

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at Lakeland
Town Hall, Lakeland on
16 June 2015**

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ATTENDANCE:

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

MEETING OPENED

The Mayor, Cr PH Scott declared the meeting open at 9.08 am on 16 June 2015

APOLOGIES:

Nil

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COUNCILLORS' REPORTS

Cr K Price

Meetings

Date	Type / purpose / venue
18 th – 19 th May	May Council Meeting
23 rd May	Bloomfield Residents Association Meeting
25 th May	Lyon Infrastructure and Conenergy Meeting - Lakeland
27 th May	Hope Vale Interagency
28 th May	Cooktown Interagency
3 rd June	Waterfront Advisory Meeting
3 rd June	Economic Development Meeting – Chambers
4 th June	QTC Meeting / Training – Chambers
10 th June	TTNQ Board – Toursim Meeting – Chambers
10 th June	CDCC Board Meeting
12 th June	Internal Audit Committee Inaugural Meeting – Chambers
14 th June	Rossville Markets and Ratepayers Meeting – Rossville

Events Attended (as Councilor or part thereof)

Date	Type / purpose	Who /where
28 th May	George Otero Workshop	
3 rd June	Staff – Bowls Club	
5 th June	Home for Good Outcomes Report	
5 th June	Cape York Family Therapies Graduation	
5 th June	Opening Discovery Festival	
5 th June	Unveiling Reenactment Panels	
7 th June	Assisted - manning Cook Shire Information Display at Discovery Festival	

Constituent Representation/Meetings

Date	Phone calls/ discussions	Letters/ minutes	Councilor requests/ Outcomes
		Signage at Weary Bay	Referred to Engineering
		Bloomfield Radio issues	

Coming up:

Bloomfield Residents Association – Audit Training – Cairns 24th June
Waterfront and ED Meetings
Laura Races
Cooktown 2020 Meeting

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Cr A Wilson

- Attended meeting of Cape York Sustainable Futures in Cairns
- Met principals of Solar Farm Lakeland Project
- Attended Laura Dance Festival meeting (2)
- Attended Lakeland Progress Association meeting (2)
- Attended the Local Authority Waste Management Advisory Committee meeting.
- Attended the Waterfront Advisory Committee meeting
- Attended the Economic Development Committee meeting
- Attended the opening of the Discovery Festival and assisted at Council information booth.
- Attended the Cape York Sustainable Futures Fire Management and Carbon Credits information meeting held at Laura
- Carried out work at the Laura Dance Festival Grounds with electrician and plumber.
- Had numerous contacts concerning the Container Deposit Scheme proposal.

Cr G Shephard

- Attended the meet and greet for Tim Cronin and Gary Kerr and farewell for Bruce Davidson.

Cr S Clark

Meetings

DATE	TYPE	PURPOSE	WHERE	
18-19/ 5/15	Monthly Meeting	Cook Shire	Chambers	
20/5/15	Monthly Meeting	CAN	Community Heath	
3/06/15	Waterfront Advisory	Cook Shire	Chambers	
	Economic Development	Cook Shire	Chambers	
4/6/15	Queensland Treasury	Cook Shire	Chambers	Project Management
	Councillor Meeting New CEO	Cook Shire	Chambers	
21/5/15	Aged Care Units	Cook Shire	Chambers	New Tenant

Events Attended (as Councillor or part thereof)

DATE	TYPE / PURPOSE	WHO / WHERE
5/6/15	Home for Good	Events Centre
	Opening of Discovery Festival and Boat House Morals	Boat House
3/6/15	Meet and Greet new CEO and DEDCS	Bowls Club

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Constituent Representation / Meetings

DATE	PHONE CALLS/ DISCUSSIONS	LETTERS
11/6/15	Meet with Bob about Lakeland Park area Leonie confirmed land tenure of area I questioned	

Cr P Johnson

Meetings

Usual meetings with fellow Councilors and:

Date	Type / purpose	Who /where	Action
21/5	Cape York Local Marine Advisory Committee	Members, GBRMPA; Council Chambers	Take minutes & follow up actions – project funds – branded calico bags
25/5	AgForce BMP Grazing; Meeting with Paul Burke -	Lions Hall Cooktown	Follow up material required for drought declarations- individual properties and partial shire – info to be provided and shared – attached to this report
27/5	Meeting – discuss opportunities, follow up on prior discussions and potential activities – Food production & local sales/ marketing/ consumption	Directors of RegenAg	Follow up workshops/ activities/ field days – sustainable Ag focus – farm enterprise viability
1/6	2020 meeting	2020 committee Members & Council staff	Vision & Mission statements finalized; logo accepted;
1/6	NQLGA Executive meeting by teleconference	NQLGA exec members	Update on annual NQLGA conference on Palm Island August 3-5; financial statements, correspondence
1/6	Indigenous family Violence Service provider	Meet local coordinator & discuss what the service offers in our region	Brochures & posters available at Council; provided some contacts
3/6	Waterfront Advisory Committee meeting	Councillors and staff; Black & More project	Update on project management and

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		managers	status and current budget and expenditure
3/6	Economic Development Meeting	Councillors and staff	Current projects and initiatives; future plans and processes
3/6	Employment & Training working group	Members- CDCC meeting room	Future programs(Youth in Ag, HeyWire funding)
4/6	Queensland Treasury Corporation	Project Decision Making & Assessment Tool; introduction session	Utilise this program - suitable for all projects
4/6	Introductory meeting	Councilors and incoming CEO	
10/6	Tourism Tropical North Queensland	Meet with Councilors & staff	Meeting and Dinner
10/6	Cape York NRM Sustainable Ag/ Hort	Healthy Country Hub; Will Highman	Future field days, farm visits, workshops, presenters, idea and knowledge exchange, food sovereignty for region; assist with coordination of events
12/6	Internal Audit Committee	CEO, CFO, Councillors Price & Johnson; Mayor Scott, Independent member Nerida Carr; LGAQ Internal Audit contractor	Consider and Set Charter, scope of committee, roles & responsibilities, future meetings and attendance at IAC forum in Cairns, 24 June

Events Attended (as Councillor or part thereof)

Constituent Representation/Meetings

Phone calls/ Discussions/ meeting	Letters/emails minutes	Action
Waste transfer- hours		Provide info

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Waste service; Road Condition -Ayton		Refer to relevant department for updates
Road conditions- Battlecamp and Lakefield		Provide info & Referred to website
Mason St	Council land adjacent to resident- mow/ spray/ gravel	Forward to Engineering services for review/ action
Finch Bay		

Future activities:

June

- 15-17 Council meeting – Lakeland Downs
- 17 Northern Gulf Resource Management Group(NGRMG) – finance & Audit Committee teleconference
- 18 NGRMG Board meeting- teleconference
- 18 Reef Rescue Governance Project Committee – tele-conference (Cape York NRM & CYSF)
- 19 Launch – Northern Australia White paper- Cairns
- 20-21 Laura Dance Festival
- 24 Audit Committee members Forum- Cairns
- 24 Cooktown District Careers Expo – PCYC- contact My Pathway for details
- 25 Australian Government Emissions Reduction Fund workshop
- 26-28 Laura races, Rodeo & Campdraft
- 29 Cape York NRM Industry Roundtable – Laura rodeo grounds
- 29- 1 July Cape York NRM board meeting – Steve Irwin Reserve
- 26 - 13 July School holidays

July

- 2 Tropical Savannah Grazing Workshop – Mareeba TBC
- 6-8 Youth in Ag Camp- Mt Molloy
- 7-8 Atherton Show
- 20-22 Council Meeting, Cooktown

August

- 3-5 NQLGA Annual Conference, Palm Island

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Cr R Bowman

Meetings

Date	Type / purpose	Who /where
	General Council Meeting	
	CYLMAC	
	Miss world at Bowls Club	
	CDCC Board Meeting	
	Session with Councilors' and CEO	
	Economic Developments meeting / Waterfront meeting /Wharf completion lighting	
	Old Treasury Financial Workshop	
	Meet and great drinks Tim and Gary farewell Bruce	

Events Attended (as Councilor or part thereof)

Date	Type / purpose	Who /where
	Chamber of commerce meeting	
10 June	Tourism Cape York and TTNQ board meet and greet James Cook Museums	
	Discovery official opening / Boat house opening of 40 days Cook visit	
	Council Info Tent Saturday afternoon	
	Lyon /Solar /meeting at Lakeland	

Constituent Representation/Meetings

Date	Phone calls/ Discussions	Letters/ Minutes

Expenses Claimed

Date		Amount
Nil		
Total		

Up Coming meetings

Cooktown Chamber of Commerce

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Cr P Scott

Mayoral Activity Report
May /June 2015

Date	Venue	Details	Outcome
20/5/15	Office Teleconf CDCC	CYIP Steering Committee CT Comm Hsg	Progress reprt local jobs MInutes
21/5/15	Turf Club	My Pathways Cert 11 Bldg	Work & GRaduation
25/5/15	Cairns	Regional Dev Aust. Conergy & Lyon	New Board Lakeland Solar
26/5/15	Cairns	Qld Ambulance Service	OIC Ctown panel
28/5/15	Chambers	Interagency	Dr Otereo , minutes
29/5/15	Endeavour College	Farewell DinnerBassons	Speech
1/6/15	Cairns	Andy Maddril, Darren Cleland FNQROC Jabalbina – Planning Schemes Michael Trout	Airport Subdivision CEO intro, minutes Indig Land use options Trainee subsidation
3/6/15	Chambers Bowls Club	Waterfront Adv comitee Economic Dev comitee Farewell Bruce Cairns Mercure GM	MInutes
4/6/15	Chambers Office Chambers	Qld Treasury Bldg Insp CEO with Councillors EMT	Tools Templates Exit interview Tighter structure
5/5/15	PCYC Gungarde Hall Sovereign & Boat Hs	Home for Good CY Family Centre Open festival and display	Survey results Interactive presentation /award
10/6/15	Office Museum / Sovereign	4ca & Cairns Post TTNQ Board Post master TTNQ & CoC	Olive Vale Address Bendigo bank withdrawal Network address
12/6/15	Chambers	Internal Audit Comitee	
14/6/15	Rossville	R&DCA	Weed control

Upcoming Meetings

16/6/16	Lakeland	Community & Council meetings
19/6/16	Cairns	Nthn Aust Dev. White Paper Launch
6/7/15	Lizard Island	Research Station & Resort – LDMG

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NOTICE OF BEREAVEMENT:

Advice has been received of the passing of Garry Lawton (Endeavour Lodge Units), Graham Hoskings, Denita Doughboy

As a mark of respect one minute silence was observed.

CONFIRMATION OF MINUTES

31013	CONFIRMATION OF MINUTES OF ORDINARY MEETING
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Cr A Wilson moved; seconded Cr R Bowman

That the minutes of the Ordinary Meeting of 18-19-20 May 2015 be confirmed subject to the following amendments

Page/Reso #	Correction
30991	Delete "May" and insert "April" in resolution

CARRIED

BUSINESS ARISING:

Nil

The meeting adjourned for morning tea at 10.21 and resumed at 10.51 am on 16 June 2015.

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PLANNING AND ENVIRONMENT

31014	APPLICATION FOR A DEVELOPMENT PERMIT – DA/3398 – RECONFIGURATION OF LOT 3 ON PLAN SP273337, LOT 8 ON PLAN SP262071 AND LOT 5 ON PLAN SP262070 LOCATED AT PENINSULA DEVELOPMENTAL ROAD VIA LAKELAND, INTO SEVEN (7) LOTS	
	<i>Report No.AD15/1302 from John Harrison, Senior Town Planning Officer</i>	

Cr A Wilson moved; seconded Cr R Bowman

That the application by NB2 Farming Ltd c/- Owen Caddick-King, RPS Australia East Pty Ltd for a Development Permit for Reconfiguration of Lot 3 on Plan SP273337, Lot 5 on Plan SP262070 and Lot 8 on Plan SP262071 located at Peninsula Developmental Road via Lakeland into seven (7) lots, be approved subject to the Conditions set out in the recommendation contained in Report No. AD15/1302.

CARRIED

Précis

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.

RPD:

Lot 3 on Plan SP273337, Lot 8 on Plan SP 262071,
and Lot 5 on Plan SP 262070

Areas:

Lot 3 - 4,249.36 Hectares
Lot 5 - 195.10 Hectares
Lot 8 - 106.72 Hectares

Zone:

Rural

Proposed Lot Sizes:

Proposed Lot 5 – 137.64 Hectares
Proposed Lot 8 – 101.2 Hectares
Proposed Lot 16 – 25.02 Hectares
Proposed Lot 17 – 25.12 Hectares
Proposed Lot 21 – 29.55 Hectares
Proposed Lot 22 – 27.88 Hectares
Proposed Lot 26 – 4,137 Hectares

Proposed Use:

Reconfiguration three (3) lots into seven (7) lots

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Referral Agencies (Concurrence) State Assessment & Referral Agency (SARA)
Dept. State Development & Infrastructure &
Planning (Reconfiguring a lot if any part of the land
abuts a State -controlled road within 100 metres of
of the land.

Report

Application has been made to Council for the issue of a Development Permit for Reconfiguration of Lot 3 on Plan SP273337, Lot 5 on Plan SP262070 and Lot 8 on Plan SP262071, located at Peninsula Developmental Road via Lakeland into seven (7) lots. The application is Code Assessable Development under the Cook Shire Planning Scheme.

Proposal

The application proposes the Reconfiguration of Lot 3 on Plan SP273337, Lot 5 on Plan SP262070 and Lot 8 on Plan SP262071 located on Peninsula Developmental Road via Lakeland into seven (7) lots. The areas of the proposed lots are as follows:

- Proposed Lot 5 – 137.64 Hectares
- Proposed Lot 8 – 101.02 Hectares
- Proposed Lot 16 – 25.02 Hectares
- Proposed Lot 17 – 25.12 Hectares
- Proposed Lot 21 – 29.55 Hectares
- Proposed Lot 22 – 27.88 Hectares
- Proposed Lot 26 – 4,137 Hectares

Access to all lots will be via the Peninsula Developmental Road (see Concurrence Agency Response). The proposed Reconfiguration is Code Assessable development under the Cook Shire Planning Scheme.

The Site

The development site is situated on the Peninsula Developmental Road approximately twenty (20) kilometres north of the Lakeland Township. Lots are currently vacant. All proposed lots are able to be connected to electricity and telecommunication networks. Reticulated water and sewerage services are not available. Access will be provided to the proposed lots from the Peninsula Developmental Road (see Department of State Development, Infrastructure and Planning (SARA) Concurrence Agency Response).

Town Planning Considerations

The Development site (Lots 3, 5 and 8) is zoned Rural under the Cook Shire Planning Scheme and the 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:

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- *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 a 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.*

Code Requirements for Reconfiguring a Lot in the Rural Zone

The following Codes are identified as applicable to DA/3398, Reconfiguration of Lot 3 on Plan SP273337, Lot 5 on Plan SP262070 and Lot 8 on Plan SP262071 into seven (7) lots:

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

As a general overview the proposed development is acceptable from a planning point of view and complies with the performance criteria of the relevant codes.

Areas of non compliance with the given relevant Acceptable Solutions are detailed below:

Reconfiguration of a Lot Code

PC 1 States

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

AS 1 States

“Lots comply with the minimum area and dimensions for these zones listed in Schedule 1 of this code.”

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In the Rural Zone the minimum lot size requirements are as follows:

Minimum lot size (excluding access handle for hatchet lots) – 100 hectares

Minimum frontage – 100metres

Maximum depth to frontage ratio – 5:1

All proposed lots comply with the required minimum lot frontage and maximum depth to frontage ratios, however proposed Lots 16, 17, 21 and 22 do not comply with the required minimum lot size of one hundred (100) hectares.

Council's position with respect to lots below the minimum lot size in the Rural Zone has, on face value, been somewhat flexible depending on the particular circumstances and subject to demonstrating compliance with the Rural Zone Code provisions and PC 1 above.

Whilst it has not rigorously enforced the minimum one hundred (100) hectares as a defined limit, every application is assessed on its merits using guiding 'first principles' criteria which are reinforced through the strategic elements of the scheme and overall outcomes of the Rural Zone Code. Decision to approve lots under one hundred (100) hectares have only occurred when one or more of the following criteria have been met:

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

In this case:

- The development should have no potential impact on existing rural industries.
- Under previous planning schemes, subdivisions were allowed down to ten (10) and twenty five (25) hectares (Rural Agriculture and Rural Horticulture). Council has subsequently under the current Planning Scheme, approved lots of similar size in the surrounding location. The latest approval was 22nd October 2014, DA/3255, reconfiguration into seven (7) lots of approximately twenty five (25) hectares.
- The development site is not identified as GQAL, nor is it identified as a viable agricultural unit.
- Mapping submitted with the information request has identified that proposed Lots 16, 17, 21, and 22 are affected to a certain extent by flooding. However each proposed lot contains sufficient area above flood level to allow the development to proceed

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(proposed Lot 16 – 17.98 hectares, proposed Lot 17 – 12.98 hectares, proposed Lot 21 – 19.6 hectares and Lot 22 – 12.77 hectares). All flood prone areas are located to the rear of the above lots)

- The reconfiguration is not located on the edge of existing settlements such as to constitute a departure from established and planned growth patterns.

In addition:

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

On the above basis the departure from the acceptable solution of one hundred (100) hectares is supported and deemed to comply with PC1 of the Reconfiguration of a Lot Code.

