 metres;
 - (b) a fire lit for the purpose of burning the carcass of a beast;
 - (c) a fire lit at a sawmill for the purpose of burning sawdust or other residue resulting from the operation of a sawmill;
 - (d) a fire lit out-doors, if enclosed in a fireplace so constructed as to prevent the escape of fire or any burning material therefrom.
- (2) For section 15(2) of the authorising local law, lighting or maintaining a fire described in column 2 of schedule 3 is declared to be prohibited in the corresponding part of the local government's area mentioned in column 1 of schedule 3.

8 Fire hazards—Authorising local law, s 16(3)(b)

For section 16(3)(b) of the authorising local law, the following are declared to be fire hazards—

- (a) live cinders or hot ash that is not enclosed in a fireplace so constructed as to prevent the escape of cinders or ash;

¹ Pursuant to a notification by the Fire and Rescue Services Commissioner published in the gazette on 6 August 2004 under section 63 of the *Fire and Rescue Service Act 1990*, the listed fires can generally be lit without a permit issued by a fire warden, provided adequate precautions are taken to prevent the spread of fire and the fire conforms with any local law. Local laws can therefore regulate these types of fire, which is the purpose of this subordinate local law.

- (b) a substantial accumulation of grass clippings that is liable to spontaneous combustion;
- (c) dry vegetation that could be easily ignited or other flammable materials.

Part 5 Community safety hazards

9 Community safety hazards—Authorising local law, s 17(c)

For section 17(c) of the authorising local law, the following are declared to be community safety hazards—

- (a) Barbed wire fencing; and
- (b) Electric Fencing; and
- (c) Wells (including disused wells); and
- (d) A tree that—
 - i. is located on land adjoining a local government controlled area or road; and
 - ii. poses a significant risk of causing injury to a person using the area or road or damage to property located on the area or road.

10 Prescribed requirements for community safety hazards—Authorising local law, s 20(1)

For section 20(1) of the authorising local law, a responsible person for a community safety hazard listed in column 1 of schedule 4 must meet the requirements prescribed in the corresponding part of column 2 of schedule 4.

Part 6 Noise standards

11 Prescribed noise standards—Authorising local law, s 21(2)

- (1) For section 21(2) of the authorising local law, the noise standard in column 2 of schedule 5 is prescribed for the section of the *Environmental Protection Act 1994*, chapter 8, part 3B, division 3 stated in column 1 of schedule 5.
- (2) For section 21(2) of the authorising local law, the noise standard in column 2 of schedule 5 applies in the corresponding part of the local government's area mentioned in column 3 of schedule 5.

Part 7 Miscellaneous

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 1 Declared local pests

Section 5

Column 1 Applicable Part of Local Government Area		Column 2 Declared Local Pest
1	Entire Local Government Area	No animal or plant prescribed

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

**Schedule 2 Persons exempted from offence of
Introducing etc declared local pest**

Section 6 (2)

Column 1 Exempt Person	Column 2 Declared Local Pest
No exempt persons mentioned	

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 3 Prohibited fires

Section 7(2)

Column 1		Column 2
Applicable part of local government's area		Prohibited fire
1	Entire local government area	A fire on a private allotment of less than 4,100 square metres is prohibited, unless: <ul style="list-style-type: none"> (a) enclosed in a fireplace so constructed as to prevent the escape of fire or any burning material therefrom; and (b) not closer than 10 metres from the boundary of the allotment; and (c) the material burnt in the fire only consists of dried vegetation or untreated wood products.
2	All Local government controlled areas and roads within an urban area. ²	A fire that is not in a fireplace, barbeque, or incinerator approved by the local government is prohibited.

² See definition of **urban area** in the *Sustainable Planning Regulation 2009*, schedule 26.

Schedule 4 Prescribed requirements for community safety hazards

Section 10

Column 1 Community safety hazard		Column 2 Prescribed requirements to be met by owner of land
1	Barbed wire fencing	<p>(a) Barbed wire fencing is not to be installed along a boundary adjoining a public park;</p> <p>(b) Barbed wire is to be used in urban areas only in a security fence with the barbed wire to be more than 1800 mm off the ground.</p>
2	Electric fencing	<p>(a) Electric fencing that adjoins any road or public land must have warning signs of a size that can be read from a distance of 5 metres and fixed at 5 metre intervals along the fence;</p> <p>(b) Electric fencing must be at least 1500mm from a fence located on or within the boundary of the premises OR if the fencing is installed on the boundary of the premises the lowest point of the fencing capable of imparting an electric shock when touched must be least 2000 mm off the ground;</p> <p>(c) Fencing must be installed, operated and maintained in accordance with AS/NZS 3014:2003;</p> <p>(d) Fencing for security must be installed, operated and maintained in accordance with AS/NZS 3016:2002.</p>
4	Wells (including disused wells)	<p>(a) Wells must be securely fenced and covered to the satisfaction of an authorised person.</p>

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 5 Prescribed noise standards

Section 11

<p>Column 1 Section of the <i>Environmental Protection Act 1994, Chapter 8, Part 3B, division 3</i></p>	<p>Column 2 Prescribed noise standard</p>	<p>Column 3 Applicable part of the local government Area</p>
<p>There has been no additional noise standard prescribed under this local law. Noise standards are regulated in accordance with the <i>Environmental Protection Act 1994</i>.</p>		

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Endnotes

1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before September 2016.

2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
1	Amending Subordinate Local Law No.1 (Miscellaneous Subordinate Local Laws) 2016	September	

3 List of amending local laws

Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2016

date notified in the gazette 19 August 2016
commenced on date of notification

4 List of annotations

Schedule 4— Prescribed requests for community safety hazards

s 2(d) amd 2016 No.1 s 9

s 3 renum 2016 No.1 s 9

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016



Cook Shire Council

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016

CONSOLIDATED VERSION NO.1

As in force on September 2016

Adopted by Cook Shire Council on pursuant to section 32 of the *Local Government Act 2009*

Contents

Part 1	Preliminary.....	4
1	Short title.....	4
2	Purpose and how it is to be achieved.....	4
3	Authorising local law.....	4
4	Definitions.....	4
Part 2	Use of local government controlled areas, facilities and roads.....	4
5	Prohibited and restricted activities—Authorising local law, s 5(1).....	4
6	Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b).....	5
7	Prohibited vehicles—Authorising local law, s 6(3).....	5
8	Opening hours for local government controlled areas—Authorising local law, s 7(1).....	5
9	Permanent closure of local government controlled area—Authorising local law, s 8(3).....	5
Part 3	Matters affecting roads.....	5
10	Notice requiring owner of land adjoining road to fence land—Authorising local law, s 9(3).....	5
Part 4	Repeal Provision.....	6
11	Repeal of Subordinate Local Laws.....	6
Schedule 1	Prohibited activities for local government controlled areas or roads.....	7
Schedule 2	Restricted activities for local government controlled areas or roads.....	10
Schedule 3	Motor vehicle access areas in local government controlled areas	13
Schedule 4	Opening hours for local government controlled areas.....	14
Schedule 5	Permanent closure of local government controlled areas.....	15

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Endnotes 17

1 Date to which amendments incorporated 17

2 Table of consolidated versions 17

3 List of amending local laws 17

4 List of annotations..... 17

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2016* in order to protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads and preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
- (2) The purpose is to be achieved by providing for—
 - (a) the regulation of access to local government controlled areas; and
 - (b) the prohibition or restriction of particular activities in local government controlled areas or roads.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2016* (the *authorising local law*).