Referral Agencies

The Department of Transport and Main Roads (State Controlled Road), co-ordinated through the State Referral Agency (Department of State Development, Infrastructure and Planning (SARA) is a Concurrence Referral Agency for the purpose of this application.

Discussion

The proposed development is considered to be consistent with the intent of the Rural Zone Code and complies with the relevant Performance Criteria. The proposed development should have no detrimental impact on the surrounding area. The development is therefore recommended to Council for approval subject to Conditions.

Recommendation

That the application by NB2 Farming Ltd c/- Owen Caddick-King, RPS Australia East Pty Ltd for a Development Permit for Reconfiguration of Lot 3 on Plan SP273337, Lot 5 on Plan SP262070 and Lot 8 on Plan SP262071 located at Peninsula Developmental Road via Lakeland into seven (7) lots, be approved subject to the following Conditions:

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with the following plans (Appendix 'B') and documentation submitted with the application and in response to Council's information request, except for minor variations required to comply with the conditions of this approval:

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- Proposal Plan – NB2 Farming Limited – Drawing No. 62937-9 Issue A – Dated 26/02/2015
- Spp Flood Mapping – NB2 Farming Limited – Drawing No. 62937-10 – Dated 07/05/2015.

Access

2. Access to all proposed lots must be from the Peninsula Developmental Road, with location and construction in accordance with the requirement of the Department of State Development, Infrastructure and Planning's Concurrence Agency Response dated 01st May 2015 (Appendix 'A').

Effluent Disposal

3. 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 or Building application.

Water Supply

4. A separate source of domestic water supply must be provided to each of the proposed allotments at the time of construction of a dwelling house. This would be satisfied by the provision of rainwater tanks with a minimum capacity of 50,000 litres. Where an alternative source of supply is available within the allotment, the applicant can provide certified evidence as to the flow rates and water quality of 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.

Fire Management

5. All lots must be maintained by the owners at all times so as not to create a fire hazard.

6. Each proposed lot must be provided with a separate water storage tank with a minimum storage capacity of 5,000 litres and fitted with fire brigade tank fittings, for fire fighting purposes at the time of house construction.

Electricity Supply

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

Public Utilities

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

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9. Utilities design must be in accordance with the FNQROC Developmental Manual D8 Operational Works Design Guidelines “Utilities”.

House Sites

10. All residential dwelling units must be located outside the identified Flood Area shown on approved Plan (Spp Flood Mapping – NB2 Farming Limited – Drawing No.62937 – 10 – Dated 07/05/2015). Location of all residential buildings must be provided for approval at the time of building application.

Compliance

11. All conditions of this development permit must be complied with prior to Council endorsement of the Plan of Survey.

Outstanding Charges

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

Endorsement of Plan of Survey

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

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

See attached Concurrence Agency Response with Conditions from the Department of State Development, Infrastructure and Planning dated 1st May 2015.

Appendix “A”

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

Our reference: SDA-0415-019816
Your reference: LM:DA/3398:AD2015/0000335

1 May 2015

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

Att: Lisa Miller

Dear Sir/Madam

Concurrence agency response—with conditions

Reconfiguration of a lot (3 lots into 7 lots) on land situated at Peninsula Development Road, Lakeland and more particularly described as Lot 3 on SP273337, Lot 5 on SP262070 and Lot 8 on SP262071

(Given under section 285 of the Sustainable Planning Act 2009)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 13 April 2015.

Applicant details

Applicant name: NB2 Farming Ltd
Applicant contact details: C/- RPS Australia East Pty Ltd
PO Box 1949
Cairns QLD 4870
owen.caddick-king@rpsgroup.com.au

Site details

Street address: Peninsula Development Road, Lakeland
Lot on plan: Lot 3 on SP273337, Lot 5 on SP262070 and Lot 8 on SP262071

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

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SDA-0415-019816

Local government area: Cook Shire Council

Application details

Proposed development: Development permit for reconfiguration of a lot (3 lots into 7 lots)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Reconfiguring a Lot	Development permit	Subdivision of three rural lots into seven lots	Code 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 2, Item 2— State-controlled road

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: Reconfiguring a lot				
Reconfiguration of a Lot proposed Lots 5, 8, 16, 17, 21, 22, cancelling Lots 3 on SP273337, 8 on SP262071 & 5 on SP262070	RPS	26/02/2015	DWG 62937-9	A
TMR Layout Plan (90B: 23.93km)	TMR	22/04/2015	220/90B (500-248)	A
TMR Layout Plan (90B: 24.89km)	TMR	22/04/2015	220/90B (500-248)	A

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TMR Layout Plan (90B: 25.09km)	TMR	22/04/2015	220/90B (500-248)	A
TMR Layout Plan (90B: 25.92km)	TMR	22/04/2015	220/90B (500-248)	A

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

For further information, please contact Joanne Manson, Senior Planning Officer, SARA Far North QLD on 4037 3228 or email joanne.manson@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Angela Foster
A/Manager (Planning)

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

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SDA-0415-019816

Our reference: SDA-0415-019816
Your reference: Project No. P1282937

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Reconfiguration of a lot (3 lots into 7 lots)		
<p>Schedule 7, Table 2, Item 2 – State-controlled road: —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i>, the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):</p>		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • Reconfiguration of a Lot proposed Lots 5, 8, 16, 17, 21, 22, cancelling Lots 3 on SP273337, 8 on SP262071 and 5 on SP262070 prepared by RPS, dated 26/02/2015, DWG 62937-9, Issue A. • TMR Layout Plan (90B – 23.93km) prepared by the Department of Transport and Main Roads dated 22/04/2015, Ref: 220/90B (500-248), Issue A. • TMR Layout Plan (90B – 24.89km) prepared by the Department of Transport and Main Roads dated 22/04/2015, Ref: 220/90B (500-248), Issue A. • TMR Layout Plan (90B – 25.09km) prepared by the Department of Transport and Main Roads, dated 22/04/2015, Ref: 220/90B (500-248), Issue A. • TMR Layout Plan (90B – 25.92km) prepared by the Department of Transport and Main Roads, dated 22/04/2015, Ref: 220/90B (500-248), Issue A. 	At all times
2.	<p>The permitted road access locations, (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained), are to be located between the Peninsula Developmental Road and proposed Lots 5, 8, 16, 17, 21, 22 and 26 generally in accordance with the following TMR access plans:</p> <ul style="list-style-type: none"> • Proposed Lot 8 via the existing shared access located at the common boundary of Lot 9 on SP262071 as specified by TMR Layout Plan (90B – 23.93km). • Proposed Lots 16 and 17 via a new shared access located at the common boundary of proposed Lots 16 and 17 as specified by TMR Layout Plan (90B – 24.89km). • Proposed Lots 5, 21 and 22 via the Old Peninsula Road only, as specified by TMR Layout Plan (90B – 25.09km). 	At all times

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No.	Conditions	Condition timing
	<ul style="list-style-type: none"> • Proposed Lot 26 via the existing shared access located at the common boundary of Lot 8 on SP222282 as specified by TMR Layout Plan (90B – 25.92km). 	
3.	Direct access is not permitted between the Peninsula Development Road and the subject site at any location other than the permitted road access locations (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained).	At all times
4.	<p>Road access works comprising of a shared sealed rural property access to proposed Lot 16 & Lot 17, (for which approval under section 33 of the <i>Transport Infrastructure Act 1994</i> must be obtained, at the permitted road access location), must be provided generally in accordance with TMR Layout Plan (90B – 24.89km) prepared by the Department of Transport and Main Roads dated 22/04/2015, Ref: 220/90B (500-248), Issue A.</p> <p>The road access works must be designed and constructed in accordance with Part 4 of Austroads Guide to Road Design: Intersections and Crossings - General, Figure 7.2 (rural property access - dual carriageway (conditional)).</p>	Prior to submitting the Plan of Survey to the local government for approval

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SDA-0415-019816

Our reference: SDA-0415-019816
Your reference: Project No. P1262937

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- to ensure the development is carried out generally in accordance with the plan of development submitted with the application
- to ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road
- to ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road
- to ensure the design of any road access maintains the safety and efficiency of the state-controlled road
- to ensure the development achieves the outcomes in Module 19, 19.1 Access to state-controlled roads state code in the State Development Assessment Provisions version 1.5

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Our reference: SDA-0415-019816
Your reference: LM:DA/3398:AD2015/0000335

Attachment 3—Further advice

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, Natural hazards, risk and resilience, and to the extent it is relevant to the proposed development.
Further development permits, compliance permits or compliance certificates	
2.	<p>Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works that are road access works (including driveways) on a state-controlled road.</p> <p>Please contact the Department of Transport and Main Roads on 4045 7144 at the Cairns district office to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>The road access works approval process takes time – please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction</p>

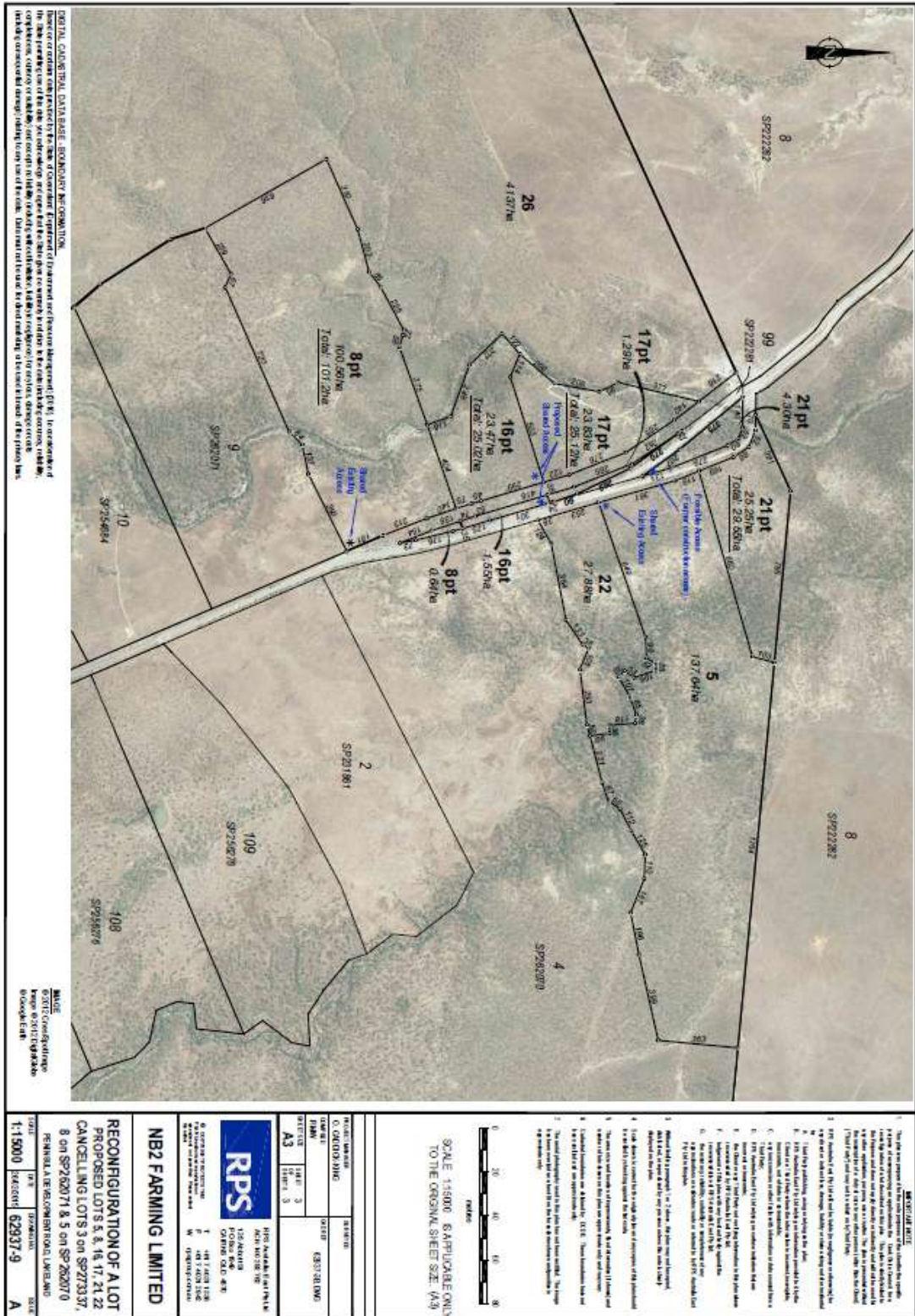
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SDA-0415-019816

Our reference: SDA-0415-019816
Your reference: Project No. P1282937

Attachment 4—Approved plans and specifications

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DIGITAL CADASTRAL DATABASE (DDB) PROPERTY INFORMATION
 Based on information received from the Office of Geographical Information (Geographical Information System) and the Department of Planning and Infrastructure (DPI), it is acknowledged that the information contained in this document is for general information only and does not constitute a guarantee, warranty, or representation of any kind. The information is provided as a service to the public and is subject to change without notice. The user of this information is advised to verify the information with the relevant authorities.

SCALE
 1:15000
 0 20 40 60 80 METERS

RECONFIGURATION OF A LOT PROPOSED LOTS 5, 8, 16, 17, 21, 22 CANCELLED LOTS 3 on SP273337, 8 on SP282071 & 5 on SP282070

NB2 FARMING LIMITED

RPS
 155 ALEXIS
 FIDELITY
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SCALE 1:15000 (SAMPLED ONLY TO THE ORIGINAL SHEET SIZE (A3))

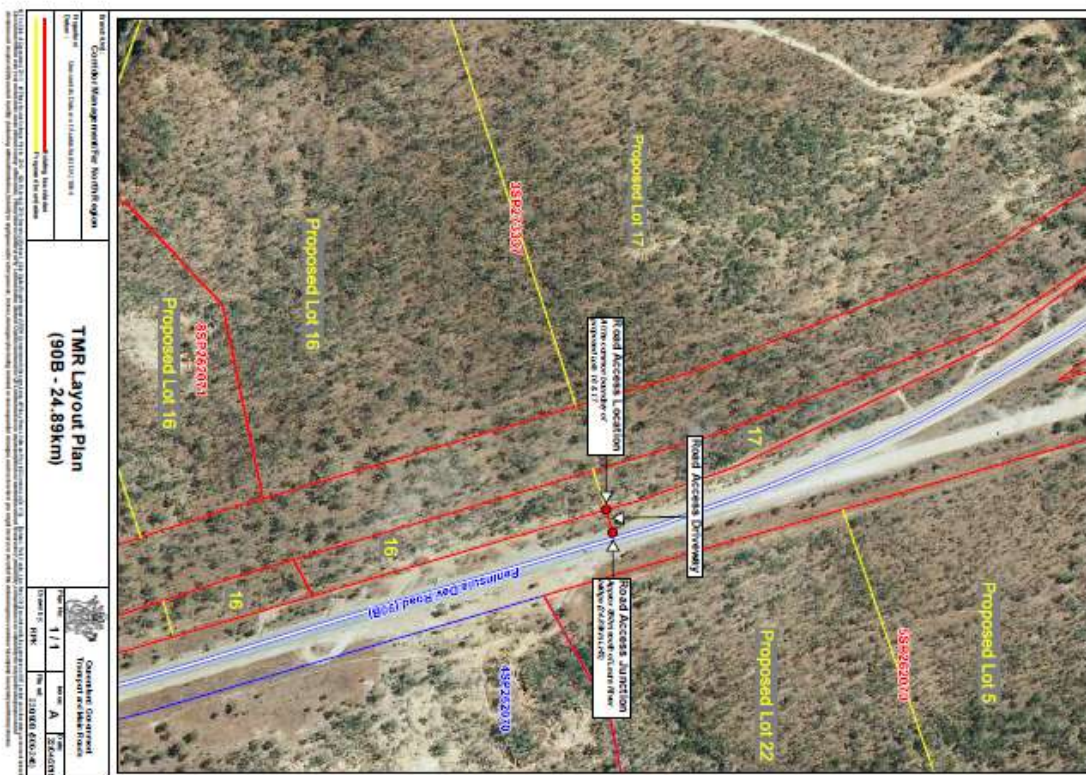
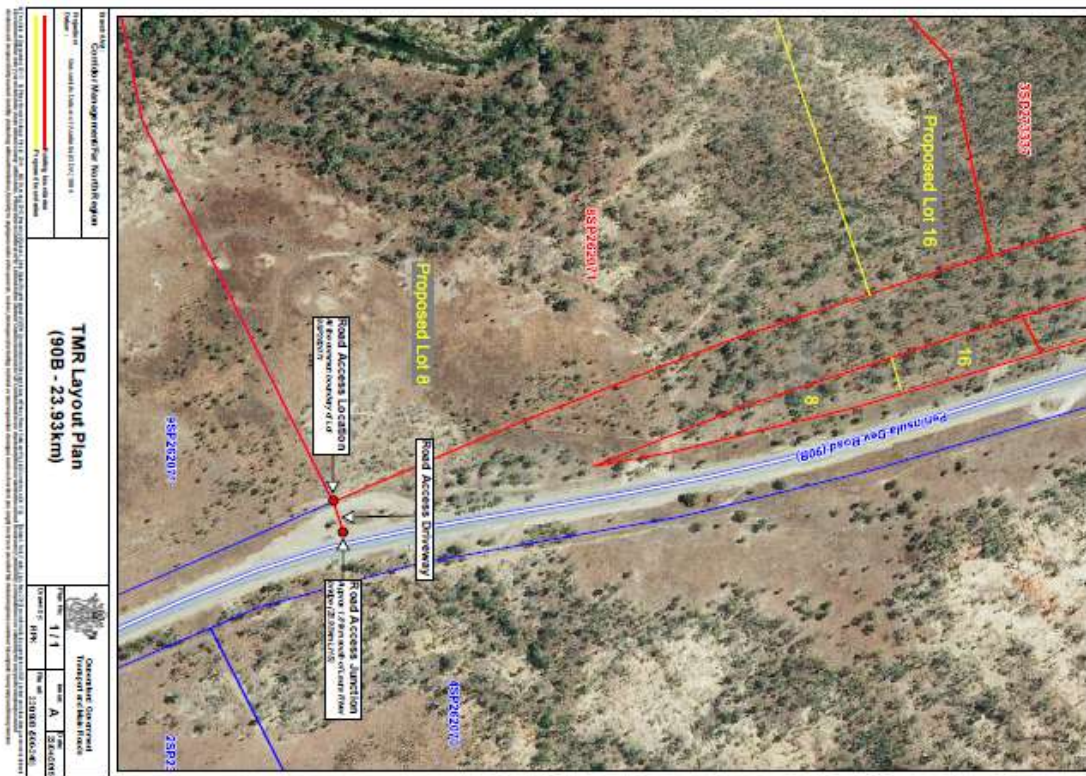
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REVISIONS

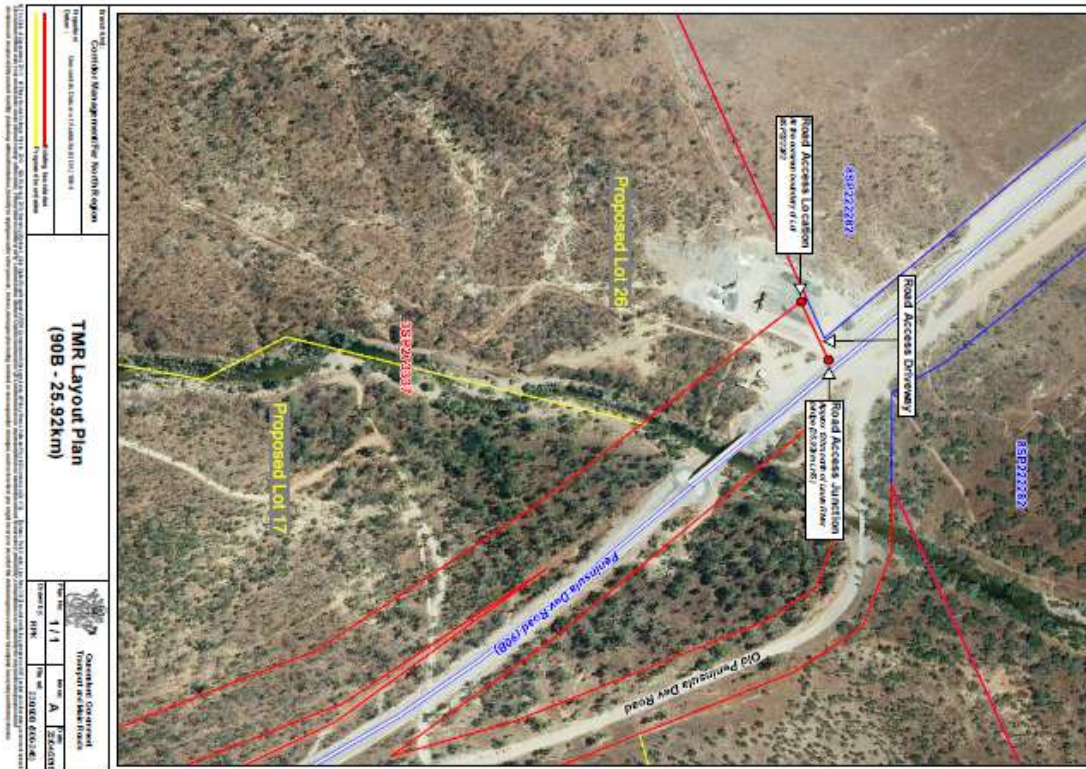
NO.	DATE	DESCRIPTION
1	15/06/2015	ISSUED FOR PUBLIC COMMENT
2	16/06/2015	ISSUED FOR PUBLIC COMMENT
3	16/06/2015	ISSUED FOR PUBLIC COMMENT

APPROVED
 15/06/2015

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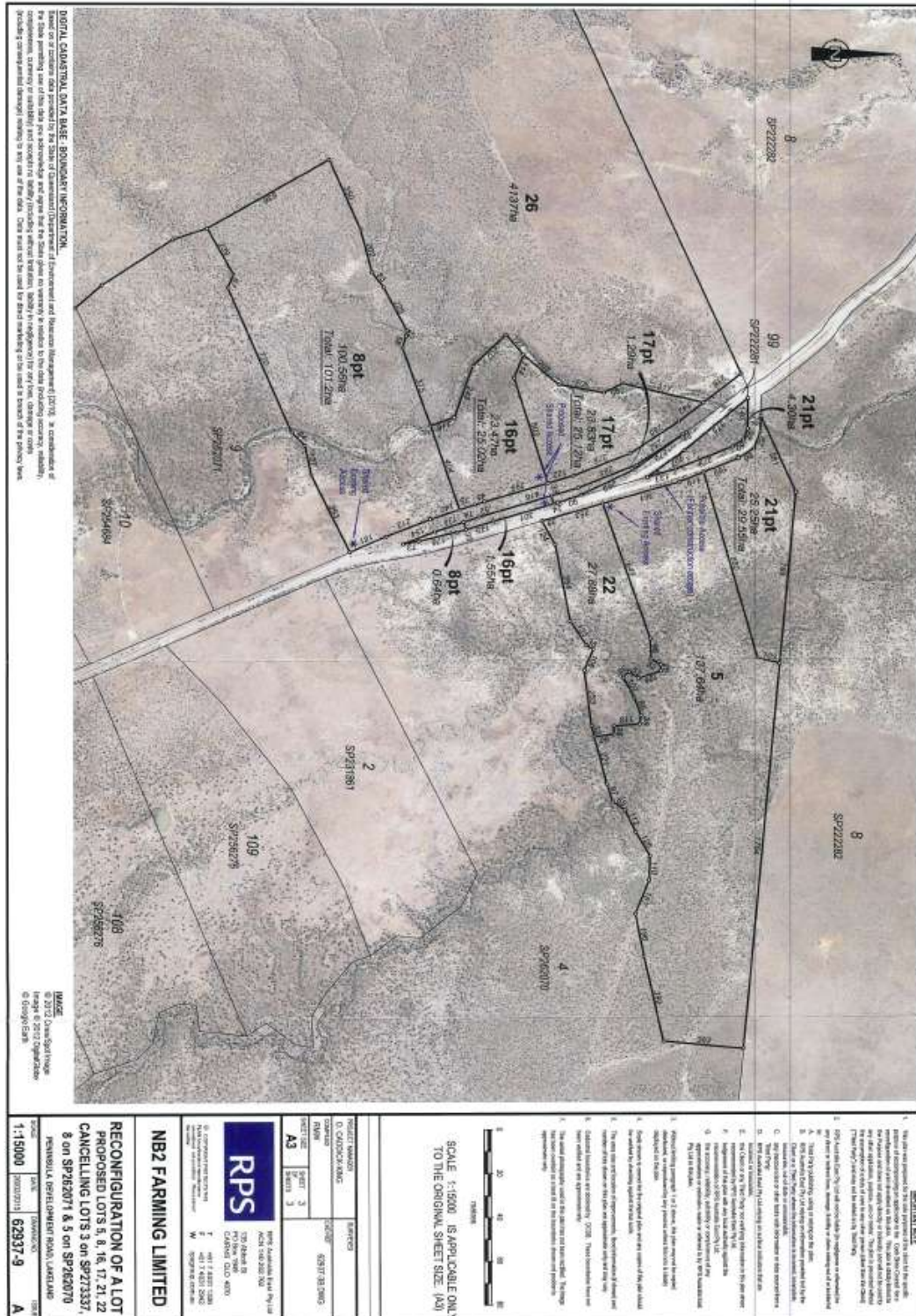
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Appendix “B”

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**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at Lakeland
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31015	APPLICATION FOR A DEVELOPMENT PERMIT – DA/3404 – RECONFIGURATION OF LOT 1 ON PLAN SP198001 LOCATED AT 2552 MULLIGAN HIGHWAY, ROSSVILLE INTO FIVE (5) LOTS	
	<i>Report No. AD15/1969 from John Harrison, Senior Town Planning Officer</i>	

Cr K Price moved; seconded Cr P Johnson

That the application by Jamie Edward Sail c/- U&i Town Plan, for a Development Permit for Reconfiguration of Lot 1 on Plan SP198001 located at 2552 Mulligan Highway Rossville into five lots be approved subject to the Conditions set out in the recommendations contained in Report No. AD15/1969.

CARRIED

Précis

Application: Jamie Edward Sail
C/- U&i Town Plan
PO Box 426
Cooktown Qld 4895
Attention: Ramon Samanes

Owner: Jamie E Sail

Location: 2552 Mulligan Highway, Rossville

RPD: Lot 1 on Plan SP198001

Areas: 553.6 Hectares

Zone: Rural

Proposed Lot Size: Proposed Lot 1 – 448.2 Hectares
Proposed Lot 2 – 25.1 Hectares
Proposed Lot 3 – 25.01 Hectares
Proposed Lot 4 – 25.4 Hectares
Proposed Lot 5 – 25.1 Hectares

Proposed Use: Reconfiguration into five (5) lots

Referral Agencies (Concurrence): State Assessment & Referral Agency (SARA)
Dept. State Development, Infrastructure &
Planning (Reconfiguring a lot if any part of the land
abuts a State – controlled road with 100 metres of
the land.

Report

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Application has been made to Council for the issue of a Development Permit for Reconfiguration of Lot 1 on Plan SP198001 located at 2552 Mulligan Highway, Rossville, into five (5) lots. The application is Code Assessable Development under the Cook Shire Planning Scheme.

Proposal

The application proposes the Reconfiguration of Lot 1 on Plan SP198001 located at 2552 Mulligan Highway, Rossville, into five (5) lots. The areas of the proposed lots are as follows:

- Proposed Lot 1 – 448.2 Hectares
- Proposed Lot 2 – 25.1 Hectares
- Proposed Lot 3 – 25.01 Hectares
- Proposed Lot 4 – 25.4 Hectares
- Proposed Lot 5 – 25.1 Hectares

Access to all lots will be via the Mulligan Highway (see Concurrence Agency Response). The proposed Reconfiguration is Code Assessable development under the Cook Shire Planning Scheme.

The Site

The development site is situated at 2552 Mulligan Highway, Rossville approximately twenty two (22) kilometres south of Cooktown. The site is to the south of Black Mountain with frontage to the Mulligan Highway, and wraps around to its west through to the Annan River. The site has an area of 553.6 Hectares and adjoins Council's Water Treatment Facility. The development site is very undulating and is entirely covered by hills and valleys, with some very steep sections through the property. The topography of the site coupled with the poor soils and abundant rock content makes the majority of the land unsuitable for any type of farming. The site is vegetated throughout with various native gum trees along with a high number of evasive weeds spread through the property. There is an existing dwelling on the top of the hill with associated outbuildings proposed to be maintained within proposed Lot 1. The rest of the property is free of any other improvements.

Town Planning Considerations

The development site is zoned Rural under the Cook Shire Planning Scheme and the Reconfiguration of the lot 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 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;*

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- *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.*

Code Requirements for Reconfiguring a Lot in the Rural Zone

The following Codes are identified as applicable to DA/3404, Reconfiguration of Lot 1 on Plan SP198001 into five (5) lots:

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

As a general overview the proposed development is acceptable from a planning point of view and complies with the performance criteria of the relevant codes.

Areas of non compliance with the given relevant Acceptable Solutions are detailed below:

Reconfiguration of a Lot Code

PC 1 States:

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

AS 1 States:

“Lots comply with the minimum area and dimensions for these zones listed in Schedule 1 of this code.”

In the Rural Zone the minimum lot size requirements are as follows:

Minimum lot size (excluding access handle for hatchet lots) – 100 hectares

Minimum frontage – 100metres

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Maximum depth to frontage ratio – 5:1

All proposed lots comply with the required minimum lot frontage and maximum depth to frontage ratios, however proposed Lots 2, 3, 4 and 5 do not comply with the required minimum lot size of one hundred (100) hectares (Lot 2 – 25.1 hectares, Lot 3 – 25.01 hectares, Lot 4 – 25.4 hectares and Lot 5 – 25.1 hectares).

Council's position with respect to lots below the minimum lot size in the Rural Zone has, on face value, been somewhat flexible depending on the particular circumstances and subject to demonstrating compliance with the Rural Zone Code provisions and PC 1 above.

Whilst it has not rigorously enforced the minimum one hundred (100) hectares as a defined limit, every application is assessed on its merits using guiding 'first principles' criteria which are reinforced through the strategic elements of the scheme and overall outcomes of the Rural Zone Code. Decision to approve lots under one hundred (100) hectares have only occurred when one or more of the following criteria have been met:

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

In this case:

- The development should have no impact on existing rural industries
- Under previous planning schemes, subdivisions were allowed down to ten (10) and twenty five (25) hectares (Rural Agriculture and Rural Horticulture). Council has subsequently under the current Planning Scheme, approved lots of between ten (10) and seventy (70) hectares in the surrounding areas.
- The development site is not identified as GQAL, nor is it identified as a viable agricultural unit.
- The development site is very undulating and is covered by hills and valleys, with some very steep sections throughout the property. The applicant has provided contour mapping of the site with identified building envelopes on the flatter areas of each lot. When constructing internal driveways any cut and fill works on slopes greater than 15% will require the approval of an Operational Works application, prior to works commencing. Water tanks for fire fighting purposes will need to be provided for each proposed lot at the time of building application. Any structure proposed to be constructed within fifty (50) metres of the Mulligan Highway road reserve will

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require the approval of a Code Assessable Material Change of Use application, at the very least.

- The reconfiguration is not located on the edge of existing settlements such as to constitute a departure from established and planned growth patterns.

In addition:

- There is a demand for smaller rural lots in this locality, particularly with attractive attributes such as river frontage and elevated views.
- The proposal provides opportunities for attractive large residential house sites within easy driving distance of services at Cooktown.

On the above basis the departure from the acceptable solution of one hundred (100) hectares is supported and deemed to comply with PC1 of the Reconfiguration of a Lot Code.

Referral Agencies

The Department of Transport and Main Roads (State Controlled Road), co-ordinated through the State Referral Agency (Department of State Development, Infrastructure and Planning (SARA) is a Concurrence Referral Agency for the purpose of this application.

Discussion

The proposed development is considered to be consistent with the intent of the Rural Zone Code and complies with the relevant Performance Criteria. The proposed development should have no detrimental impact on the amenity or land uses of the surrounding area. The development is therefore recommended to Council for approval subject to Conditions.

Recommendation

That the application by Jamie Edward Sail c/- U&i Town Plan, for a Development Permit for Reconfiguration of Lot 1 on Plan SP198001 located at 2552 Mulligan Highway Rossville into five lots be approved subject to the following Conditions:

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with the following plan (Appendix 'B') and documentation submitted with the application and in response to Council's information request, except for minor variations required to comply with the conditions of this approval:

- Proposed Reconfiguration – brazier motti – Plan No. 33794/001 B dated 25th March 2015.

Access

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2. Access to all proposed lots must be from the Mulligan Highway, with location and construction in accordance with the requirements of the Department of State Development, Infrastructure and Planning's Concurrence Agency Response dated 5th May 2015 (see Appendix 'A').

Effluent Disposal

3. 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. Detail must be provided at the time of lodgement of a Plumbing or Building application.

Water Supply

4. A separate source of domestic water supply must be provided to each of the proposed allotments at the time of construction of a dwelling house. This would be satisfied by the provision of rainwater tanks with a minimum capacity of 50,000litres. Where an alternative source of supply is available within the allotment, the applicant can provide certified evidence as to the flow rates and water quality of 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 to carry out building work.

Fire Management

5. All lots must be maintained by the owners at all times so as not to create a fire hazard.

6. Each proposed lot must be provided with a separate water storage tank with a minimum storage capacity of 5,000 litres and fitted with fire brigade tank fittings, for fire fighting purposes at the time of house construction.

Electricity Supply

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

Building Sites

8. All buildings or structures must be located within the identified building envelopes for proposed Lots 2 to 5. Buildings or structures located within these building envelopes must not encroach within fifty (50) metres of the Mulligan Highway road reserve (see AS 4.1 of the Rural Zone Code), unless a Material Change of Use approval at the very least is obtained from Council. Should the owner wish to locate any building or structure outside the identified building envelope, approval must be obtained from the Director Planning and Environment Services at the time of Building application.

Public Utilities

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

10. Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines “Utilities”

Cut and Fill

11. Any cut or fill operations on slopes of 15% or greater unless subject to a Building Approval will require the approval of an Operational Works application.

Compliance

12. All conditions of this development permit must be complied with prior to Council endorsement of the Plan of Survey.

Outstanding Charges

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

Endorsement of Plan of Survey

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

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

See attached Concurrence Agency Response with Conditions from the Department of State Development, Infrastructure and Planning dated 5th May 2015.

Appendix ‘A’

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

Our reference: SDA-0415-019826
Your reference: DA/3404

5 May 2015

Chief Executive Officer
Cook Shire Council
PO Box 3
Cooktown QLD4895

Dear Sir/Madam

Concurrence agency response—with conditions
Reconfiguration of a Lot (Subdivision - 1 lot into 5 lots)
2552 Mulligan Highway, Rossville, QLD described as lot 1 on SP198001
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 17 April 2015.