4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law unless otherwise defined in the dictionary in schedule 6 of this subordinate local law.

Part 2 Use of local government controlled areas, facilities and roads

5 Prohibited and restricted activities—Authorising local law, s 5(1)

- (1) For section 5(1)(a) of the authorising local law, the activities prescribed in column 2 of schedule 1 are declared to be prohibited in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 1.

- (2) For section 5(1)(b) of the authorising local law, the activities prescribed in column 2 of schedule 2 are declared to be restricted in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 2, to the extent described in column 3 of schedule 2.

6 Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b)

For section 6(1)(b) of the authorising local law, the areas prescribed in column 1 of schedule 3 are declared to be motor vehicle access areas.

7 Prohibited vehicles—Authorising local law, s 6(3)

For section 6(3) of the authorising local law, the specific types of motor vehicle prescribed in column 2 of schedule 3 are declared to be prohibited vehicles in the corresponding specified motor vehicle access area in column 1 of schedule 3.

8 Opening hours for local government controlled areas—Authorising local law, s 7(1)

For section 7(1) of the authorising local law, the times prescribed in column 2 of schedule 4 are declared to be the opening hours for the local government controlled areas mentioned in column 1 of schedule 4.

9 Permanent closure of local government controlled area—Authorising local law, s 8(3)

For section 8(3) of the authorising local law, the local government controlled areas described in schedule 5 are permanently closed to public access.

Part 3 Matters affecting roads

10 Notice requiring owner of land adjoining road to fence land—Authorising local law, s 9(3)

For section 9(3) of the authorising local law, the minimum standards for a fence that is the subject of a compliance notice under section 9(2) of the authorising local law are that the fence or enclosure provided for restraining an animal to the premises must be sufficient to prevent the animal escaping the owner's land.

Part 4 Repeal Provision

11 Repeal of Subordinate Local Laws

The following subordinate local laws are repealed—

- (a) *Cook Shire Council Subordinate Local Law No. 25 (Roads) 2001*; and
- (b) *Cook Shire Council Subordinate Local Law No. 12 (Parks and Reserves) 2001*.

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 1 Prohibited activities for local government controlled areas or roads

Section 5(1)

Column 1 Local government controlled area or road		Column 2 Prohibited activity
1	All local government controlled areas within the local government area	<p>(a) A person must not interfere with or wilfully misuse, deface, mark or otherwise damage a local government asset;</p> <p>(b) A person must not contravene a sign prohibiting fishing, diving or jumping from, or on, a bridge, structure or building;</p> <p>(c) A person must not park or stand any unregistered vehicle;</p> <p>(d) A person must not engage in conduct which is dangerous or creates a risk to the safety of members of the public;</p> <p>(e) A person must not cause an offensive liquid, sediment or substance to be discharged other than at a drainage point provided for that purpose;</p> <p>(f) A person must not dispose of refuse other than in a container provided for that purpose.</p>
2	<p>All local government cemeteries¹ including the following —</p> <p>Cooktown Cemetery Laura Cemetery Aboriginal Cemetery—Coen European Cemetery – Coen</p> <p>Closed Cemeteries - Ayton / Bloomfield Cemetery Maytown Cemetery Palmer River Cemetery Bramwell Cemetery Rossville Cemetery</p>	<p>(a) A person must not interfere with a funeral or commemorative service lawfully conducted in a local government cemetery.</p> <p>(b) A person must not damage, disturb or interfere with a grave, memorial, inscription plaque, epitaph or inscription, or with any flowers or tokens on a grave or memorial unless approved by the cemetery authority.</p>

¹ See definition of *local government cemetery* in *Local Law No. 1 (Administration) 2016*, schedule 1.

3	Designated camping areas. ²	<p>(a) A person must not use the facilities in a way that makes them unclean or unsanitary.</p> <p>(b) A person must not contravene a notice erected by the local government on or near a camping ground.</p>
4	All swimming pools operated by local government	<p>(a) A person must not take drinking glasses or glass bottles into the pool area.</p> <p>(b) person must not contravene a sign erected by the local government on or near the swimming pool</p>
5	All jetties, barge loading ramps and boat ramps in the local government area.	<p>(a) A person must not use or interfere with any fitting or appliance on any jetty, barge loading ramp or boat ramp for any purpose other than for which such fitting or appliance is provided.</p> <p>(b) A person must not drive or stand a vehicle on a boat ramp other than to launch or retrieve a vessel.</p> <p>(c) A person launching or retrieving a vessel at a boat ramp must do so as quickly as is reasonable possible.</p> <p>(d) A person must not obstruct another person's use of a boat ramp, barge loading ramp or jetty.</p> <p>(e) A person must not take or drive a vehicle on to a boat ramp, barge loading ramp or jetty if the mass of the vehicle and its load, if any, together with any trailer that the vehicle is towing and its load, if any, is more than:</p> <p>(i) 5t; or</p> <p>(ii) if the local government erects on or near the boat ramp, barge loading ramp or jetty a notice displaying a greater mass—the greater mass.</p>

² See schedule 6, definition of *designated camping areas*.

		<p>(f) A person must not take or drive onto a boat ramp, barge loading ramp or jetty a vehicle, other than a vehicle that moves on wheels fitted with pneumatic or rubber tyres.</p> <p>(g) A person using a boat ramp, barge loading ramp or jetty must comply with any direction given by an authorised officer if the direction is reasonably necessary for ensuring safety and security of the boat ramp, barge loading ramp or jetty, its users or the local government’s employees unless the person has a reasonable excuse, and if the person fails to comply with the direction—</p> <p style="padding-left: 40px;">(i) the authorised officer must warn the person it is an offence not to comply with the direction unless the person has a reasonable excuse; and</p> <p style="padding-left: 40px;">(ii) the authorised officer must give the person a further reasonable opportunity to comply with the direction.</p> <p>(h) A person must not gut, clean or wash fish, shellfish or other crustacean except at an area that the local government has erected a sign authorising the activity.</p>
--	--	---

Schedule 2 Restricted activities for local government controlled areas or roads

Section 5(2)

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
1	All local government controlled areas and roads within the local government area	(a) A person must not interfere with any turf, sand, clay, soil or other material on a local government controlled area or road.	The activity is permitted if being conducted— (i) by a person authorised by the local government for the purpose of repairing or maintaining a local government controlled area, road or facility; or (ii) is authorised under the conditions of an approval for a prescribed activity.
(b) A person must not repair, alter or maintain a vehicle on a local government controlled area or road.		The activity is permitted if— (i) the vehicle is temporarily disabled with a minor fault and the driver of the vehicle stops for no longer than is necessary for the performance of maintenance work limited to the minimum necessary to allow the vehicle to be moved from the road; or (ii) authorised under the conditions of an approval for a prescribed activity; or (iii) authorised by an authorised officer.	
(c) A person must not wash or clean a vehicle, boat or vessel on a local government controlled area or road.		The activity is permitted if— (i) authorised under the conditions of an approval for a prescribed activity; or (ii) the local government has allocated an area for this activity by erecting a sign and the person undertaking the activity complies with the conditions displayed on the sign; or (iii) approved by an authorised officer.	

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

		<p>(d) A person must not camp, sleep, occupy or remain overnight or intend to remain overnight in a tent, vehicle, boat, ship, or otherwise in any local government controlled area or road.</p>	<p>The activity is permitted—</p> <ul style="list-style-type: none"> (i) if authorised under the condition of approval for a prescribed activity; (ii) in designated camping areas³. (iii) if approved by an authorised officer; (iv) in a recreational vehicle (RV) parking areas⁴ subject to the person complying with the following conditions— <ul style="list-style-type: none"> (A) The vehicle used to conduct the activity is a recreational vehicle (RV)⁵; and (B) The recreational vehicles (RV) waste water containment system(s) is in good repair and working order; and (C) The recreational vehicle (RV) must not use a designated recreational vehicle (RV) parking area for more than 7 consecutive nights, and for no more than a total of 14 nights within a 30 day period; (D) A person using a recreational vehicle (RV) parking area must comply with any direction given by an authorised officer if the direction is reasonably necessary to protect against the health and safety of the person or the public, the amenity of the area or to protect against environmental harm and if the person fails to comply with the direction the authorised officer must — <ul style="list-style-type: none"> i. warn the person it is an offence not to comply with the direction unless the person has a reasonable excuse; and ii. give the person a further reasonable opportunity to comply with the direction.
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³ See Schedule 6 for a definition of *designated camping areas*.

⁴ See schedule 6 for a definition of *recreational vehicle (RV) parking areas*.

⁵ See schedule 6 for a definition of *recreational vehicle (RV)*.

2	All jetties, barge loading ramps and boat ramps in the local government area	(a) A person must not carry out maintenance or repairs to a vessel or vehicle on any jetty, boat ramp or barge loading ramp.	The activity is permitted only if the vessel or vehicle is temporarily disabled with a minor fault and the driver of the vessel or vehicle stops for no longer than it is necessary to allow the vehicle to be moved from the jetty or boat ramp.
		(b) A person must not use a jetty for any commercial activity.	The activity is permitted only if authorised under the conditions of an approval for a prescribed activity.
		(c) A person must not solicit or canvass boat tickets, goods, foodstuffs, chattels, or any other thing in or on a jetty barge loading ramp or boat ramp.	The activity is permitted only if authorised under the conditions of an approval for a prescribed activity.
		(d) A person must not use, employ or permit any vessel or vehicle to deliver fuel to a vessel on or attached to a jetty, boat ramp or barge loading ramp.	The activity is permitted if — (i) the activity is not the commercial supply of fuel and is authorised by an authorised officer; or (ii) the activity is the commercial supply of fuel and is authorised under an approval for a prescribed activity.

Schedule 3 Motor vehicle access areas in local government controlled areas

Sections 6 and 7

Column 1 Motor vehicle access areas	Column 2 Prohibited vehicles
<i>This schedule has been intentionally left blank.</i>	

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

**Schedule 4 Opening hours for local government
 controlled areas**

Section 8

This schedule has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 5 Permanent closure of local government controlled areas

Section 8

This schedule has been intentionally left blank

CONSOLIDATED VERSION — AS AT SEPTEMBER 2016

Schedule 6 Dictionary

barge loading ramp means a ramp or other device or structure used or capable of use or designed or intended for use for loading or unloading goods and which is the property or under the control of the local government.

boat ramp means a ramp or other device or structure used or capable of use or designed or intended for use for the purpose of launching and retrieving trailable vessels and which is the property or under the control of the local government.

designated camping areas mean any area within the local government's controlled area that the local government has erected a sign permitting camping in that area and entered the area into the register of designated camping areas maintained by the local government and made available to the public, but does not include a commercial camping ground or caravan park.

jetty includes any wharf, quay, pier, landing place, stage or platform which is the property or under the control of the local government, and where necessary, all buildings and other works on the jetty, and the appurtenances of the jetty.

recreational vehicle (RV) means a vehicle, or trailer—

- (a) that is fully self-contained mobile accommodation which must have a toilet, shower, washing and cooking facilities within the vehicle or trailer; and
- (b) fitted with holding tanks for grey and black waste water integrated into the vehicle or trailer (external containers or buckets to collect black or grey waste are not permitted); and
- (c) with the ability to discharge all liquid waste into the designated drainage points provided at the recreational vehicle (RV) parking area or areas.

recreational vehicle (RV) parking area means any areas within the local government's controlled area that the local government has erected an authorised sign permitting a recreational vehicle (RV) to park in that area and listed the area on that register of recreational vehicle (RV) parking areas maintained by the local government and made available to the public, but does not include a commercial camping ground or caravan park.

Endnotes**1 Date to which amendments incorporated**

This consolidated version includes all amendments that commenced operation on or before September 2016.

2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
1	Amending Subordinate Local Law No.1 (Miscellaneous Subordinate Local Laws) 2016	September	

3 List of amending local laws**Amending Subordinate Local Law No.1 (Miscellaneous Subordinate Local Laws) 2016**

date notified in the gazette 19 August 2016
commenced on date of notification

4 List of annotations**Schedule 2— Restricted activities for local government controlled areas and roads**

s 1(d)(iv)(c) amd 2016 No.1 s 11



Cook Shire Council

Subordinate Local Law No. 5 (Parking) 2016

CONSOLIDATED VERSION NO.1

As in force on September 2016

Adopted by Cook Shire Council on pursuant to section 32 of the *Local Government Act 2009*

Contents

Part 1	Preliminary.....	3
	1 Short title.....	3
	2 Purpose and how it is to be achieved.....	3
	3 Authorising local law.....	3
	4 Definitions.....	3
Part 2	Declaration of parking areas for the TORUM Act.....	3
	5 Declaration of traffic areas—Authorising local law, s 5.....	3
	6 Declaration of off-street regulated parking areas—Authorising local law, s 6.....	4
Part 3	Parking contrary to parking restriction.....	4
	7 Parking permits issued by local government—Authorising local law, s 7(2).....	4
	8 Commercial vehicle identification labels—Authorising local law, s 8(2).....	4
Part 4	Minor traffic offence infringement notice penalties.....	4
	9 Infringement notice penalty amounts—Authorising local law, s 9.....	4
Schedule 1	Declaration of traffic area.....	5
Schedule 2	Declaration of off-street regulated parking areas.....	6
Schedule 3	Persons who may be issued with a Parking Permit.....	10
Schedule 4	Infringement notice penalty amounts for certain minor traffic offences.....	11
Endnotes	12
	1 Date to which amendments incorporated.....	12
	2 Table of consolidated versions.....	12
	3 List of amending local laws.....	12
	4 List of annotations.....	12

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as Subordinate Local Law No. 5 (Parking) 2016.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 5 (Parking) 2016*, which provides for the exercise of local government powers authorised under the TORUM Act.
- (2) The purpose is to be achieved by providing for—
 - (a) the establishment of traffic areas and off-street regulated parking areas; and
 - (b) the persons who may be issued with a permit to park a vehicle contrary to an indication on an official traffic sign; and
 - (c) the vehicles that can be issued with commercial vehicle identification labels; and
 - (d) the infringement notice penalty amounts for minor traffic offences.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 5 (Parking) 2016* (the *authorising local law*).

4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

Part 2 Declaration of parking areas for the TORUM Act

5 Declaration of traffic areas—Authorising local law, s 5

- (1) For section 5(1) of the authorising local law, the whole local government area is declared to be a traffic area.
- (2) For section 5(2) of the authorising local law the boundaries of the traffic area are the boundaries of the local government area.