Applicant details

Applicant name: Jamie Edward Sail C/- U&i Town Plan
Applicant contact details: PO Box 426
Cooktown QLD 4895
ramon.samanes@gmail.com

Site details

Street address: 2552 Mulligan Highway, Rossville, QLD
Lot on plan: 1 SP198001
Local government area: Cook Shire

Page 1

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

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Application details

Proposed development: Development Permit for Reconfiguration of a Lot
(Subdivision – 1 lot into 5 lots)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Reconfiguring a Lot	Development permit	Subdivision – One (1) into Five (5) Rural Lots	Code 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 2, Item 2—State Controlled Road

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: Reconfiguring a Lot				
Proposed Reconfiguration – Lots 1 – 5 Cancelling Lot 1 on SP198001	Brazier Motti	25 March 2015	33794/001	B
TMR Layout Plan (34C – 51.65km)	TMR	24/04/2015	220/34C (500-758)	A
TMR Layout Plan (34C – 53.29km)	TMR	24/04/2015	220/34C (500-758)	A
TMR Layout Plan (34C – 53.60km)	TMR	30/04/2015	220/34C (500-758)	B
TMR Layout Plan (34C 51.40km – 54.06km)	TMR	24/04/2015	220/34C (500-758)	A

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

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For further information, please contact Brett Nancarrow, Principal Planning Officer, SARA Far North QLD on 4037 3229, or email brett.nancarrow@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely



Angela Foster
A/Manager (Planning)

cc: Jamie Edward Sail C/- U&i Town Plan, ramon.samanes@gmail.com
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

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SDA-0415-019826

Our reference: SDA-0415-019826
Your reference: DA/3404

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Reconfiguring a Lot		
Schedule 7, Table 2, Item 2 —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
In accordance with approved plans		
1.	The development must be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> Proposed Reconfiguration – Lots 1 – 5 Cancelling Lot 1 on SP198001, prepared by Brazier Motti, dated 25 March 2015, Plan No 33794/001B. TMR Layout Plan (34C – 51.65km) prepared by Transport and Main Roads, dated 24/04/2015, Ref: 220/34C (500-758), Issue A. TMR Layout Plan (34C – 53.29km) prepared by Transport and Main Roads, dated 24/04/2015, Ref: 220/34C (500-758), Issue A. TMR Layout Plan (34C – 53.60km) prepared by Transport and Main Roads, dated 30/04/2015, Ref: 220/34C (500-758), Issue B. TMR Layout Plan (34C 51.40km – 54.06km) prepared by Transport and Main Roads, dated 24/04/2015, Ref: 220/34C (500-758), Issue A. 	At all times.
Location of the direct vehicular access to the state-controlled road		
2.	The permitted road access locations, (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained), are to be located between the Mulligan Highway and proposed Lots 1 - 5, generally in accordance with the following TMR access plans: <ul style="list-style-type: none"> Proposed Lots 1 & 2 via the existing access located approximately 1.14km north of the Shiptons Flat Road intersection as specified by TMR Layout Plan (34C – 53.60km). Proposed Lot 3 via the existing access located approximately 730m north of the Shiptons Flat road intersection as specified by TMR Layout Plan (34C – 53.29km). Proposed Lots 4 & 5 via the existing access located approximately 360m east of the Little Annan River Bridge as specified by TMR Layout Plan (34C – 51.65km). 	At all times.
3.	Direct access is not permitted between the Mulligan Highway and the subject site at any location other than the permitted road access locations (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained).	At all times.
Design vehicle and traffic volume		
4.	Road access works comprising of three (3) sealed rural property accesses to proposed Lots 1 – 5 (for which approval under section	Prior to submitting the Plan of Survey to

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No.	Conditions	Condition timing
	<p>33 of the <i>Transport Infrastructure Act 1994</i> must be obtained, at the permitted road access locations), must be provided generally in accordance with:</p> <ul style="list-style-type: none"> • Proposed Reconfiguration - Lots 1 – 5 Cancelling Lot 1 on SP198001, prepared by Brazier Motti, dated 25 March 2015, Plan No 33794/001B, and • TMR Layout Plan (34C 51.40km – 54.06km), prepared by Transport and Main Roads, dated 24/04/2015, Issue A. <p>The road access works must be designed and constructed in accordance with Part 4 of Austroads Guide to Road Design: Intersections and Crossings - General, Figure 7.2 (rural property access - single or dual carriageway (conditional)).</p>	<p>the local government for approval.</p>

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Our reference: SDA-0415-019826

Your reference: DA/3404

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- To ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- To ensure the design of any road access maintains the safety and efficiency of the state-controlled road.

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Our reference: SDA-0415-019826
Your reference: DA/3404

Attachment 3—Further advice

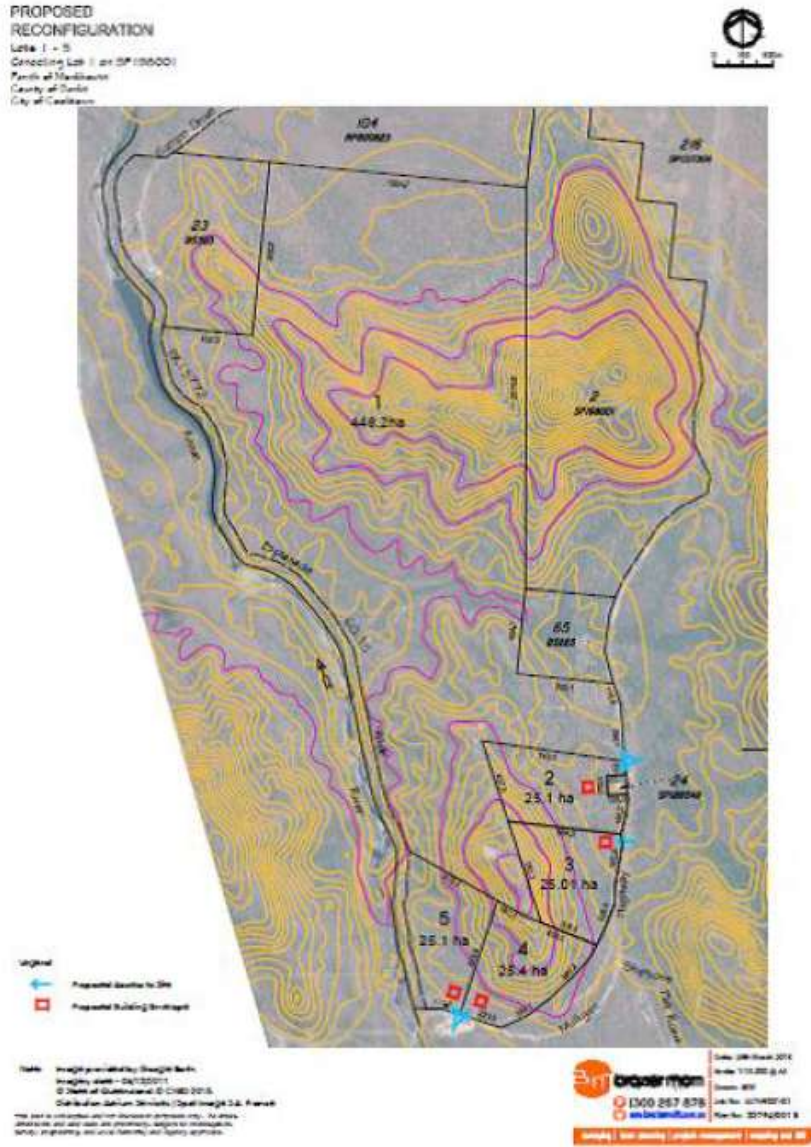
State Planning Policy December July 2014– interim development assessment provisions	
1.	Cook Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy July 2014 and in particular the interim development assessment provisions, to the extent it is relevant to the proposed development. It is noted that bushfire hazard and matters of state environmental significance are relevant to this application.
Road access works approval	
2.	Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994</i> , written approval is required from the Department of Transport and Main Roads to carry out road works that are road access works (including driveways) on a state-controlled road. Please contact the Department of Transport and Main Roads on 4045 7144 at the Cairns district office to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road access works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.

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Our reference: SDA-0415-019826
Your reference: DA/3404

Attachment 4—Approved plans and specifications



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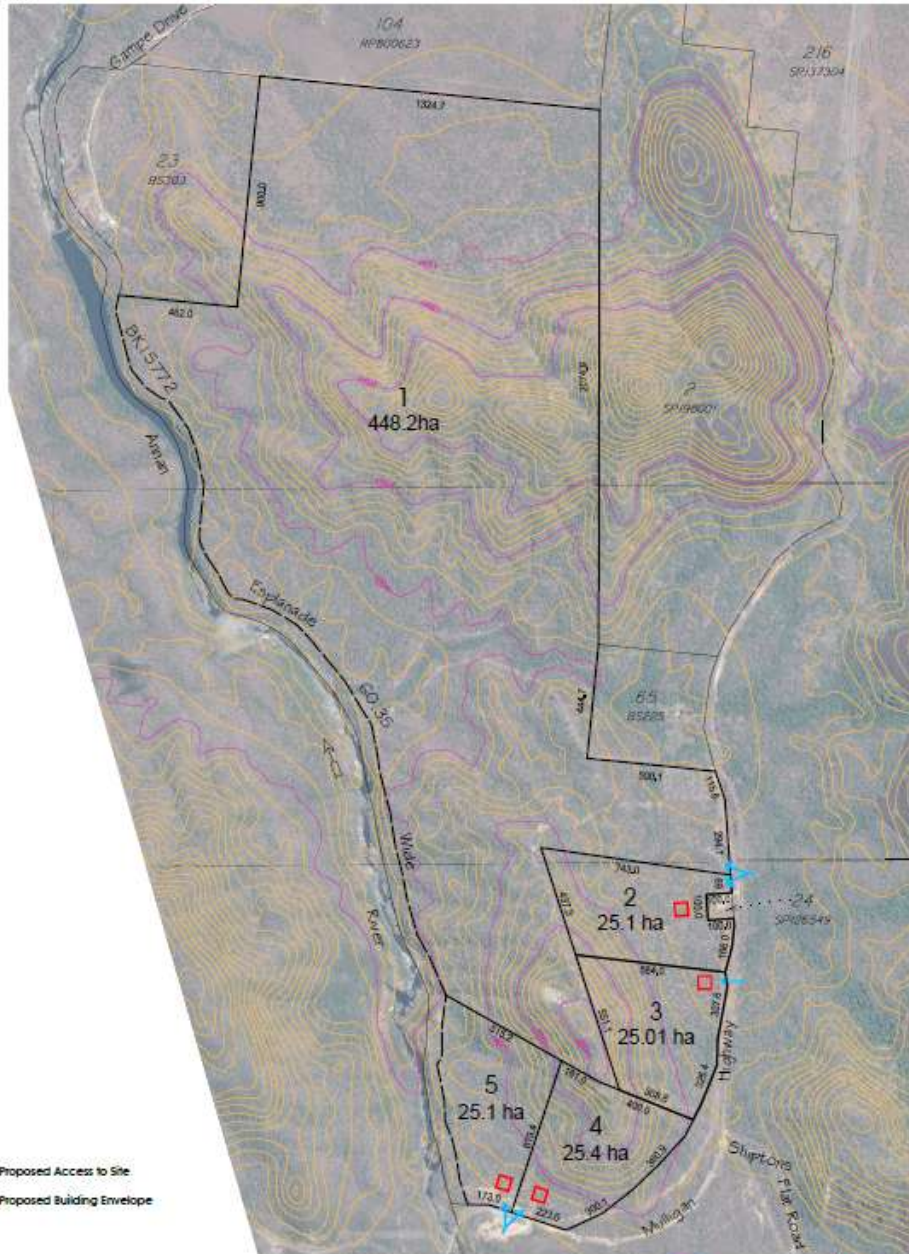
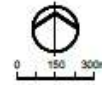


Appendix 'B'

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PROPOSED RECONFIGURATION

Lots 1 - 5
 Cancelling Lot 1 on SP190001
 Parish of Markhouse
 County of Banks
 City of Cooktown



Legend

- Proposed Access to Site
- Proposed Building Envelope

Note: Image provided by Google Earth
 Imagery date - 06/13/2011
 © State of Queensland, © CNES 2015,
 Distribution Astrium Services / Spot Image S.A. France
 This plan is conceptual and for discussion purposes only. All areas,
 dimensions and line work are preliminary. Subject to planning,
 survey, engineering, and local authority and agency approvals.



Date: 28th March 2015
 Scale: 1:15,000 @ A3
 Drawn: ZM
 Job No: 33794/001-01
 Plan No: 33794/001 B

survey | town planning | project management | mapping and GIS

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GREEN WASTE AND CARDBOARD KERBSIDE COLLECTION SERVICE WITHIN DEFINED COLLECTION AREAS
<i>Report No.D15/12484 from Waste Management Coordinator</i>

Cr A Wilson moved; seconded Cr S Clark

That Council resolves to undertake the following actions, and changes:

1. Introduce a fortnightly green waste and cardboard kerbside collection service within defined collection areas with exemption of Coen to all interested ratepayers as of October 1, 2016.
2. Authorize a purchase of 1,000 additional 240L wheelie bins which will be offered to ratepayers as per Council approved fees and charges.
3. Authorize the replacement of cardboard section with a section for steel containers in all the recycling skip bins and trailers.
4. Authorize the removal of cardboard disposal facility at Cooktown Wharf.
5. Authorize the replacement of pre-cyclone clean-up with a free dumping Sunday.
6. Extend the availability of green waste kerbside collection service to all ratepayers outside kerbside collection areas if cost efficient.
7. Authorize the introduction of the green waste and cardboard disposal fees of \$5/m³ at the transfer stations to offset the mulching service.

Consideration of the report deferred for further information and investigation.

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STANDARDIZING KERBSIDE COLLECTION SERVICE WITHIN DEFINED COLLECTION AREAS	
<i>Report No.D15/12482 from Waste Management Coordinator</i>	

Cr R Bowman moved; seconded Cr K Price

In accordance with the advice from the King & Company Solicitors, Council herein resolves to undertake the following actions, and changes, to ensure the equal level of service to all ratepayers:

1. Standardize the kerbside collection service across defined kerbside collection areas irrespective of the land tenure.
2. Authorize application of 120L wheelie bin service to all new rateable properties within defined collection areas.
3. Include commercial land as part of the kerbside collection service.
4. Provide ratepayers within defined collection area with a wheelie bin of their preferred size at cost.
5. Extend the availability of kerbside collection service to all ratepayers outside kerbside collection areas irrespective of their land tenure if cost efficient.

Consideration of the report deferred for further information and investigation.

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31016	RETENTION OF THE REGIONAL LAND CARE FACILITATOR POSITION	
	<i>Report No. D15/12495 from Director of Planning & Environment ,</i>	

Cr P Johnson moved; seconded Cr K Price

That Council resolves to allocate the required funding, totalling approximately \$20,000 p.a. deemed necessary to bridge the gap in Federal funding as managed through the CY NRM, for the Council's 2015-16 and 2016-17 budgets, in order to retain the Regional Landcare Facilitator position within the Shire and for the benefit of the whole of the Cape York Peninsula community.

CARRIED

Précis

For a Decision: To detail changes in funding of the Service Agreement between Cape York NRM ("CY NRM") and Cook Shire Council, for the Regional Landcare Facilitator Position, and seek a decision of Council with respect to it funding the emerging gap in order to retain the services of the Regional Landcare Facilitator in Cook Shire.

Background

Council currently has a service agreement with Cape York NRM to host the RLF on behalf of this company and the Commonwealth Government of Department of Agriculture, Fisheries and Forestry (DAFF). That agreement, subject to conditions set out in clause 12, was for a five year period to 30 June 2018.

The funding for the position was provided to Cape York NRM by the Commonwealth as a component of the Sustainable Agriculture stream of the Caring for our Country Program.

The change of Federal government last year resulted in the premature closure of the Caring for Country Program and a period of transition for Australia's 56 Regional NRM bodies to the Coalition's National Landcare Program (NLP). The new Program involved amalgamation of the previous Sustainable Agriculture and Sustainable Environment Programs into one Program and Activity Agreement. The transition arrangements involved maintaining current levels of Regional funding until 30 June 2015, followed by a 20% reduction in funding levels to \$1,224,000 p.a. and a requirement that we allocate 20% of this amount to a small grants program (effectively a 40% cut in discretionary funding). Further detail was provided in my letter of 4 March 2015.

There was also a requirement for Cape York NRM to re-negotiate (by 31 December 2014) the outcomes it would achieve given the reduced level of funds. This was done (in consultation with the community) and the new single Service Agreement with the Department of the Environment was signed in January 2015. The Commonwealth subsequently terminated both of our Caring for our Country service agreements (including the DAFF agreement funding the RLF) on 16 Feb 2015.

CY NRM have proposed the 40% reduction in funding, leaving only \$95,000 p.a.[compared to \$150,000 p.a. in the previous contract] to fund the RLF position. This amount would initially be available for the financial years 2015-16 and 2016-17 (a two year service

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agreement), and the arrangement would then need to be reviewed when information about future National Landcare Program funding became available.

An additional \$10,000 p.a. may also be available, under other projects for the Regional Landcare Facilitator position, bringing the **amended total to \$105,000 p.a. for 2015-16 and 2016-17.**

Following a Meeting between Council's Director P&E and the CEO CYNRM held 3 March there was an agreed undertaking to allow the current service agreement with Council to continue until 30 June 2015, to allow time for Council to reach a decision on whether it wished to continue the hosting arrangement.