6 Declaration of off-street regulated parking areas—Authorising local law, s 6

- (1) For section 6(1) of the authorising local law, each area of land indicated by hatching in the map in schedule 2 is declared to be an off-street regulated parking area.
- (2) For section 6(2) of the authorising local law, the boundaries of each off-street regulated parking area are indicated by bold lines circumscribing the hatched areas on the maps in schedule 2.

Part 3 Parking contrary to parking restriction**7 Parking permits issued by local government—Authorising local law, s 7(2)**

For section 7(2) of the authorising local law, the persons mentioned in column 2 of schedule 3 may be issued with the corresponding permit mentioned in column 1 of schedule 3.

8 Commercial vehicle identification labels—Authorising local law, s 8(2)

For section 8(2) of the authorising local law, the vehicles that may be issued¹ with a commercial vehicle identification label mentioned in section 8(1) of the authorising local law are any vehicle² which is used for business that requires the regular use of loading zones.

Part 4 Minor traffic offence infringement notice penalties**9 Infringement notice penalty amounts—Authorising local law, s 9**

- (1) For section 9 of the authorising local law, the infringement notice penalty amount for an offence mentioned in column 1 of schedule 4 is the corresponding amount stated in column 2 of schedule 4.

¹ See *Subordinate Local Law No. 1 (Administration) 2016* for relevant criteria and conditions regarding applications for a commercial vehicle identification label.

² See definition of motor vehicle in the TORUM Act.

Schedule 1 Declaration of traffic area

Section 5

This schedule has been intentionally left blank

Schedule 2 Declaration of off-street regulated parking areas

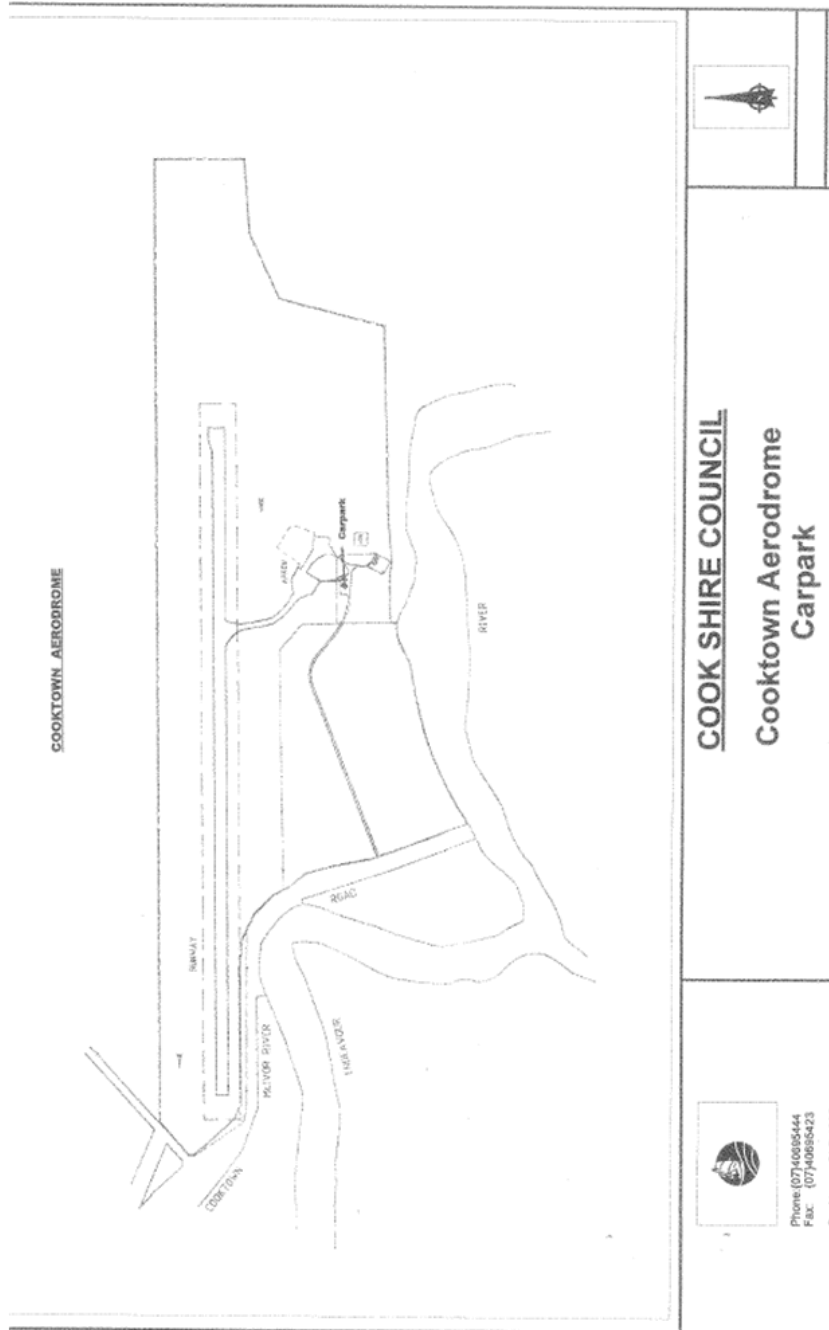
Section 6

PART 1

Declared Off-Street Regulated Parking Area	Map – Part 2	Location
Cooktown Aerodrome Carpark as identified in Schedule 2, Part 2	A & B	Cooktown Aerodrome, Cooktown Development Road, Cooktown, Qld, 4895
Cooktown Racecourse RV parking area as identified in Schedule 2, Part 2	C	Racecourse Road, Cooktown, Qld, 4895

PART 2 – Maps of Off-Street Parking Areas

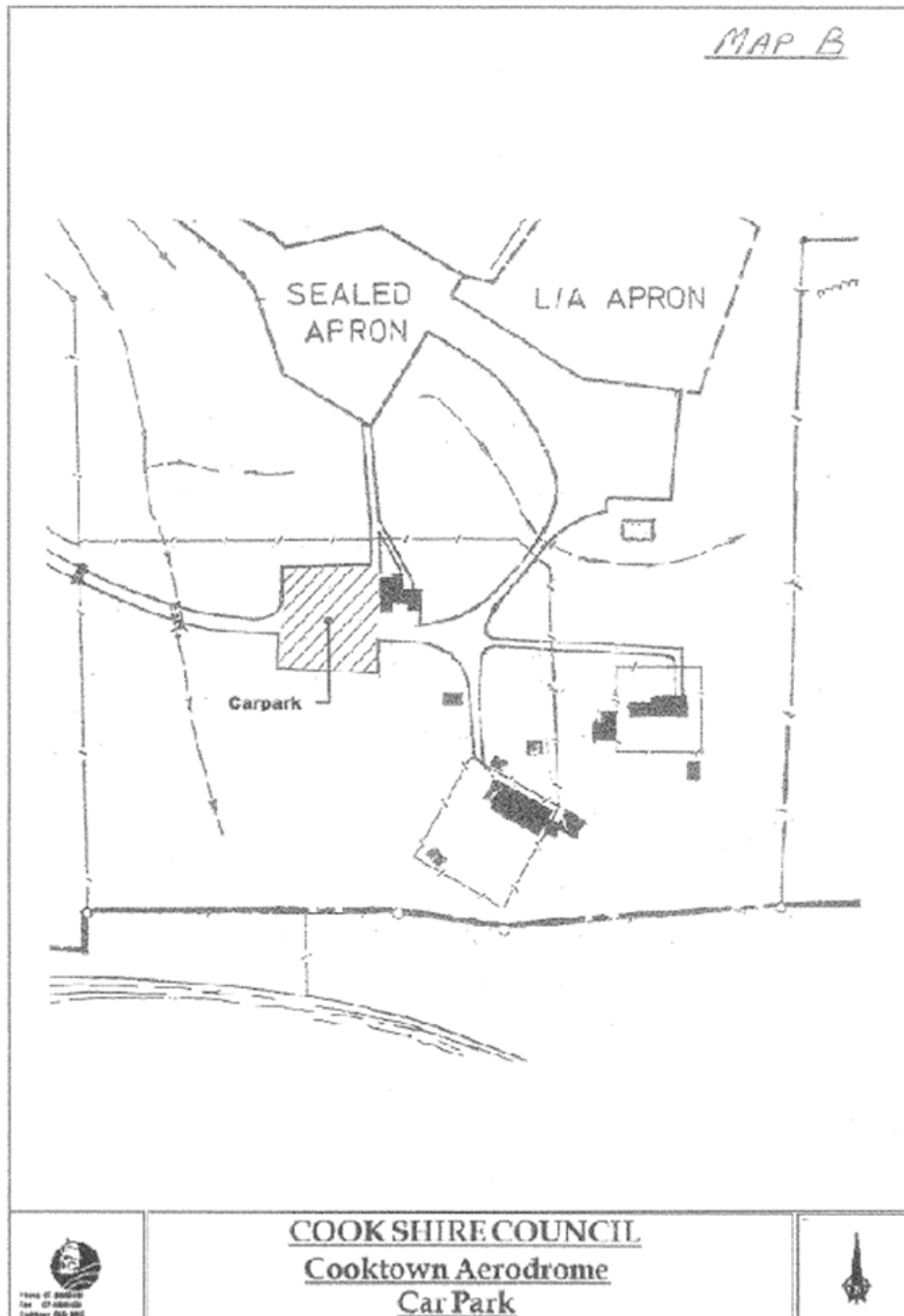
Map A



COOK SHIRE COUNCIL
Cooktown Aerodrome
Carpark


Phone: (07) 4085444
Fax: (07) 4085423
Cooktown, QLD 4855

Map B



Map C



Schedule 3 Persons who may be issued with a Parking Permit

Section 7

Column 1 Parking Permit	Column 2 Person who may be issued with a permit
works zone permit	A person requiring access to a designated parking space and adjacent footpath for commercial or construction purposes
business parking permit	A person requiring access to a designated parking space and adjacent footpath for commercial or fundraising purposes

Schedule 4 Infringement notice penalty amounts for certain minor traffic offences

Section 9

Column 1 Minor Traffic Offence	Column 2 Infringement notice penalty
Paid parking offences provided for in section 106 (Paid Parking Offences) of the <i>Transport Operations (Road Use Management) Act 1995</i>	1/2 penalty unit
Parking and stopping offences provided for in part 12 (Restrictions on stopping and parking) of the <i>Transport Operations (Road Use Management —Road Rules) Regulation 2009</i> except for— <ul style="list-style-type: none"> • Section 203 (Stopping in a parking area for people with disabilities) 	1/2 penalty unit
The offence provided for in section 203 (Stopping in a parking area for people with disabilities) of the <i>Transport Operations (Road Use Management —Road Rules) Regulation 2009</i>	2 penalty units
All other offences which relate to the parking or stopping of a vehicle as provided for in section 74 (Contravention of official traffic sign an offence) of the <i>Transport Operations (Road Use Management) Act 1995</i>	1/2 penalty unit

Endnotes

1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before September 2016.

2 Table of consolidated versions

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1	Amending Subordinate Local Law No.1 (Miscellaneous Subordinate Local Laws) 2016	September	

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date notified in the gazette 19 August 2016
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4 List of annotations

Schedule 6— Public place activities that are prescribed activities

s a. amd 2016 No.1 s 6

Schedule 2— Declared off street regulated parking

pt 1 ins 2016 No. 1 s 13(1)

pt 2 ins 2016 No.1 s 13(2)

15.5 COOKTOWN AIRPORT AVIATION PARK BUDGET REVIEW

File Number: D16/10557
Author: Director Development, Environment & Community
Authoriser: Gary Kerr, Director Development, Environment & Community
Attachments: 1 Cost Benefit Analysis - CAAP

PRECIS

Through a tender process GHD were engaged to undertake a full engineering design and costing for the taxiway and internal airport road works as part of the airport industrial estate known as the Cooktown Airport Aviation Park.

The original costings for the proposed work were calculated at \$990,000 for which a grant for \$500,000 has been received from the Building our Regions program. Following detailed engineering designs and costings the potential cost has increased from \$990,000 to \$1,810,000.

Council is asked to consider increasing its contribution for this work by redirecting \$560,000 of the already borrowed \$1.3m for staff housing to the airport industrial estate.

BACKGROUND/HISTORY

The Cooktown Airport Industrial Estate has been approved for development and the first lease of 31,000m² has been signed with Daintree Air.

Funding of \$500,000 has been provided through the Building our Regions fund to contribute towards the cost of construction of a small taxiway and realigned internal road that increases the amount of available land for development. Original costings indicated a total cost of \$990,000.

GHD was engaged to undertake detailed engineering designs, geotechnical assessment, quantity surveying and budgeting for the project. The budget based on design and geotechnical assessment has now been identified as \$1,810,000 which includes a Cooktown Price Index Multiplier of 1.4 and contingency of 20%. The breakdown of the budget is:

- Preliminaries \$310,000
- Taxiway \$500,000
- Roadworks \$1,000,000

The expected cost to Council is:

Capital Cost	\$1,810,000
Less BoR fund	\$ 500,000
Potential Developers contributions	\$ 500,000
Net Council Contribution	\$ 810,000

Over the next ten years, the industrial estate (Cooktown Airport Aviation Park) is expected to generate additional income to Council of \$1,784,000 (see attachment). This income is generated from lease income, additional landing fees, fuel sales and rates income.

Additional taxiway construction will be required in the future to connect all remaining lots in the industrial estate. The anticipated additional costs are in the order of \$1,500,000 for which additional funding will be sought.

Council resolved at its September 2015 meeting to contribute \$250,000 towards this project. An additional \$1,060,000 is being sought to cover the increased costs of this project and to provide for cash outlay for expenditure expected to be recouped by future developer contributions.

It is expected that the return on investment for the total of Council's net contribution over 10 years is 220%.

LINK TO CORPORATE PLAN

4.6.1 Manage and provide, to a standard that ensures (at a minimum) legislative compliance and equitable access:

g) Aerodrome facilities appropriate to the Shire's needs

4.6.3 Special Projects:

e) Progress commercial and industrial development at the Shire's airports

CONSULTATION

GHD consulting engineers, Director Infrastructure Services, Cooktown Airport Project Committee

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Compliance with conditions in Building our Regions Funding Contract

Compliance with conditions in Lease Agreement with Daintree Air Services in relation to access to taxiway

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Redirection of \$1,060,000 of funds originally approved for staff housing

RECOMMENDATION

That Council considers the allocation of an additional \$1,060,000, making a total \$1,310,000, contribution to the construction of taxiway and roadworks associated with the Cooktown Airport Industrial Estate with \$500,000 to be recovered through future infrastructure contributions from developers.