CYNRM advise that they must now give Council notice of termination of the Agreement in writing, to be expected on Friday 5 June, with an effective date of 30 June 2015.

Discussion and Assessment of Options:

The Regional Landcare Facilitator has reported that in discussions with the Australian Department of Agriculture, that the following understandings were shared, as set out below:

1. the proposed 40% reduction from Cape York NRM would make the position untenable, and subsequently this would result in reduced outcomes for land holders.
2. The Australian Department of Agriculture have provided 2015-17 funding for a 1 x FTE RLF position for each region, and indicate it should still be close to previous funding allocation of \$150,000 p.a. for each regions. This would indicate that the reduction of funding proposed by CY NRM is discretionary.
3. That FTE funding for the position, at near \$150,000 p.a. will support and align with CY NRM contractual obligations and all strategic and intermediate outcomes and activities of the Sustainable Agriculture Program, as it relates to the role of the Regional Landcare Facilitator for the promotion of the Landcare ethic and sustainable agriculture to farmers and land managers of the Cape York Region

Link to Corporate Plan 2013 - 2017

Strategic Direction:

Consultation

CYNRM officers have held meetings, and email correspondence regarding the issues detailed in this report with the Director P& E , including Cr Johnson, from March 2015, when changes by the Federal government were indicated.

The Director P& E has conveyed the emerging changes to the effected RLF officer, and the Director Corporate Services. Together the RLF and the Director P& E have been, to date, investigating options and information with the National Landcare Facilitator, and Federal DAF officers involved in funding arrangements.

Communication Strategy

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The changes create an opportunity for Council to promote its increasing role and responsibilities in sustainable land management across the Cape York Peninsula.

Legal Implications (Statutory, basis, legal risks)

The service agreement between Cape York NRM and Cook Shire Council mirrors the parent agreement, Activity Agreement between CY NRM and the Federal DAFF, clause 12 of which sets out a number of conditions under which the Agreement can be terminated.

Likely causes for termination of the Agreement include, the Commonwealth terminates their Agreement with CY NRM. Another is if the Commonwealth reduces, limits or otherwise alters the funding provided to Cape York NRM.

Clause 12 requires Cape York NRM to provide 7 days notice of termination of the Agreement.

Notification of the termination of the current Service Agreement for the RLF Position is expected Friday 5 June 2015, and a response is due by 10 June 2015.

WHS – All building maintenance work is conducted in compliance with workplace health and safety regulations.

Policy Implications

The discretionary reduction in funding of the Regional Landcare Facilitation services, is likely to impact on Council's environmental sustainability and Sustainable agriculture objectives.

Financial and Resource Implications (Budgetary)

A costs reduction analysis by the current RLF has indicated that the position could remain viable with aggregated funding of \$125,000 p.a, however with reduced outputs and other cost savings and efficiency measures.

The gap between the proposed aggregated funding by CYNRM in a revised Service Agreement for \$105,000 p.a., for Cook Shire to add to its 2015-16 and 2016-17 budgets would be approximately \$20,000 p.a.

Recommendations

That,
Council resolves to allocate the required funding, totalling approximately \$20,000p.a. deemed necessary to bridge the gap in Federal funding as managed through the CY NRM, for the Council's 2015-16 and 2016-17 budgets, in order to retain the Regional Landcare Facilitator position with the Shire and for the benefit of the whole of the Cape York Peninsula community.

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The meeting adjourned for lunch at 12.25pm and resumed at 1.10 pm on 16 June 2015

31017	CHARGES RESOLUTION (NO. 1) 2015	
	<i>Report No.D15/12488 from Director Planning and Environment</i>	

Cr K Price moved; seconded Cr S Clark

That the Cook Shire Council Charges Resolution (No.1) 2015 attached be adopted, such charges to apply to new applications received after 30 June 2015.

CARRIED

Précis

This is a charges resolution (“resolution”) made pursuant to the *Sustainable Planning Act 2009* (“SPA”).

Background/History

See attached resolution

Link to Corporate Plan

Legislative requirement

Consultation

Legislative requirement

Legal Implications (Statutory, basis, legal risks)

Legislative requirement

Policy Implications

None identified

Financial and Resource Implications (Budgetary)/Risk Assessment

As charges are being increased, there will be a substantial increase in revenue

RECOMMENDATION

That the Cook Shire Council Charges Resolution (No.1) 2015 attached be adopted.

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**Cook Shire Council
Charges Resolution (No. 1) 2015**

1.0 Introduction

1.1 This is a charges resolution (“resolution”) made pursuant to the *Sustainable Planning Act 2009* (“SPA”).

1.2 This resolution is structured as follows:

Section / Attachment #	Name	Function
1.0	Introduction	Background, legal authorisation and timing, applicable areas and types of development that trigger charges calculation, definitions of relevant terms
2.0	Adopted Charges	Refers to types of development that attract charges, and identifies the adopted charges.
3.0	Discounts	Identifies the discounts that will be taken into account in the calculation of a levied charge.
4.0	Calculation of the Levied Charge	Identifies the method by which the levied charge will be calculated.
5.0	Payment Triggers	Identifies when a levied charge is to be paid.
6.0	Automatic Increase Provision for Levied Charges	Identifies how a levied charge is to be increased to the date it is paid.
7.0	Conversion Applications	Identifies Council’s requirements for making a conversion application and the process of assessing and deciding the conversion application.
8.0	Offsets and Refunds for Trunk Infrastructure	Identifies method for determining the establishment cost of trunk infrastructure, the process for reconciling an offset or refund, and the timing of refunds.
9.0	Plans for Trunk Infrastructure	Refers to the plans for trunk infrastructure in Attachment 3.
10.0	Desired Standards of Service	Refers to the desired standard of service contained in Attachment 2 to which trunk infrastructure shall be constructed.
11.0	Schedule of Unit Rates	Identifies the unit rates for trunk infrastructure items used to determine the planned establishment cost of trunk infrastructure.
Tables	Tables 1.1, 2.1, 2.2, 2.3 and 2.4	For reference purposes when making charge calculations
Attachment 1	Definitions of Trunk Infrastructure	Identifies definitions for trunk infrastructure networks used to assess conversion applications.
Attachment 2	Desired Standards of Service	Identifies the desired standard of service to which trunk infrastructure shall be constructed.
Attachment 3	Plans for Trunk Infrastructure	Identifies the Plans for Trunk Infrastructure that identify existing and future trunk infrastructure.
Attachment 4	Schedule of Works	Identifies features of the existing and future trunk infrastructure items, including the estimated cost and assumed time of completion.
Attachment 5	Methodology for Determining the Final Contract Value for Trunk Infrastructure Works	Outlines the default methodology for determining the establishment cost of trunk infrastructure costs and the value of offsets and refunds.

1.3 This resolution applies to the Cook Shire Local government area.

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- 1.4 This resolution seeks to implement the requirements of the *Sustainable Planning Act 2009*, State Planning Regulatory Provision (adopted charges) (the “**SPRP**”) and Statutory Guideline 03/14 – Local Government Infrastructure Plans, and has effect on and from 1st July, 2015

It is advised that this Charges Resolution (CR):

- (a) does not retrospectively apply to previous approvals, even if they have not yet paid charges. It only applies to decisions made after CR No. 1 comes into effect;
- (b) will be applied to development applications not yet entered Decision Stage (prior to CR No.1 coming into effect), irrespective of when the application was lodged;
- (c) can be applied to a request for a ‘permissible change’ to a development approval made under section 369 of SPA; and
- (d) can be applied to a request to extend the relevant period made under section 383 of SPA (currency period extensions).

Refer to section 626 of SPA for details and limitations on Council’s ability to give applicants infrastructure charges notices for change approvals and extension approvals.

- 1.5 This resolution adopts a charge for particular development that is less than the maximum adopted charge specified within the SPRP. **Table 1.1** herein identifies the relationship between existing Cook Shire Planning Scheme use types and the classes of development to which the adopted infrastructure charges apply. This table is required in order to align the different land-use charge categories applied under the SPRP with those of the Cook Shire Planning Scheme.
- 1.6 The SPRP includes a Priority Infrastructure Area (“PIA”) for Cook Shire that identifies the areas which are prioritised to accommodate urban growth for the next 10 to 15 years to ensure the efficient delivery of infrastructure. Areas outside of the PIA contain development use rights but the provision of trunk infrastructure by the local government to support urban growth outside the PIA is generally not supported by immediate or medium term funding within capital works programs. Infrastructure may be planned outside of the PIA to demonstrate the preferred servicing arrangements; however Council may impose a condition requiring the payment of additional trunk infrastructure costs for premises completely or partly outside the PIA – refer to sections 650 – 653 of SPA.
- 1.7 The issuing of an infrastructure charges notice may be triggered by assessable development or development requiring compliance assessment. The types of development that may trigger the issuing of an infrastructure charges notice are:
- (a) reconfiguring of a lot;
 - (b) material change of use; and
 - (c) carrying out building work.
- 1.8 In this resolution the expression “development application” includes a request for compliance assessment and the expression “development approval”

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includes a compliance permit.

1.9 Interpretation

In this resolution:

adopted charge means the charge set by this resolution to be applied for the purpose of calculating a levied charge as stated in section 2.0

bedroom means an area of a building or structure which:

- (a) is used, designed or intended for use for sleeping but excludes a lounge room, dining room, living room, kitchen, water closet, bathroom, laundry, garage or plant room; or
- (b) a space that can be readily closed off for sleeping such as a den, study, loft, media or home entertainment room, library, family or rumpus room or other similar space.

discount means the assessed demand for an existing or past lawful use right prior to the development application to be applied within the calculation of a levied charge which acknowledges the existing usage of the trunk infrastructure networks by the premises and reduces the charges accordingly as stated in section 3.0 (Discounts).

Dwelling means a residential use of premises for one household that contains a single dwelling.

Gross floor area (GFA), for a building, means the total floor area of all storeys of the building, including any mezzanines, (measured from the outside of the external walls and the centre of any common walls of the building), other than areas used for—

- (a) building services; or
- (b) a ground floor public lobby; or
- (c) a public mall in a shopping complex; or
- (d) parking, loading or manoeuvring of vehicles; or
- (e) balconies, whether roofed or not.

impervious area means the area of the premises that is impervious to rainfall or overland flow that results in the discharge of stormwater from the premises.

lawful use see schedule 3 (Dictionary) of the *Sustainable Planning Act 2009*.

levied charge means the charge levied on an applicant through an infrastructure charge notice in accordance with section 635 of SPA, worked out by applying the provisions of this Charges Resolution.

maximum adopted charge see schedule 3 (Dictionary) of the *Sustainable Planning Act 2009*.

planning scheme means the Cook Shire Planning Scheme.

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producer price index (PPI) means the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge Construction index for Queensland published by the Australian Bureau of Statistics.

3-yearly PPI index average is defined in section 631 of the *Sustainable Planning Act 2009* and means the PPI index smoothed in accordance with the 3-year moving average quarterly percentage change between quarters.

A term defined in the Sustainable Planning Act 2009 which is used in the resolution has the meaning given in the Sustainable Planning Act 2009.

If a term is not defined in the resolution or the Sustainable Planning Act 2009 the term is to, subject to section 14A (Interpretation best achieving Act's purpose) of the Acts Interpretation Act 1954, have the meaning assigned to it by the edition of the Macquarie Dictionary that is current at the date the resolution takes effect.¹

Table 1.1 – Planning Scheme Use Types to which the adopted charges apply

Column 1 Adopted infrastructure charge category	Column 2 Cook Shire Planning Scheme Uses
Residential	Caretaker's Residence Dual Occupancy House Multiple Residential Relative's Accommodation
Accommodation (short-term)	Bed and breakfast Caravan Park (temporary accommodation) Host Farm Hotel (accommodation component) Tourist Accommodation
Accommodation (long-term)	Caravan Park (permanent accommodation) Retirement Village Other Residential
Places of assembly	Community Facilities: <ul style="list-style-type: none"> - Church or place of worship - Community hall, neighbourhood centre, senior citizens or youth centre - Library, public art gallery or museum - Scout or guide hut. Indoor Recreation: <ul style="list-style-type: none"> - Function Centre - Club
Commercial (bulk goods)	Outdoor Sales Premises

¹ Section 14A(1) (Interpretation best achieving Act's purpose) of the *Acts Interpretation Act 1954* provides that in the interpretation of a provision of the Act the interpretation that will best achieve the purpose of the Act is to be preferred to any other interpretation.

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Column 1 Adopted infrastructure charge category	Column 2 Cook Shire Planning Scheme Uses
Commercial (retail)	Local Shop Restaurant Service Station Shop
Commercial (office)	Office
Education facility	Child Care Centre Educational Establishment
Entertainment	Hotel (non-residential component) Indoor Recreation: - Cinema - Theatre - Nightclub
Indoor sport and recreational facility	Indoor Recreation: - Sports centre - Gymnasium - Amusement and leisure centre
Industry	Equipment and Vehicle Depot Freight Depot Industry Rural Service Industry Storage Facility Vehicle Workshop Warehouse
High impact industry	Hazardous, Noxious or Offensive Industry Waste Facility
Low impact rural	Agriculture Forestry
High impact rural	Aquaculture
Essential services	Community Facilities: - Emergency services Hospital Institution Medical Centre Veterinary Facility
Specialised uses	Animal Keeping Carpark Extractive Industry Intensive Animal Keeping Minor Public Utility Outdoor Recreation Park Facilities Public Utility Remote Worker's Accommodation Tourist Facility

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Column 1 Adopted infrastructure charge category	Column 2 Cook Shire Planning Scheme Uses
Minor uses	Advertising Device Cemetery Home Business Roadside Stall Telecommunication Facility

2.0 Adopted Charge

2.1 The adopted charge for a *material change of use* or *building work* for:

- (a) Residential development, is stated in **Table 2.1**;
- (b) Non-residential development (other than a specialised use), is stated in **Table 2.2** which comprises the following:
 - (i) the adopted charge as stated in the column '*Local government adopted charges excluding stormwater*'; and
 - (ii) the adopted charge for stormwater as stated in the column '*Stormwater (\$ per impervious m²)*'.

2.2 The adopted charge for reconfiguring a lot for Residential and Non-residential development, is the adopted charge per Allotment as stated in **Table 2.3**.

2.3 *Specialised Uses*: Upon receiving a development application for an undefined use, Council will determine the most appropriate equivalent use charging category from **Table 1.1** to apply to the development in order to determine the adopted charge in accordance with **Tables 2.1 to 2.2**.

2.4 If the subject site is located in an area that is not serviced by Council trunk networks then such separate network components of the charge shall be deducted from the total adopted charge payable (refer to **Table 2.4**).

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Table 2.1 – Adopted Infrastructure Charges – Adopted charge for a Material Change of Use or Building Work for Residential development

Development for which an adopted infrastructure charge may apply	Maximum adopted charges (This is the maximum charges allowed by the State)	Adopted infrastructure charges					
		Local Government adopted charges	Proportional split of adopted charge per network				
			Water Supply 25%	Sewerage 25%	Transport 30%	& Community Land 10%	Stormwater 10%
Residential (1 or 2 bedroom dwelling)	\$20,000 per dwelling	\$6,000 per dwelling	\$1,500	\$1,500	\$1,800	\$600	\$600
Residential (3 or more bedroom dwelling)	\$28,000 per dwelling	\$8,400 per dwelling	\$2,100	\$2,100	\$2,520	\$840	\$840
	\$10,000 per suite (with 1 or 2 bedrooms)	\$3,000 per suite (with 1 or 2 bedrooms)	\$750	\$750	\$900	\$300	\$300
Accommodation (Short Term)	\$14,000 per suite (with 3 or more bedrooms)	\$4,200 per suite (with 3 or more bedrooms)	\$1,050	\$1,050	\$1,260	\$420	\$420
	\$10,000 per bedroom (that is not within a suite)	\$3,000 per bedroom (that is not within a suite)	\$750	\$750	\$900	\$300	\$300
Accommodation (Short Term): Caravan Park	\$10,000 per 1 or 2 tent/caravan sites (for a tent or caravan site) and per 1 or 2 bedroom cabin (for a	\$467 per tent, caravan or cabin site	\$117	\$117	\$140	\$47	\$46

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Development for which an adopted infrastructure charge may apply	Maximum adopted charges <small>(This is the maximum charges allowed by the State)</small>	Adopted infrastructure charges					
		Local Government adopted charges	Proportional split of adopted charge per network				
	cabin) \$14,000 per 3 tent/caravan sites (for a tent or caravan site) and per 3 bedroom cabin (for a cabin)						
Accommodation (Long Term)	\$20,000 per suite (with 1 or 2 bedrooms)	\$6,000 per suite (with 1 or 2 bedrooms)	\$1,500	\$1,500	\$1,800	\$600	\$600
	\$28,000 per suite (with 3 or more bedrooms)	\$8,400 per suite (with 3 or more bedrooms)	\$2,100	\$2,100	\$2,520	\$840	\$840
	\$20,000 per bedroom (that is not within a suite)	\$6,000 per bedroom (that is not within a suite)	\$1,500	\$1,500	\$1,800	\$600	\$600
Accommodation (Long Term): Caravan Park	\$10,000 per 1 or 2 tent/caravan sites (for a tent or caravan site) and per 1 or 2 bedroom cabin (for a cabin) Or	\$933 per tent, caravan or cabin site	\$233	\$233	\$280	\$93	\$94

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Development for which an adopted infrastructure charge may apply	Maximum adopted charges <small>(This is the maximum charges allowed by the State)</small>	Adopted infrastructure charges	
		Local Government adopted charges	Proportional split of adopted charge per network
	\$14,000 per 3 tent/caravan sites (for a tent or caravan site) and per 3 bedroom cabin (for a cabin)		

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Table 2.2 – Adopted Infrastructure Charges – Adopted charge for a Material Change of Use or Building Work for Non-residential development

Development for which an adopted infrastructure charge may apply	Maximum adopted charges		Adopted infrastructure charges					
	Maximum adopted charges (\$ per m ² GFA) <small>(This is the maximum charges allowed by the State)</small>	Maximum adopted charges for stormwater network (\$ per impervious m ²) <small>(This is the maximum charges allowed by the State)</small>	Total Local Government infrastructure charges (\$ per m ² GFA)	Proportional split of adopted charge per network				(\$ per impervious m ²)
				Water Supply	Sewerage	Transport	Parks & Community Land <small>stormwater</small>	
Places of Assembly	\$70	\$10	\$21	\$6.30	\$6.30	\$8.40	\$0.00	\$3
Commercial (Bulk Goods)	\$140	\$10	\$42	\$12.60	\$12.60	\$16.80	\$0.00	\$3
Commercial (Retail)	\$180	\$10	\$54	\$16.20	\$16.20	\$21.60	\$0.00	\$3
Commercial (Office)	\$140	\$10	\$42	\$12.60	\$12.60	\$16.80	\$0.00	\$3
Education Facility	\$140	\$10	\$42	\$12.60	\$12.60	\$16.80	\$0.00	\$3
Entertainment	\$200	\$10	\$60	\$18.00	\$18.00	\$24.00	\$0.00	\$3
Indoor Sport and	\$20 per m ² of court area	\$10	\$6 per m ² of court area	\$1.80	\$1.80	\$2.40	\$0.00	\$3
Recreational Facility	\$200 per m ² of GFA	\$10	\$60 per m ² of GFA	\$18.00	\$18.00	\$24.00	\$0.00	\$3
Industry	\$50	\$10	\$15	\$4.50	\$4.50	\$6.00	\$0.00	\$3
High Impact	\$70	\$10	\$21	\$6.30	\$6.30	\$8.40	\$0.00	\$3

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Development for which an adopted infrastructure charge may apply	Maximum adopted charges		Adopted infrastructure charges						(\$ per impervious m ²)
	Maximum adopted charges (\$ per m ² GFA) (This is the	Maximum adopted charges for stormwater network	Total Local Government infrastructure charges (\$ per m ² GFA)	Proportional split of adopted charge per network					
				Water Supply	Sewerage	Transport	Parks & Community Land	Stormwater	
Industry									
Low Impact Rural	Nil	Nil	Nil						Nil
High Impact Rural	\$20	Nil	\$6	\$1.80	\$1.80	\$2.40	\$0.00		Nil
Essential Services	\$140	\$10	\$42	\$12.60	\$12.60	\$16.80	\$0.00		\$3
Minor Uses	Nil	Nil	Nil						Nil
Specialised Uses	Use and demand determined by the local government at time of assessment								

Table 2.3 – Adopted Infrastructure Charges – Adopted charge for Reconfiguring a Lot

Development for which an adopted infrastructure charge may apply	Adopted infrastructure charges (\$ per Allotment)					
	Total Local Government infrastructure charges	Proportional split of adopted charge per network				
		Water Supply	Sewerage	Transport	Parks & Community Land	Stormwater
		25%	25%	30%	10%	10%
Residential RAL	\$8,400	\$2,100	\$2,100	\$2,520	\$840	\$840
		28%	28%	33%	0%	11%
Non-residential RAL	\$8,400	\$2,352	\$2,352	\$2,772	\$0	\$924

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Table 2.4 – Extent of Trunk Networks and Charges by Cook Shire Localities

Locality	Applicable Trunk Infrastructure Networks and Charges				
	Water Supply	Sewerage	Transport	Public Parks & Community Land	Stormwater
Cooktown	Yes	Yes	Yes	Yes	Yes
Coen	Yes	Yes	Yes	Yes	Yes
Laura	Yes		Yes	Yes	Yes
Lakeland	Yes		Yes	Yes	Yes
Ayton			Yes	Yes	Yes
Marton			Yes	Yes	Yes
Rossville			Yes	Yes	Yes
Portland Roads			Yes	Yes	Yes

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3.0 Discount

- 3.1 In accordance with s636 of SPA, a levied charge may be only for additional demand placed upon trunk infrastructure that will be generated by the development. Council has set out the discounts that will be taken into account for the calculation of the levied charge on the premises over which the application is made, based on the higher value of:
- (a) Where a levied charge has been paid for the development of the premises, the levied charge paid; or
 - (b) Where the premises is subject to an existing lawful use for which evidence can be provided, the adopted charge for the existing lawful use of the premises; or
 - (c) Where the premises contained a previous lawful use that is no longer taking place, and where evidence can be provided of the previous lawful use, the adopted charge based on the previous lawful use of the premises; or
 - (d) Where vacant serviced land exists or where no lawful use has been constructed on the premises, the amount set out in Table 2.3 equivalent to the Reconfiguring a Lot charge for a single residential lot, for each of the lots to which the development relates.
 - (e) Where an infrastructure contribution was provided for the development of the premises under previous infrastructure charging policies, the charge paid at the time of payment subject to indexation² and evidence of payment made.
- 3.2 Discounts in Section 3.1(b) – (c) will be calculated in the same manner in which the relevant demand and charge is calculated under Section 4.0. To avoid doubt, Council is only charging for the additional demand caused by the proposed development. Discounts will not be provided for networks that do not currently service the site.
- 3.3 A discount calculated under Section 3.1 and Section 3.2 will not be higher than the levied charge. To avoid doubt, surplus discounts, if any, will not be refunded.
- 3.4 Despite Section 3.3, Council may in its absolute discretion, enter into an infrastructure agreement to attach any surplus discounts to the land and these discounts may be offset against any future levied charge.
- 3.5 Any discount calculated in accordance with Section 3.1 - 3.4 is to be allocated to the trunk infrastructure network to which the discount was accrued, unless otherwise

²To be calculated by indexing the infrastructure contributions previously paid based on the difference between the Producer Price Index (PPI) applicable at the time the infrastructure contribution was paid, and the PPI Index applicable at the time this resolution took effect, adjusted by reference to the 3-yearly PPI Index average.

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determined under a separate infrastructure agreement between Council and the applicant.

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4.0 Calculation of the levied charge

4.1 The following steps identify the process to calculate the levied charge for a development application:

Step 1 Determine the relevant adopted infrastructure charges category based on the translation of the planning scheme use type in Table 1.1 that is applicable to the proposed development.

Step 2 Determine the development demand unit (e.g m² GFA) and associated charge rate (i.e \$/demand unit) that may be levied for the proposed development as stated in Section 2.0:

- for *Material Change of Use or Building Work* - refer to **Tables 2.1 and 2.2**.
- for *Reconfiguring a Lot* - refer to **Table 2.3**

Should the area within which the site is located not be serviced by Council trunk networks then such separate components of the charge shall be deducted from the total adopted charge payable (refer to **Table 2.4**).

Step 3 Determine any existing discount amount for each trunk infrastructure network currently servicing the premises as stated in Section 3.0.

Step 4 Calculate the levied charge by subtracting the applicable discount amount from the adopted charge amount for each trunk infrastructure network (in monetary values).

4.2 A development proposal that includes more than one use (mixed use development) may involve uses or development with different assessable demands under **Tables 2.1 to 2.2**. The following rules will apply to the calculation of the demand and associated charge for a mixed use development:

- (a) if more than one use is proposed to occur in any given area the subject of the approval, the levied charge will be the sum of the individual charge for each use calculated in accordance with **Section 4.1**;
- (b) if an approved development includes an area which is common to two or more uses identified in **Tables 2.1 and 2.2**, the assessable demand for the common area will be based on the use or development with the highest charge amount.

4.3 If an adopted charge is intended to be levied pursuant to a building works approval and the building may be used for more than one use under **Tables 2.1 and 2.2**, the levied charge will be the sum of the individual charge for each

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use calculated in accordance with **Section 4.1.**

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5.0 Payment Triggers

This section states when a levied infrastructure charge is to be paid.

5.1 A levied charge is payable at the following time:

- (a) if the charge applies to reconfiguring a lot that is assessable development or development requiring compliance assessment – when the local government approves the plan of subdivision for the reconfiguration;
- (b) if the charge applies to a material change of use – when the change of use happens;
- (c) if the charge applies to building work that is assessable development or development requiring compliance assessment – when the final inspection certificate (for a single detached class 1a building or a class 10 building or structure) or certificate of classification (for a building or structure of another class) for the building work is given.
- (d) if paragraphs (a), (b) and (c) do not apply, on the day stated in the infrastructure charges notice or negotiated infrastructure charges notice under which the charge was levied.
- (e) As otherwise specified in a written agreement between Council and the applicant including whether it may be paid by instalments.

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6.0 Automatic increase provision for levied charges

- 6.1 An infrastructure charge levied by Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and the PPI Index applicable at the time of payment of the levied charge³, adjusted by reference to the 3-yearly PPI Index average⁴.
- 6.2 If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.
- 6.3 The sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Council could have levied for the development at the time the charge is paid.

³ To be clear, the charge to be paid is the greater of the charge as levied by Council and the levied charge indexed using the Producer Price Index (adjusted by reference to the 3-yearly PPI Index Average) for the period starting on the day the charge is levied and ending on the day the charge is paid.

⁴ 3-yearly PPI index average is defined in section 631 of the *Sustainable Planning Act 2009* and means the PPI index smoothed in accordance with the 3-year moving average quarterly percentage change between quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

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7.0 Conversion applications

7.1 Purpose

7.1.1 This section applies where:

- a) A condition of a development approval under section 655 of SPA requires non-trunk infrastructure to be provided; and
- b) The construction of the non-trunk infrastructure has not started; and
- c) The applicant for the development approval is seeking to apply to Council to convert the non-trunk infrastructure to trunk infrastructure (a conversion application).

7.1.2 Council's requirements for making an application and the process of assessing and deciding the conversion application is identified below.

7.2 Process for making a conversion application

7.2.1 A conversion application must:

- a) be in writing;
- b) be accompanied by the completed Council prescribed form for conversion applications (if applicable);
- c) relate to non-trunk infrastructure conditioned under section 655 of SPA;
- d) be lodged with Council before construction of the relevant non-trunk infrastructure commences;
- e) be accompanied by supporting information including:
 - (i) Details of the relevant development approval including application number, property address and real property description;
 - (ii) The applicant's contact details;
 - (iii) The relevant condition(s) for non-trunk infrastructure imposed under section 655 of SPA to which the conversion application relates;
 - (iv) A written statement that construction of the infrastructure had not commenced prior to the making of the conversion application;
 - (v) A description of the circumstances giving rise to the conversion application including supporting commentary and rationale that addresses Council's trunk infrastructure criteria;
 - (vi) Other relevant supporting information where available including:
 - Engineering estimates of works;
 - Preliminary design plans;
 - Network servicing analysis;
 - Details of special considerations (e.g. geographical context).

7.3 Assessing and deciding a conversion application

7.3.1 The process of assessing and deciding a conversion application is as follows:

- a) Council will assess the application having regard to its trunk infrastructure criteria (outlined below);
- b) Council must consider and decide the application within the required

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- period being 30 business days after:
- (i) Generally – the making of the application; or
 - (ii) If an information requirement is made – the requirement is complied with.
- c) Before making its decision, Council may give notice to the applicant requiring additional information for making the decision.
 - d) The notice must detail:
 - (i) The information required;
 - (ii) A period of at least 10 business days for giving the information;
 - (iii) That the application will lapse if the applicant does not comply with the notice within the specified period, or any later period as agreed between Council and the applicant within the specified period.
 - e) Council must, as soon as practicable after deciding the conversion application, give the applicant notice of its decision.
 - f) If the decision is to convert the non-trunk infrastructure to trunk infrastructure, the notice must state whether an offset or refund applies and if so, the details of an offset or refund.
 - g) If the decision is to not convert the non-trunk infrastructure to trunk infrastructure, the notice must be an information notice that states:
 - (i) The decision and the reasons for it;
 - (ii) That its recipient may appeal against the decision; and
 - (iii) How the recipient may appeal.

7.4 Effect of conversion

- 7.4.1 If Council's decision is to convert the non-trunk infrastructure to trunk infrastructure:
 - a) the condition of the relevant development approval requiring non-trunk infrastructure to be provided no longer has effect;
 - b) Council may, within 20 business days after making the decision, amend the development approval by imposing a necessary infrastructure condition for the trunk infrastructure; and
 - c) if the necessary infrastructure condition is imposed, Council will, within 10 business days after imposing the condition, give an infrastructure charges notice or amend, by notice to the applicant, any existing infrastructure charges notice for the development approval for the purposes of determining offset or refund requirements.

7.5 Trunk infrastructure criteria

- 7.5.1 The identified trunk infrastructure criteria for deciding whether or not to convert non-trunk infrastructure to trunk infrastructure are the following:
 - 1. The infrastructure is consistent with Council's Desired Standards of Service (DSS) identified in **Attachment 2**; and

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2. The infrastructure is identified in Council's plans for trunk infrastructure (**Attachment 3**) and schedule of works (**Attachment 4**) but is required in a different geographical location; or
3. The infrastructure is consistent with Council's **Definitions of trunk infrastructure** identified in **Attachment 1**; or
4. For infrastructure that is not consistent with Council's definitions of trunk infrastructure, the infrastructure is consistent with all of the following **trunk infrastructure principles**:
 - a) Facilitates development of other premises by enabling increased development or overcoming deficiencies in service through its provision; and
 - b) Reduces or eliminates unnecessary and interim staged infrastructure; and
 - c) Is shared between multiple development sites or provides a critical shared link between multiple development sites and the defined and mapped trunk network; and
 - d) Would have been identified as 'trunk' infrastructure had the ultimate demand and development pattern been known in more detail at the time of developing the infrastructure plan; and
 - e) The type, size and location of the infrastructure is the *most cost effective option* for servicing multiple users in the area. The most effective option means the least cost option based upon the life cycle cost of the infrastructure required to service existing and future development in the area at the desired standards of service.

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8.0 Offsets and Refunds for Trunk Infrastructure

8.1 Application of an offset and refund

8.1.1 Unless otherwise provided for in an infrastructure agreement, this section applies where:

- a) a development application has been conditioned to provide necessary trunk infrastructure; or
- b) non-trunk infrastructure has been converted to trunk infrastructure through a conversion application; and
- c) an adopted charge applies to the development.

8.1.2 Where the establishment cost for the trunk infrastructure is equal to or less than the levied charge, the cost will be offset against the levied charges (an **offset**).

8.1.3 Where the establishment cost for the trunk infrastructure is more than the levied charge and the trunk infrastructure has been provided:

- a) there is no amount payable for the development approval; and
- b) Council will provide a refund to the applicant for the difference between the establishment cost of the trunk infrastructure and the levied charge (a **refund**), in accordance with the provisions of this charges resolution.

8.1.4 The value, timing and reconciliation of payments may also be managed by an infrastructure agreement which may further specify or alter the provisions in this resolution including for staged development.

8.2 Determining the establishment cost of trunk infrastructure

8.2.1 The Infrastructure Charges Notice for a development approval may specify an establishment cost for trunk infrastructure that is the subject of a necessary trunk infrastructure condition.

8.2.2 The establishment cost in the Infrastructure Charges Notice is an indicative preliminary establishment cost only based on Council's best estimate at the time of issuing the Infrastructure Charges Notice based on the schedule of works (Attachment 4), Council's unit rates (section 11.0), or other known project cost estimates; however it will not be used as the basis for determining the value of an offset or refund unless agreed to under clause 8.2.6.

8.2.3 The establishment cost for trunk infrastructure works will be recalculated following detailed design and quantification of trunk infrastructure requirements to determine the Final Contract Value, in accordance with the processes outlined in **Attachment 5**.

8.2.4 The establishment cost for trunk infrastructure that is land will be recalculated following confirmation of the land area to be dedicated based on the

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undeveloped, Englobo value of the land, which has nominally been set at \$15 per square metre as at June 2014. The land value is to be indexed in line with the 3-yearly PPI Index Average, from the June 2014 to the date the levied charge becomes payable.

8.2.5 A final determination of whether a refund applies can only be made upon confirmation of the Final Contract Value and/or Land Value (as applicable).

8.2.6 Despite Clauses 8.2.3 to 8.2.5 Council, at its absolute discretion, may agree with the applicant to use the establishment cost specified in the Infrastructure Charges Notice as the basis for determining the value of an offset or refund (**Agreed Value**).

8.3 Reconciliation of an offset or refund

8.3.1 An applicant entitled to an offset or refund for the trunk infrastructure contribution is to give to Council a notice in the prescribed form which states:

- a) The date the fully completed trunk infrastructure was accepted 'On Maintenance'; or
- b) The date Council accepted an Uncompleted Works Deed for uncompleted works.

8.3.2 Council will as soon as reasonably practicable after receiving a notice under section 8.3.1 confirm if the establishment cost is:

- a) For an offset, less than the levied charge; or
- b) For a refund, greater than the levied charge.

8.3.3 For the purposes of determining if an offset or refund applies, the levied charge is to be indexed from the date it was levied to date that the establishment cost was determined by Council, using the 3-yearly PPI Index average.