Department of State Development

Building our Regions (BoR)

For technical assistance regarding this tool, please contact Dr Latiffa Ling, Economic and Commercial Analysis, on phone 3452 7348.

BoR Project Funding: Cost benefit Analysis Template

Details	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Cost: Cash outflow: (\$)										
1. Capital Cost										
Geotechnical Investigation										
Concept design cost	310000									
Contract development										
Construction	1500000									
Purchase of equipment and machinery										
BoR Funding	-500000									
Infrastructure cost recovery from developers	-500000									
2. Operating Cost (Recurrent Expenses)										
Maintenance costs (5% of capital value)		75000	75000	75000	75000	75000	75000	75000	75000	75000
Cost of utility (Power, Water, Fuel, if any)										
Inspection cost										
Insurance										
Total Cash Outflow: (A = A1 + A2)	810000	75000	75000	75000	75000	75000	75000	75000	75000	75000
Benefit: Cash inflow: (\$)										
Direct benefit										
Revenue from leases		75000	117000	117000	175000	175000	175000	175000	175000	175000
Revenue from Fuel sales, landing fees		25000	30000	35000	40000	50000	50000	50000	50000	50000
Revenue from rates and taxes		5000	5000	5000	5000	5000	5000	5000	5000	5000
Indirect benefit										
Payroll taxes										
Increased value added to the regional economy		1500000	3000000	4500000	6000000	7500000	9240000	9240000	9240000	9240000
Tourism expenditure		60000	80000	100000	156000	156000	156000	156000	156000	156000
Other indirect benefits (specify)										
Intangible benefits (Please describe potential intangible benefits of the project in the sheet 'Description of Intangibles' which is part of this work-sheet)										
Total Cash inflow:	0	1665000	3232000	4757000	6376000	7886000	9626000	9626000	9626000	9626000
Net Cash inflow (NCF) - Base case (NCF = B - A): (\$)	-810000	1590000	3157000	4682000	6301000	7811000	9551000	9551000	9551000	9551000
NCF - Sensitivity case (NCF = B - (A*1.05)): (\$)	-891000	1582500	3149500	4674500	6293500	7803500	9543500	9543500	9543500	9543500
Total Cash Inflow	62420000									
Estimated Values:	NCF	NPV @4%	NPV @6%							
Base case Scenario	60935000	46251579	40555951							
Sensitivity Case - 10% increase in total cost	60786500	46120074	40431411							

Notes:

- Data can be filled ONLY in the BLUE shaded areas.
- Insert data on costs and benefits as estimated for the economic life of the project. Please describe estimated costs and benefits and explain assumptions in the next worksheet.
- Economic life must be the number of years of durability or useful life of the assets/infrastructure created or a maximum of 25 years.
- Cost and benefit items are illustrative. Additional cost and benefit items can be added by inserting rows.
- The Cells B31 and B37 will automatically estimate the Total and Net cash flow etc.; NPV cell will automatically present the estimated NPV.
- All GREY shaded areas are formula (Please do not edit the grey shaded areas)

15.6 SHOW DAY HOLIDAY 2017

File Number: D16/10479
Author: Director Development, Environment & Community
Authoriser: Gary Kerr, Director Development, Environment & Community
Attachments: 1 Show Society Letter

PRECIS

The Cooktown Regional Agriculture & Recreational Show Society Inc (The Society) has requested that Wednesday 26th July 2017 be requested as a holiday under the Holidays Act 1983.

The Society have advised that they have formed a new Executive Committee and are confident the 2017 Show will proceed and will be held over two days. The 26th July holiday meets the Society's obligations to the Queensland Northern Sub Chamber, the Showman's Guild and the Queensland 2017 Show circuit.

BACKGROUND/HISTORY

Show Day holidays can be determined under section 4 of the Holiday Act 1983. A holiday shall not be appointed in respect of a district unless the Minister has received, by a specified date, a notice signed by the Chief Executive Officer of the local government for the area in which the district is situated, requesting that the holiday be appointed.

Such a holiday shall be a bank holiday in the district specified in the notification, except where the holiday is in respect of an annual agricultural, horticultural or industrial show (show day) in which case it shall also be a public holiday.

LINK TO CORPORATE PLAN

4.3.1 Provide to a standard that ensures (at a minimum) legislative compliance and equitable access:

- c) Support and advocacy for community groups, clubs, societies and organisations.
- d) Support and advocacy for events and festivals and arts and cultural endeavours.

CONSULTATION

Cooktown Chamber of Commerce and Tourism

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Nil

RECOMMENDATION

That Council determine whether to authorise the Chief Executive Officer to request Wednesday 26 July 2017 be declared a Show Day Holiday under the Holiday Act 1983



Cooktown Regional Agricultural & Recreational Show Society Inc.

Your ref:

9st August 2016

Att: Tim Cronin
Chief Executive Officer

Cook Shire Council
Po Box 3
Cooktown 4895

Dear Tim

RE: REQUEST FOR THE APPOINTMENT OF SHOW DAY HOLIDAY 2017

Cooktown Regional Agricultural & Recreational Show Society would like to submit their request for our designated Show Day holiday in 2017.

After the disappointing 2016, we have wonderful news! An enthusiastic group of community minded people are in the process of forming a new Executive Committee; ensuring the much loved community Show continued success. The 2017 Show will be ran over two days.

The Show Society would like to ask that Cook Shire Council send correspondence on our behalf to the Department of Justice and Attorney General to approve Wednesday 26th July 2017 as the Cook Shire gazetted Show Day public holiday. The submitted date ensures we meet our obligation to the Queensland (QLD) Northern Region Sub Chamber, QLD 2016 Show circuit and the Showman's Guild.

The Show Society would like to thank Cook Shire Council for their continued support.

For further enquiries regarding the above matter please contact The Society's Chief Steward, Jack Degney via email cooktown@queenslandshows.com.au or Po Box 1012 Cooktown 4895.

Please update your internal correspondence databases to the above and remove any other contact details ensuring that all Show correspondence is delivered to the appropriate people.

Yours faithfully

Jack Degney

Jack Degney
Vice President/Chief Steward
Cooktown Regional Agricultural & Recreational Show Society

Mail ~ Po Box 1012 Cooktown 4895

Email cooktown@queenslandshows.com.au

ABN ~ 19 364366827

15.7 WAYMBUURR BOTANIC GARDENS PRECINCT ADVISORY COMMITTEE

File Number: D16/11054
Author: Director Development, Environment & Community
Authoriser: Gary Kerr, Director Development, Environment & Community
Attachments: 1 Advisory Committee minutes 26 Aug 2016

PRECIS

Minutes of the Waymbuurr Botanic Gardens Precinct Advisory Committee meeting 26 August for information and the formal adoption of new Guugu Yimithir and Ranger representatives to the Advisory Committee

BACKGROUND/HISTORY

The function of the Waymbuurr Botanic Gardens Precinct Advisory Committee (formerly Natures Powerhouse Advisory Committee) is to oversee, guide and advise Council on the revitalisation of Nature's Powerhouse facility and Botanic Gardens in preparation of the 2020 celebrations.

LINK TO CORPORATE PLAN

4.3.1 d) Support and advocacy for events and festivals and arts and cultural endeavours

CONSULTATION

Waymbuurr Botanic Gardens Precinct Advisory Committee members

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Nil

RECOMMENDATION

That the following representatives be included with the approved Advisory Committee membership:

- Guugu Yimithir representative: Harold Ludwick
- Indigenous Rangers representative: Larissa Hale (altenate Mick Hale)

That the minutes of the Waymbuurr Botanic Gardens Precinct Advisory Committee held on 26 August 2016 be noted.

**WAYMBURR BOTANIC GARDENS PRECINCT
ADVISORY COMMITTEE MEETING**

Minutes August 2016

Chair:	Gary Kerr		
Meeting Date:	Friday 26 August 2016	Meeting Start Time:	1.10pm
Minutes Taken By:	Sally Eales	Meeting End Time:	2.30pm
Venue:	Nature's Powerhouse		
Attendees	Cooktown Chamber of Commerce and Tourism - Gary Kerr Cook Shire Council, Team Leader Tourism and Community Services – Sally Eales Community member - Loretta Sullivan Community member - Jo Wynter Former curator of the Botanic Gardens – Sandy Lloyd Local Indigenous Representative – Alberta Hornsby James Cook Museum – Kate Eastick (proxy) Café contractor – Barbara Leys		
Apologies	Chair - Cr John Dessman Vera Scarth Johnson Association – Jean Stephan Ranger representative – Mick and Larissa Hale Cooktown Chamber of Commerce and Tourism– Mick Davies Current Cafe contractor – Kaz Price Guugu Yimithirr Nation Representative - Harold Ludwick Cook Shire Council, Manager Parks and Gardens – Jim Doidge		

Committee Purpose:

To oversee, guide and advise Council on the revitalisation of Nature's Powerhouse facility and the Botanic Gardens precinct in preparation of the 2020 celebrations.

Minutes of the previous meeting held on 1 July 2016 were presented.

Moved by Loretta Sullivan Seconded by Sandy Lloyd Carried

Matters arising from previous minutes

- Sandy commented that the MOU for the VSJ committee has still not been finalised. This needs to be discussed between CDCC (Kindred Café) and VSJ committee before final agreement with Martin Cookson at Cook Shire Council.
- Committee Membership new representatives will be tabled at the September Council meeting for approval

Revitalisation Strategy

- Project Scope needs to include the following:
 - The whole reserve including Nature's Powerhouse building, the Botanic Gardens and the Gallop Reserve including the walks to Cherry Tree Bay and Finch Bay and the Queen's Oval (cricket oval)
 - The National Significance of the VSJ collection
 - The Cultural Audit outcomes
 - European and Indigenous heritage
 - Flora and fauna focus – including bush foods and birds
 - Built structures
 - Education
 - Interpretation – natural history museum
 - Entertainment spaces and facilities for performances
 - Signage
- Resources
 - Council have a budget of \$50,000 towards this strategy
- Timelines
 - Strategy to be completed by April/May 2017
- Project Brief and terms of reference
 - Objectives
 - Community Engagement – workshops and participation by locals
 - Outcomes
 - Success Criteria
 - Evaluation and Engagement
- Project Team

Cultural Audit

Ellen White has supplied a final report to Alberta, however Alberta has requested a more personal report (not so academic) so it can be used in a local context. The quarry needs to be highlighted to visitors, with the potential of putting in a new walking path to the quarry.

General Business

It was decided that the current meeting time and day were no longer suitable.

Meetings will now be held on the **4th Thursday of the month at 9.30am at Nature's Powerhouse.**

Agenda Item	Action	Person(s) accountable for action	Due date
VSJ and CDCC MOU	VSJ committee and CDCC to come to an agreement before final approval from Cook Shire Council	Barbara Leys Jo Wynter Martin Cookson	22 Sep 2016
Revitalisation Strategy	Council to draft a project scope and send to all committee members for feedback	Gary Kerr	22 Sep 2016
Cultural Audit	Circulate a final version of the audit to all committee members	Alberta Hornsby	22 Sep 2016

Meeting closed at 2.30pm

Next meeting Thursday 22 September, 9.30am Nature's Powerhouse

15.8 COOKTOWN 2020 ADVISORY COMMITTEE

File Number: D16/11056
Author: Director Development, Environment & Community
Authoriser: Gary Kerr, Director Development, Environment & Community
Attachments: 1 2020 Minutes 5 Sept 2016

PRECIS

Minutes of the Cooktown 2020 Advisory Committee held on 5 September 2016 for Council's information

BACKGROUND/HISTORY

The role of the Cooktown 2020 Advisory Committee is to develop and coordinate the Cooktown 2020 celebrations and programme of events.

LINK TO CORPORATE PLAN

4.3.1 d) Support and advocacy for events and festivals and arts and cultural endeavours

CONSULTATION

Cooktown 2020 Advisory Committee members

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Nil

RECOMMENDATION

That the minutes of the Cooktown 2020 Advisory Committee meeting minutes held on 5 September 2016 be noted



COOKTOWN 2020 ADVISORY COMMITTEE MINUTES

Chair:	Kaz Price		
Meeting Date:	Monday 5 September 2016	Meeting Start Time:	1.08pm
Minutes Taken By:	Cassandra Ong	Meeting End Time:	2.50pm
Venue:	Council Chambers, Cook Shire Council Administration Building		
Attendees:	Mayor – Peter Scott Director of Development, Environment and Community – Gary Kerr Team Leader Tourism and Community Services – Sally Eales Councillor – Kaz Price James Cook Museum – Jacqui Herrmann Local indigenous representative – Harold Ludwick Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) – Frances Maddern Cooktown Re-enactment Association – Loretta Sullivan Cooktown Historical Society – Bev Shay		
Apologies:	Botanic Gardens representative – Jim Doidge Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) – Judy Scorinis		

1. Commencement of meeting and apologies

The meeting commenced at 1.08pm.

Apologies received from Botanic Gardens representative, Jim Doidge and DATSIP representative Judy Scorinis.

2. Acceptance of previous meetings minutes

Moved: Frances Maddern

That the minutes of the meeting held on Monday 1 August are accepted.

Seconded: Jacqui Herrmann

3. Matters arising from the minutes of the previous meeting

There were no matters arising from the minutes of the previous meeting.

4. New representative for Cooktown Discovery Festival – Loretta Sullivan and Kaz Price

Loretta advised that Our CDF Inc committee has not met since the last Cooktown 2020 Advisory Committee meeting. Agenda item to remain in action table until next Our CDF Inc committee meeting.

Sally advised that a new Cooktown Chamber of Commerce and Tourism (CCC&T) representative needs to be appointed.

5. Festival Project Director PD draft and funding proposal draft – Feedback from Committee

Gary advised feedback was received from France via email. No other feedback was received from the committee.

Loretta provided feedback in the meeting.

Action: Peter to liaise with JCU in regards to tertiary involvement.

6. Letter for representation at National Coordinating Body – Council

Received and acknowledged by ANMM.

7. 2019 Opera Australia Tour: Madame Butterfly

Committee decided not to put forward an EOI for the 2019 Opera Australia Tour.

8. Jan Black Meeting – Kaz Price

Kaz Price debriefed the committee on the meeting with Jan Black.