8.3.4 If an offset applies, Council is to set off the establishment cost against the levied charge when the levied charge stated in the infrastructure charges notice is payable.

8.3.5 If a refund applies, Council is to determine the value of the refund by subtracting the levied charge⁵ from the establishment cost.

8.3.6 Council's policy position is that the refund will be provided as either an:

- a) Infrastructure credit, in the first instance and where agreed to with the applicant; and/or
- b) Cash payment refund.

⁵ Indexed from the date it was levied to date that the establishment cost of the trunk infrastructure was confirmed by Council using the 3-yearly PPI Index average.

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8.4 Infrastructure credits

8.4.1 Council will seek to provide a refund in the form of an infrastructure credit through written agreement with the applicant. The following methods for assigning the credits will be applied in order of preference:

- a) Where future stages are to be developed under the approval and the future stages will be subject to a levied charge; the refund is to be held as a credit on the land that is the subject of the future stages of development;
- b) Where (a) does not apply, and the applicant or related entities of the applicant hold development approvals over other land in the Local Government Area that will be subject to a levied charge, the refund is to be held as a credit against the parcels of land the subject of the development approval(s);
- c) Where (a) or (b) do not apply and the applicant or related entities of the applicant:
 - (i) have development applications currently being assessed by Council in the Local Government Area that, if approved, would be subject to a levied charge; and
 - (ii) is the current owner of the land;the refund is to be held as a credit against the land that is the subject of the development applications upon the application(s) being approved.

8.4.2 Infrastructure credits are to be held in the form cash based on the monetary value of the refund determined in accordance with section 8.3.

8.4.3 Claiming infrastructure credit – The infrastructure credits can be used to reduce the amount of the levied charge that is payable for other development that is subject to the agreement. The monetary value of the credits are to be indexed to the time that they are claimed in accordance with the 3-yearly PPI Index average.

8.5 Timing of refund

8.5.1 Where infrastructure credits do not apply, a cash payment refund will be paid by Council. The timing of the refund will be determined on a case by case basis based on:

- the amount of the refund;
- the financial position of Council's budget;
- the projected revenue from infrastructure charges and other revenue sources;
- Council's projected expenditures.

8.5.2 Where the refund or part of the refund is not given in the same financial year that it was calculated, the refund or part of the refund provided in the subsequent financial year(s) is to be indexed to the time that it is refunded in accordance with the 3-yearly PPI Index average.

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8.6 Infrastructure Agreements

8.6.1 Council, at its absolute discretion, may enter into an Infrastructure Agreement where alternatives to the above processes are being sought by an applicant or to address other matters including (but not limited to):

- the method for determining the establishment cost of trunk infrastructure;
- the required charges or trunk infrastructure to be contributed for each component or hierarchy of the network;
- the timing of payment of levied charges;
- the nature and timing of offsets and refunds;
- the nature of any security to be lodged and the details of the use and release of such security;
- details of the trunk infrastructure to be provided and the provision program;
- details of the responsible entity for the funding, design and construction of the trunk infrastructure including land acquisition (if applicable);
- Limited novation, assignment and rescission provisions to allow an alternate party to construct the same trunk infrastructure detailed in the agreement;
- Provisions for unforeseen delays and redundancy provisions where a development approval and trunk infrastructure construction activities are held in abeyance;
- Any other details considered appropriate by the Council.

Each party the subject to the Infrastructure Agreement will bear their own costs for the preparation of the Infrastructure Agreement.

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9.0 Plans for Trunk Infrastructure

9.1 Until Cook Shire Council's Local Government Infrastructure Plan for the Cook Shire Council is adopted, this resolution identifies the existing and proposed trunk infrastructure as follows:

- (i) trunk infrastructure for water supply network for the areas as identified in the plans herein at **Attachment 3**;
- (ii) trunk infrastructure for sewerage network for the areas as identified in the plans herein at **Attachment 3**;
- (iii) trunk infrastructure for transport network for the areas as identified in the plans herein at **Attachment 3**;
- (iv) trunk infrastructure for public parks and community land network for the areas as identified in the plans herein at **Attachment 3**.

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10.0 Desired Standard of Service

10.1 Until Cook Shire Council's Local Government Infrastructure Plan for the Cook Shire Council is adopted, **Attachment 2** of this resolution identifies the desired standards of service (DSS) for the following networks:

- (i) water supply;
- (ii) sewerage;
- (iii) transport;
- (iv) public parks and community land.

10.2 The desired standard of service (DSS) details the standards that comprise an infrastructure network most suitable for the local context.

10.3 The DSS is supported by the more detailed network design standards included in planning scheme policies.

10.4 The Local Government aims to deliver the DSS for trunk infrastructure, however an entity does not have the right to expect or demand the standard⁶.

⁶ In accordance section 78 (2) of SPA.

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11.0 Schedule of infrastructure unit rates

11.1 Until Cook Shire Council's Local Government Infrastructure Plan for the Cook Shire Council is adopted, this resolution identifies the infrastructure unit rates for determining the planned establishment cost of the following trunk infrastructure networks:

- (i) water supply;
- (ii) sewerage;
- (iii) transport.

Water Supply

Water Mains Unit Rates as at 30/6/14 (Including Fittings)

Diameter (mm)	Material	Unit Rate* (\$/m)
100	uPVC	\$210
110	uPVC	\$222
125	uPVC	\$240
140	uPVC	\$258
150	uPVC	\$270
160	uPVC	\$279
200	uPVC	\$319
225	uPVC	\$358
250	uPVC	\$394
300	uPVC	\$471

* Base Unit rates (excluding overheads) based in urban good soil.

Water Mains Adjustment Factors

Water Mains Adjustment Factors		
Development	Soil Type	Diameter (mm)
		100-300
URBAN	Good Soil	1.00
	Sand	1.26
	ASS/ Poor Soil	1.28
	Soft Rock	1.21
	Hard Rock	1.45
RURAL	Good Soil	0.85
	Sand	1.10
	ASS/ Poor Soil	1.13
	Soft Rock	1.05
	Hard Rock	1.29

Sewerage

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Manhole Unit Rates as at 30/6/14

Depth (m)	\$/Each*
0 - 1.5	\$2,540
1.5 - 3.0	\$3,111
3.0 - 4.5	\$4,328
4.5 - 6.0	\$5,909
> 6.0	\$6,822

* Base Unit rates (excluding overheads) based in urban good soil.

Sewer Mains Unit Rates* as at 30/6/14

Diameter (mm)	Material	Depth Range (m)				
		<=1.5	>1.5-3.0	>3.0-4.5	>4.5-6.0	>6.0
150	UPVC	\$152	\$236	\$310	\$466	\$717
200	UPVC	\$205	\$304	\$396	\$576	\$858
225	UPVC	\$221	\$336	\$439	\$633	\$935
250	UPVC	\$219	\$337	\$444	\$642	\$965
300	UPVC	\$273	\$398	\$512	\$722	\$1,095
325	UPVC	\$317	\$455	\$581	\$807	\$1,219
350	UPVC	\$360	\$511	\$650	\$892	\$1,344

* Base Unit rates (excluding overheads) based in urban good soil.

Sewer Rising Mains Unit Rates as at 30/6/14

Diameter (mm)	Material	Unit Rate* (\$/m)
80	PVC	\$138
90	PVC	\$149
100	PVC	\$161
110	PVC	\$171
125	PVC	\$185
150	PVC	\$210
160	PVC	\$217
200	PVC	\$247
225	PVC	\$279
250	PVC	\$307
280	PVC	\$346
300	PVC	\$371

* Base Unit rates (excluding overheads) based in urban good soil.

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Transport

Road Upgrade Unit Rates as at 30/6/14

Hierarchy	\$/m*
Major Urban Collector	\$1,250
Rural Arterial	\$770

*Unit rates includes 15% contingency allowance.

Structure Upgrade Cost as at 30/6/14

Item	\$/m2 deck area
Bridge	\$2,600

Intersection Cost as at 30/6/14

Item	Average Cost
Medium Roundabout	\$75,000

Off-Road Pathways as at 30/6/14

Type	\$/m
Concrete 2.0m wide	\$320

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Attachment 1 – Definitions of Trunk Infrastructure

The following table defines the trunk infrastructure networks, systems and items.

Trunk Infrastructure Item	Systems	Elements
Water Supply	Bulk Supply Treatment Distribution	Water sources (dams, groundwater) Bulk supply mains Reservoirs Telemetry and instrumentation systems Water Treatment Plants Pump stations Re-chlorination facilities Distribution mains generally \geq 100 mm diameter
Sewerage	Collection Treatment Disposal/Reuse	Gravity sewers generally \geq 150 mm diameter Manholes Pump stations Rising mains generally \geq 100 mm diameter Odour and corrosion control systems Telemetry and instrumentation systems Sewerage treatment plants Storage facilities
Transport	Local government and State controlled roads	Effluent disposal and reuse systems Arterial, sub-arterial and major collector roads including associated intersections, local road drainage, kerb and channel, swales, culverts, bridges, and pathways within the road reserve.
Stormwater	Off-road pathways Stormwater Quantity	Cycleways and pedestrian pathways not within the road reserve. Natural waterways Overland flow paths/channels (natural and constructed) Piped drainage (including pipes, culverts, manholes, inlets and outlets) excluding items that have been included in the road network. Detention and retention facilities Trunk infrastructure excludes development infrastructure

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		internal to a development or to connect a development to the external infrastructure network.
	Stormwater Quality	Stormwater Quality Infrastructure Devices (SQIDs) Gross Pollutant Traps (GPTs) Wetlands Riparian corridors Bio-retention facilities Bank stabilisation, erosion protection and revegetation
		Trunk infrastructure excludes development infrastructure internal to a development or to connect a development to the external infrastructure network.
Public Parks and Community Land	Public Parks	Land, works and embellishments for local, district and local government-wide parks.
	Land for community facilities	Land and basic works associated with the clearing of land and connections to service only.

Attachment 2 – Desired Standards of Service

The Desired Standards of Service (DSS) state the level of service to be delivered to the community. The DSS identifies the performance standards for each trunk infrastructure network expressed in terms of:

- a) Planning Criteria—qualitative standards relating to network performance
- b) Design Criteria—quantitative standards relating to the capacity of the network.

Water Supply

Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)						
Reliability / continuity of supply	All development receives a reliable supply of potable water with minimal interruptions to their service.	<ul style="list-style-type: none"> • Water Supply Code of Australia (Water Service Association of Australia) • FNQROC Development Manual Design Guidelines - D6 Water Reticulation 						
		<table border="1"> <thead> <tr> <th>Performance Indicator</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>• The number of unplanned interruptions per 100 km/year</td> <td><10</td> </tr> <tr> <td>• Restoration of services – unplanned interruptions</td> <td>95% restored within 5 hours</td> </tr> </tbody> </table>	Performance Indicator	Target	• The number of unplanned interruptions per 100 km/year	<10	• Restoration of services – unplanned interruptions	95% restored within 5 hours
		Performance Indicator	Target					
• The number of unplanned interruptions per 100 km/year	<10							
• Restoration of services – unplanned interruptions	95% restored within 5 hours							

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Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)	
		Connections experiencing more than <ul style="list-style-type: none"> • interruption per year • interruptions per year • interruptions per year • interruptions per year • 5 or more interruptions per year 	Connections: <ul style="list-style-type: none"> • <12% • <2% • <1% • <0.5% • <0.25%
		Planned interruptions with > 24 hours notice	80%
		Response time to all events for 95% of customers	< 2hours
		Water leaks / breaks per 1,000 connections / year	<5
		Water leaks / breaks per 100 km mains / year	<20
		Service leaks / breaks per 1,000 connections / year	<30
		Rate of system water loss	<10%
Adequacy of supply	<p>All development is provided with a water supply that is adequate for the intended use.</p> <p>The Queensland Fire and Rescue Service (QFRS) support the use of the Planning Guidelines for Water Supply and Sewerage/ Chapter 6 Network Modelling developed by the Department of Natural Resources and Mines</p>	<ul style="list-style-type: none"> • Water Supply Code of Australia WSA 03-2002 (Water Services Association of Australia) • Cook Shire Council Total Management Plan for Water Supply and Sewage Services • FNQROC Development Manual Design Guidelines - • D6 Water Reticulation 	
		Performance Indicator	Target
		Minimum flow expectation at the property boundary	30L/minute
		Minimum service pressure expectation at the property boundary	22 metres head
		Maximum service pressure	60 metres head
		Fire Flow requirement - residential	1 hydrant at 15 L/s for 2 hours
		Fire Flow requirement - commercial	1 hydrant at 30 L/s for 4 hours
		Fire Flow network pressure	12 metres head in the water supply network
		Design Criteria – flow parameters <ul style="list-style-type: none"> • Average Daily Consumption (AD) • Mean Day Max Month (MDMM) • Peak Day (PD) • Peak Hour (PH) 	Design flow parameters: <ul style="list-style-type: none"> • 500 litre/person/day • 1.5 x AD • 2.25 x AD • 1.5 x PD

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Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)	
Quality of supply	Provide a uniform water quality in accordance with recognised standards that safeguards community health. Drinking water should be clear, colourless, adequately aerated and have no discernible taste or odour. It should be free from suspended matter or turbidity, pathogenic organisms and harmful chemical substances.	<i>The Australian Drinking Water Guidelines (ADWG)</i> For water supplied from non-conventional sources refer to: <ul style="list-style-type: none"> • Effluent Reuse under the Sewerage DSS • Stormwater Reuse under the Stormwater DSS 	
		Performance Indicator Target	
		Compliance with ADWG – Microbiological / Physical / Chemical	>95%
		The number of substantiated drinking water complaints per 1,000 connections / year	<10
		Drinking water quality incidents / year	<5
Environmental impacts	The environmental impacts of the water supply network are minimised in accordance with community expectations.	<ul style="list-style-type: none"> • Compliance with the requirements of the Environmental Protection Act 1994 and associated Environmental Protection Policies and the Water Act 2000. • Compliance with all environmental licenses and environmental management plans under the Water Act 2000 and the Environmental Protection (Water) Policy 1997. 	
Pressure and leakage management	The water supply network is monitored and managed to maintain the reliability and adequacy of supply and to minimise environmental impacts.	<ul style="list-style-type: none"> • Cook Shire System Leakage Management Plan • Cook Shire Drought Management Plan • System Leakage Management Plan (Chapter 3, Part 3, Division 1A Water Act 2000) 	
Infrastructure design / planning standards	Design of water supply infrastructure will comply with established codes and standards.	<ul style="list-style-type: none"> • Water Supply Code of Australia WSA 03-2002 (Water Services Association of Australia) • FNQROC Development Manual Design Guidelines - D6 Water Reticulation • The Australian Drinking Water Guidelines (ADWG) developed by the National Health and Medical Research Council • Planning Guidelines for Water Supply and Sewerage (Department of Energy and Water Supply) 	

Sewerage

Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)
Reliability	All development has access to a reliable sewerage collection, conveyance, treatment and disposal system that meets the desired public and environmental requirements for the community.	<ul style="list-style-type: none"> • Cook Shire Council Total Management Plan for Water Supply and Sewage Services. • Sewerage Code of Australia (Water Service Association of Australia). • Sewerage Pumping Station Code of Australia (Water Service Association of Australia). • FNQROC Development Manual Design Guidelines - D7 Sewerage System.
		Performance Indicator Target

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Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)	
		Sewage overflows per 100 km main / year	<5
		Sewage overflows to customer property per 1,000 connections / year	<1
		Odour complaints per 1,000 connections / year	<5
		Response time to all events for 95% of customers	< 2 hours
		Response time to Priority 1 events for 95% of customers	< 1 hour
		Sewer main breaks and chokes per 100km main / year	<10
		Rising main breaks per 100 km mains / year	<1
Quality of treatment	Ensures the health of the community and the safe and appropriate level of treatment and disposal of treated effluent. Customers are provided with a reliable reticulated sewage scheme that is designed to minimise risks to public health and the environment. Treatment processes adopt appropriate technology to minimise energy and chemical use, reduce operating costs and achieve a minimum life cycle cost.	Compliance with all environmental licenses and environmental management plans administered under the Water Act 2000 and the Environmental Protection (Water) Policy 1997. Treatment processes are designed to achieve the effluent quality standards defined by the Queensland Environmental Protection Agency (EPA) in accordance with current discharge licences.	
Environmental impacts	The environmental impacts of the sewerage network are minimised in accordance with community expectations. Minimise the impact of sewage infrastructure on air, water and land resources.	Compliance with all environmental licenses and environmental management plans under the Water Act 2000 and the Environmental Protection (Water) Policy 1997. Reduce contaminant loading on the natural environment.	