9. General Business**a) Next meeting date**

Monday 3 October is a public holiday. Committee agreed to new proposed meeting date of Monday 10 October.

b) 10 Best Must Do's – Kaz Price

Cooktown 2020 Advisory Committee – Monday 5 September 2016

2

Action: Jacqui and Kaz to prepare content and themes for prospectus.

Action: Jacqui to liaise with National Trust to create prospectus

c) Queensland Week 2017 Mayoral Ball

Sally advised Council is seeking letters of support for funding of the proposed Queensland Week Mayoral Ball.

10. Closure of meeting

Kaz Price declared the meeting closed at 2.50pm.

Next meeting to be held Monday 10 October 2016, 1.00pm, Council Chambers.

Agenda Item	Action	Person(s) accountable for action	Due date
Appoint new representative for Cooktown Discovery Festival	Loretta Sullivan and Kaz Price to request Our CDF Inc. to appoint a new representative and their proxy by next meeting and to provide written advice to Cooktown 2020 Advisory Committee of the new representative and their proxy.	Loretta Sullivan, Kaz Price	TBA after next Our CDF Inc committee meeting
Festival Project Director PD draft and funding proposal draft	Peter to liaise with JCU in regards to tertiary involvement.	Peter Scott	10 October 2016
10 Best Must Do's	Jacqui Herrmann and Kaz Price to prepare content and themes for prospectus	Jacqui Herrmann, Kaz Price	19 September 2016
	Jacqui to liaise with National Trust to create prospectus	Jacqui Herrmann	19 September 2016
State members to be involved	Harold Ludwick to invite Billy Gordon MP to the future Cooktown 2020 Advisory Committee meetings	Harold Ludwick	10 October 2016

16 CONFIDENTIAL REPORTS

RECOMMENDATION

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

16.1 Grants Committee

This matter is considered to be confidential under Section 275(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

16.2 Lease Renewal 1

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

16.3 Lease Renewal 2

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

16.4 Advertisement of Expression of Interest - E0416

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

16.5 ADVERTISEMENT OF EXPRESSION OF INTEREST - E0516

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

17 EXECUTIVE SERVICES - INFORMATION

Nil

18 INFRASTRUCTURE SERVICES - INFORMATION**18.1 INFORMATION REPORT FOR NDRRA**

File Number: D16/9644
Author: Project Engineer
Authoriser: Robert Uebergang, Director Infrastructure Services
Attachments: 1 NDRRA update report September

PRECIS

Report to provide status of NDRRA works.

BACKGROUND/HISTORY

Monthly report prepared for Council to outline the status of NDRRA works to reconstruct road infrastructure pursuant to weather events in December 2015, March 2016 and May 2016.

LINK TO CORPORATE PLAN

Infrastructure, Transport and Services

4.6.1 Manage and provide, to a standard that ensures (at a minimum) legislative compliance and equitable access:

- a) A maintenance and extension program (where necessary) for Council's drainage, stormwater, road, footpath and bridge network.

CONSULTATION

Roads Committee, Infrastructure Services.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Refer Capital Works budget.

RECOMMENDATION

That the information be noted.

NDRRA WORKS

Work on Cyclone Nathan 2015:

This year, some remaining works in town streets and local roads are going on under the Cyclone Nathan 2015 event. Summary of the outstanding works:

Submission Reference	Value (\$)	Expenditure till July
Cooktown St 1 – CoSC. 56.15	\$383,042	\$263,519
Cooktown St 2 – CoSC. 57.15	\$214,311	\$244,199
Local Roads – CoSC. 49.15	\$1,905,150	\$1,639,923
NR Sub 2 - CoSC. 52.15	\$5,534,191	\$4,935,414

It is expected to complete the remaining work by the end of the year.

Far North Queensland Upper Level Trough, 21-23 March:

The Queensland government has just activated “Far North Queensland Upper Level Trough, 21-23 March” event for Cook Shire and Wujul Wujul Shire Councils. Mt Webb Wakooka Road and Isabella-Mclvor Road were re-damaged during this event and submission preparation is under way for these damages.

December 2015 and March 2016 Events:

NDRRA work under the following two events are going on smoothly in various locations:

1. Gulf of Carpentaria Monsoon Trough (GCMT), 20 Dec’15 to 3 Jan’16
2. Far North and North West Queensland Tropical Low (FNNWQTL), 14 – 18 March’16

Status of submissions under GCMT:

Submission Reference	Status	Value (\$)	Expenditure till July (inc. commitment)
NR Sub. 1 – CoSC. 63.16	Approved	\$1,263,416	1,247,484.35
NR Sub. 2 – CoSC. 68.16	Approved	\$2,685,909	2,140,260.97
NR Sub. 3 – CoSC. 59.16	Approved	\$2,972,857	2,169,906.21
NR Sub. 4 – CoSC. 70.16	Submitted to QRA	\$1,180,301	1,812,735.77
SR Sub. 1 – CoSC. 62.16	Approved	\$3,404,788	2,452,693.38
SR Sub. 2 – CoSC. 60.16	Approved	\$919,107	153,601.63
SR Sub. 3 – CoSC. 64.16	Approved	\$2,585,324	1,390,927.16
SR Sub. 4 – CoSC. 71.16	Approved	\$1,966,193	1,357,770.96

Status of submissions under FNNWQTL:

Submission Reference	Status	Value (\$)	Expenditure till July (inc. commitment)
NR Sub. 1 – CoSC. 61.16	Approved	\$3,130,547	2,067,026.82
NR Sub. 2 – CoSC. 67.16	Approved	\$1,495,516	1,124,773.94
SR Sub. 1 – CoSC. 65.16	Approved	\$2,295,736	1,821,125.35
SR Sub. 2 – CoSC. 66. 16	Approved	\$1,461,514	1,205,155.76
SR Sub. 3 – CoSC. 69.16	Approved	\$1,512,885	1,284,681.87
Local Roads – CoSC. 73.16	Submitted to QRA	\$2,152,875	733,782.08
Town Streets – CoSC. 72.16	Submitted to QRA	\$254,590	4,966.85
Total		\$29,281,558	\$20,966,893

The Total Value of NDRRA Submissions to till date (excluding PM & Contingencies):

Approved Value: \$25,693,792

Submitted Value: \$3,587,766

Total Value: \$29,281,558 (excluding Project Management & Contingencies)

Expenditure including Commitment to end July 2016: \$20,966,893

WORK PLAN

A tentative work plan for the NDRRA works for the next two months is as follows:

Months	Roads
September 2016	Bamaga Road; Balurga Road; Running Creek to Port Stewart Road; Mein – Batavia Road; Whites Creek; Battlecamp Road, Mt Webb (Kalpowar Section); Lakefield Road; Dixie Kimba Road; Kimba Road; Fairview- Palmerville Road, Gampe Drive, Archer Point Rd and the remaining section of Oakey Creek Road.
October 2016	Bamaga Road; Strathburn Road; Astrea Road, Running Creek to Port Stewart Road; Mein – Batavia Road Whites Creek; Battlecamp Road, Mt Webb (Kalpowar Section); Henwood, Mclvor, Lakefield Road; Dixie Kimba Road; Killarney, Maytown and Cooktown Streets.

19 CORPORATE SERVICES - INFORMATION

Nil

20 DEVELOPMENT, ENVIRONMENT AND COMMUNITY - INFORMATION

Nil