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Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)		
Effluent reuse	<p>Provide opportunities for the beneficial reuse of recycled water to reduce the amount of nutrients discharged into waterways.</p> <p>Reduce potable water consumption by using recycled water for non-potable demands (i.e. construction, irrigation).</p> <p>Where possible biosolids generated by the sewage scheme will be recycled.</p>	<p>Effluent reuse schemes are designed in accordance with relevant legislation and guidelines including:</p> <ul style="list-style-type: none"> • Public Health Amendment Regulation (No.1) 2008 • Recycled Water Management Plan and Validation Guideline, 2008 (Department of Energy and Water Supply) • Recycled Water Management Plan Exemption Guidelines, 2008 (Department of Energy and Water Supply) • Water Quality Guidelines for Recycled Water Schemes, 2008 (Department of Energy and Water Supply) • Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1), 2006 (EPHC, NRMMC, AHMC) • Australian Guidelines for Water Recycling: Augmentation of Drinking Water Supplies (Phase 2), 2008 (EPHC, NRMMC, AHMC) 		
Infrastructure design / planning standards	<p>The design of the sewerage infrastructure will comply with established codes and standards.</p> <p>Sewerage infrastructure is required to :</p> <ul style="list-style-type: none"> • Convey sewage at adequate velocity to limit blockages and detention times • Minimise odour generation • Limit surcharging of the system • Reduce whole of life costs • Appropriately treat all sewage • Sustainably manage treated water discharge • Reflect community expectations 	<ul style="list-style-type: none"> • Sewerage Code of Australia WSA 02-2002 (Water Services Association of Australia) • Sewerage Pumping Station Code of Australia WSA 04-2005 (Water Services Association of Australia) • FNQROC Development Manual Design Guidelines - D7 Sewerage System • Planning Guidelines for Water Supply and Sewerage (Department of Energy and Water Supply) 		
		Design Element		Value
		Sewage Loading		<ul style="list-style-type: none"> • 270 L/EP/day
		Property Connections		<ul style="list-style-type: none"> • 100mm dia • 150mm dia

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Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)	
		Gravity Mains <ul style="list-style-type: none"> • Mannings 'n' • Minimum Velocity @ PWWF • Minimum Velocity @ PDWF • Depth of Flow @ PWWF 	<ul style="list-style-type: none"> • 0.013 • 0.6 m/s • 0.3 m/s • Maximum flow depth shall not exceed 75% of pipe full.
		Pumping Stations <ul style="list-style-type: none"> • Total Pump Station Capacity • Emergency Storage 	<ul style="list-style-type: none"> • Not less than 5 x ADWF • 6 hours at ADWF
		Rising Mains <ul style="list-style-type: none"> • Minimum Velocity (average daily) • Minimum Velocity (preferred) • Maximum Velocity 	<ul style="list-style-type: none"> • 0.75 m/s • 1.5 m/s • 2.5 m/s

Transport

Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)	
Road network design / planning standards	<p>The road network provides a functional urban and rural hierarchy that supports settlement patterns, commercial and economic activities, and freight movement. It should be noted that in Cook Shire the road hierarchy consist of state controlled roads or council trunk roads.</p> <p>Promote safety by separating different travel functions having different and conflicting operating characteristics and requirements.</p> <p>Minimise peak congestion and safety problems.</p> <p>Minimise fuel consumption, emissions and congestion by maintaining optimal operating speeds across the hierarchical network.</p> <p>Provide for the volume/capacity ratio.</p> <p>Protect residential amenity and efficient freight routes.</p>	<p>Design of the road system will comply with established codes and standards including:</p> <ul style="list-style-type: none"> • Local government road design and development manual/standards/codes in planning scheme and planning scheme policy • FNQROC Development Manual Design Guidelines - D1 Road Geometry • FNQROC Development Manual Design Guidelines - D3 Road Pavements • Road Planning and Design Manual (Department of Transport and Main Roads) • AUSTRROADS Guides • Australian Standards • The Institute of Public Works Engineering Australia, QLD Division. (IPWEA). <p>Ensure traffic on access streets does not exceed 750 vehicles per day with less than 3.0% heavy goods vehicles.</p> <p>Maximum degree of saturation and average delay intersections 0.95 and 25 seconds respectively.</p>	

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Cycleway and pathway design / planning standards	<p>Cycleways and pathways provide a safe and convenient network that encourages walking and cycling as acceptable alternatives.</p> <p>Design of the network will comply with established codes and standards.</p>	<ul style="list-style-type: none"> • Local government road design and development manual/standards/codes in planning scheme and planning scheme policy • Australian Standards • AUSTRROADS Guide to Traffic Engineering Practice—Part 14 (Chapter 10) • Queensland Streets Manual
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Stormwater

Planning Standard	Community Outcome
Provide a system of shared stormwater infrastructure allowing for safe drainage of urban land while maintaining or improving the quality of run-off.	<ul style="list-style-type: none"> • Minimises inundation of habitable areas • Minimises the damage and risk associated with flooding • Minimises the impact of development on the ecological health and water quality within waterway corridor
Ensure the use of Water Sensitive Urban Design and other types of on-site infrastructure to minimise impact on the natural environment	<ul style="list-style-type: none"> • Provides waterways infrastructure at the lowest life cycle cost • Reduces the scale of built infrastructure by optimising on site solutions • Improves water quality at the point of discharge to benefit the natural waterway corridor's health
Ensure sufficient buffers from urban development are along waterway corridors for ecological links (including the rehabilitation of degraded waterway corridor banks, where required).	<ul style="list-style-type: none"> • Maintain or improves environment amenity such as scenic values and natural construction • Erosion and sedimentation run off is minimised • Negative impacts on adjoining and downstream properties are minimised • Protects environmentally sensitive areas from development
Ensure natural stream processes are maintained within waterway corridors.	<ul style="list-style-type: none"> • Reduces the need for costly structural treatments of waterway corridor banks • Provides for natural processes of accretion, erosion and sedimentation and reduces environmental effects from pollution • Increases regional water quality
Design Standard	Community Outcome
Design stormwater infrastructure to comply with: <ul style="list-style-type: none"> • Far North Queensland Regional Organisation of Councils (FNQROC) Design Manual; • Queensland Urban Drainage Manual (QUDM); and • EPA requirements and guidelines. 	<ul style="list-style-type: none"> • Free and safe drainage of urban land • Maintain or improve water quality and ecological health
Implement Water Sensitive Urban Design principles to achieve maximum on site quantity and quality treatment and minimise offsite discharge.	<ul style="list-style-type: none"> • Maximise the water quality on site • Negative impacts on adjoining and downstream properties are minimised
Implement regional and on-site detention facilities to minimise the impact of peak run-off for the full range of Annual Exceedance Probability (AEP) events (100% AEP to 1% AEP) from developments, taking into account	<ul style="list-style-type: none"> • Reduces the cumulative impact from existing and future developments on peak flow levels • Reduces the need to increase the size of waterway corridors and underground drainage • Increases active and passive recreation opportunities

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<p>safety and risk.</p> <p>Design detention basins to maintain pre-development peak flow levels from the development site for all flood events (100% AEP to 1% AEP).</p> <p>Design Detention Basins in the same catchment to ensure that the coincident peak discharge at downstream control points is not increased.</p>	<ul style="list-style-type: none"> • Minimises the impact on the environmental values of downstream waterway corridors by maintaining pre-development flows and velocities • Reduces downstream sedimentation by slowing flow velocities
<p>Design bridges and culverts with appropriate flood immunity and capacity to convey floodwater, taking into account the Council's road hierarchy.</p> <p>Construction of bridges and culverts must not adversely impact on the natural environment, such as through the loss of vegetation and undesirable impacts on bio-diversity.</p> <p>Design bridges and culverts to maintain fauna and recreational links.</p>	<ul style="list-style-type: none"> • Ensures road crossings operate safely in times of inundation • Reduces the risk of flooding for surrounding properties • Provides opportunities for extended pedestrian and bicycle links • Enhances ecological links

Public Parks and Community Land

The overall Standards of Service for land for public recreation (e.g. for parks, sporting and recreation facilities) and community land are comprised of two main elements.

- a) A Preferred Level of Supply (PLS) of various types of land for parks and facilities which caters for informal and formal public recreation and community facilities. This can be described as the "planned provision" of raw land supply that will be embellished (or developed) to provide for a range of public recreation and community facilities opportunities.
- b) A preferred Level of Development or embellishment for each type of park. This describes what facilities and features should be developed as a minimum for different types of parks and is termed the "Preferred Level of Development" (PLD).

The following tables identify the preferred level of supply and standards for the public parks and community land network.

Table 1a – Rate of Land Provision – Public Parks

Infrastructure Type	Rate of Provision (Ha/1000 people) – Public Parks			
	Local	Village	Township	Shire/Regional
Recreation Park	0.5 Ha	1-2 Ha	2 Ha	2 Ha+
Sport Park	NA	2-5 Ha	5 Ha+	10 Ha

Table 1b – Rate of Land Provision – Community Facilities

Infrastructure Type	Rate of Provision (1 x per population) – Community Facilities					
	Local		District		Shire/Regional	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Community	6,000	10,000				

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Centre

Youth Centre	10,000	20,000		
Library			15,000	30,000
Multi-purpose community centre			20,000	30,000
Performing Arts Space			30,000	50,000
Art Gallery				30,000 150,000
Central Library				30,000 150,000
Civic/Cultural Centre				30,000 120,000

Table 2 – Accessibility Standard

Infrastructure Type	Accessibility Standard (km)				
	Local		Village	Township	Shire/Regional
Recreation Park	1,000m residential zone		1-2km	10-15 min drive	1 hour drive
	2-5 min car access				
Sport Park	NA		10-15 min drive	10-15 min drive	1 hour drive
Community Land	Generally within walking distance for majority of population		Generally within 2-5 minutes car access	Generally within commercial centre and/or with other public facilities	Generally within commercial centre

Table 3a – Size of Parks and Community Land

Infrastructure Type	Minimum Size (Ha) – Public Parks			
	Local	Village	Township	Shire/Regional
Recreation Park	0.3 Ha	1 Ha	2 Ha+	Varies
Sport Park	NA	1.5 Ha+	3 Ha	Varies

Table 3b – Size of Community Facilities

Infrastructure Type	Minimum Size (m ²) – Community Facilities					
	Local		District		Shire/Regional	
	Site Area	GFA	Site Area	GFA	Site Area	GFA
Community Centre	5,000m ²	600-800m ²				
Youth Centre	Requirements vary significantly in size from facility to facility. A minimum floor area of 600-1,000m ² should be considered for a district level facility. The site may be large enough to contain recreational uses (5,000-10,000 m ²) or adjoin open space. Local facilities can be as small as a house (e.g. 200 m ² on a small site). Office space or shop fronts are other					

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Library	models.	For a branch Library, the minimum amount of public floor space provided should be 150m ² , with requirements between 37 and 43m ² per 1 000 population.	
Multi-purpose community centre		10,000m ²	1,000m ²
Performing Arts Space	Guidance might be sought from Arts Queensland on requirements for arts and cultural facilities. Minimum site area requirements may be around 3,000m ² but will depend on the type of facility and its capacity for performances.		
Art Gallery	As opportunity arises		
Central Library*	Between 37 m ² and 49 m ² per 1,000 population, with higher floor space to people ratios for smaller populations. Additional to this are areas for staff training, and meeting rooms. Area requirements for processing and storage of items required for additional sites include 50m ² per mobile library (does not include housing and parking requirements of the vehicle)		
Civic/Cultural Centre		15,000m ²	2,000-5,000m ²

*State Library Building Standards of QUEENSLAND provide detailed floor space requirements.

Table 4 – Maximum Desired Grade

Infrastructure Type	Maximum Gradient			
	Local	Village	Township	Shire/Regional
Recreation Park	1:20 for main use area	1:20 for main use area	1:20 for main use area	1:20 for main use area (e.g. picnic facility)
	1:6 for remainder	1:50 for kick about area	1:50 for kick about area	1:50 for playing surface
		Variable topography for remainder	Variable topography for remainder	
Sport Park	NA	1:50 for all playing surface	1:50 for all playing surface	1:20 for main use area (e.g. picnic facility)
		Must be accessible slopes if for facility.		1:50 for playing surface

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Community Land As required for building purposes

Table 5 – Minimum Desired Flood Immunity

Infrastructure Type	Maximum Gradient			
	Local	Village	Township	Shire/Regional
Recreation Park	Main use area free of regular flooding (i.e. above Q10) with at least 10% of total area above Q50. Free of hazards	Main use area free of regular flooding (i.e. above Q10) with at least 10% of total area above Q50. Free of hazards	Main use area free of regular flooding (i.e. above Q10) with at least 10% of total area above Q50. Free of hazards	Use areas above Q10. Free of other physical hazards. Fields/courts above Q50. Built facilities above Q100
Sport Park	NA	Free of hazards Facilities above Q100 Fields above Q50	Free of hazards Fields/Courts above Q50. Built Facilities above Q100.	Use areas above Q10. Free of other physical hazards. Fields/courts above Q50. Built facilities above Q100
Community Land	As required for building purposes			

Table 6 provides a summary of the embellishment outcomes considered as the preferred level of development (or embellishment) for each park type. The information in this table should be considered as a summary only and should be further informed by any current or future park planning and design guidelines identified by Cook Shire Council in the Planning Scheme and the Sport Recreation and Open Space Plan - South East Part of Cook Shire, 2007, Strategic Leisure Group, 2007.

Table 6 – Standard Facilities/Embellishments for Parks

Embellishment Type	Recreation Parks			Sports Parks		
	Local /Village	Township	Shire /Region	Village	Township	Shire /Region
Car Parking and Internal roads	✓	✓	✓	✓	✓	✓
Fencing/bollards	✓	✓	✓	✓	✓	✓
Lighting	✓	✓	✓	✓	✓	✓

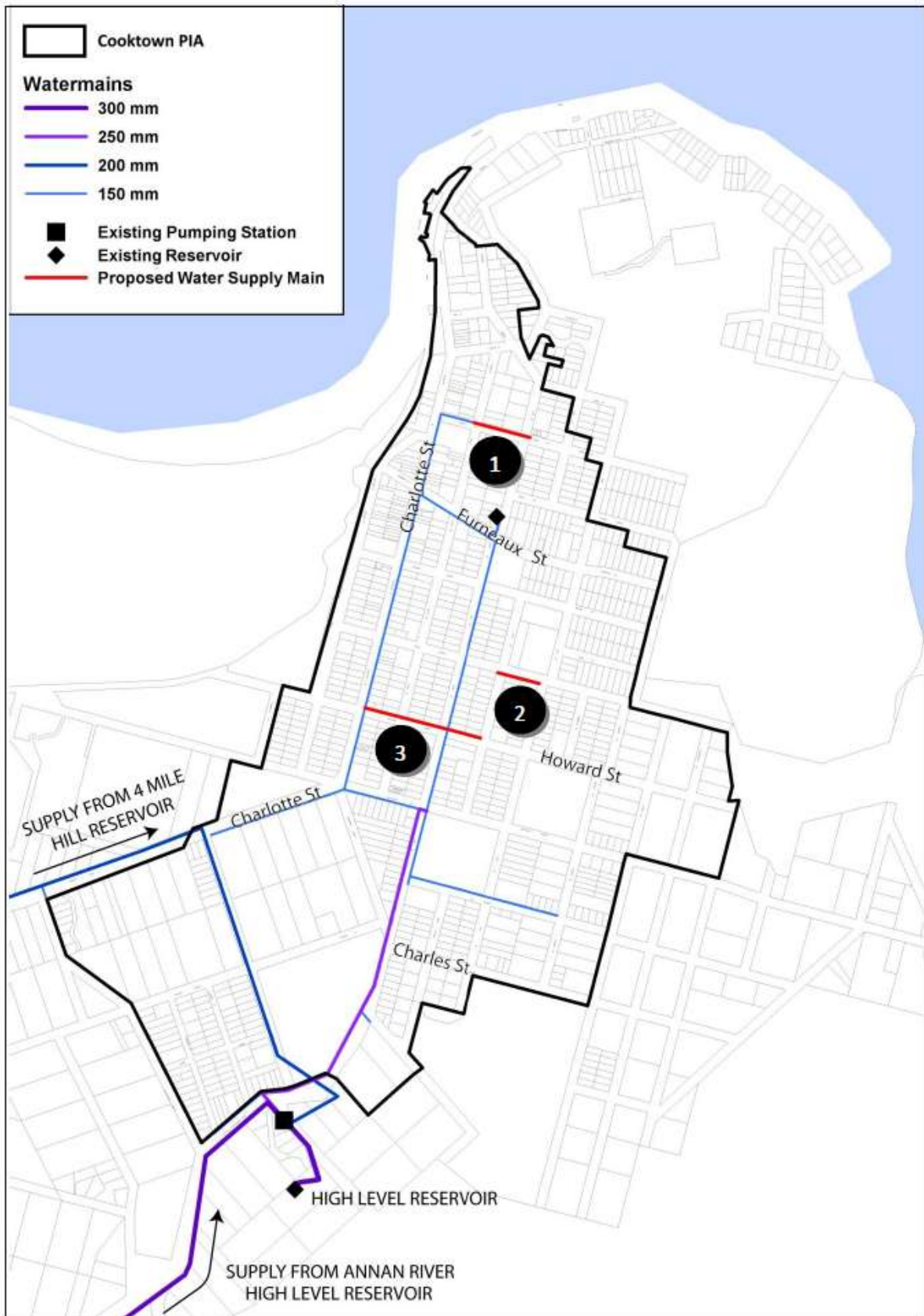
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Toilets	✓	✓	✓	✓	✓	✓
Paths (pedestrian/ cycle)	✓	✓	✓	✓	✓	✓
Shade structures	✓	✓	✓	✓	✓	✓
Tap/bubbler	✓	✓	✓	✓	✓	✓
Picnic tables, Seats, BBQ	✓	✓	✓	✓	✓	✓
Landscaping (including earthworks, irrigation and revegetation)	✓	✓	✓	✓	✓	✓
Youth Facilities - Informal Active facilities	✓	✓	✓	✓	✓	✓
Sporting Fields	✓	✓	✓	✓	✓	✓
Playgrounds	✓	✓	✓	✓	✓	✓
Special Elements (signage)	✓	✓	✓	✓	✓	✓

Attachment 3 – Plans for Trunk Infrastructure

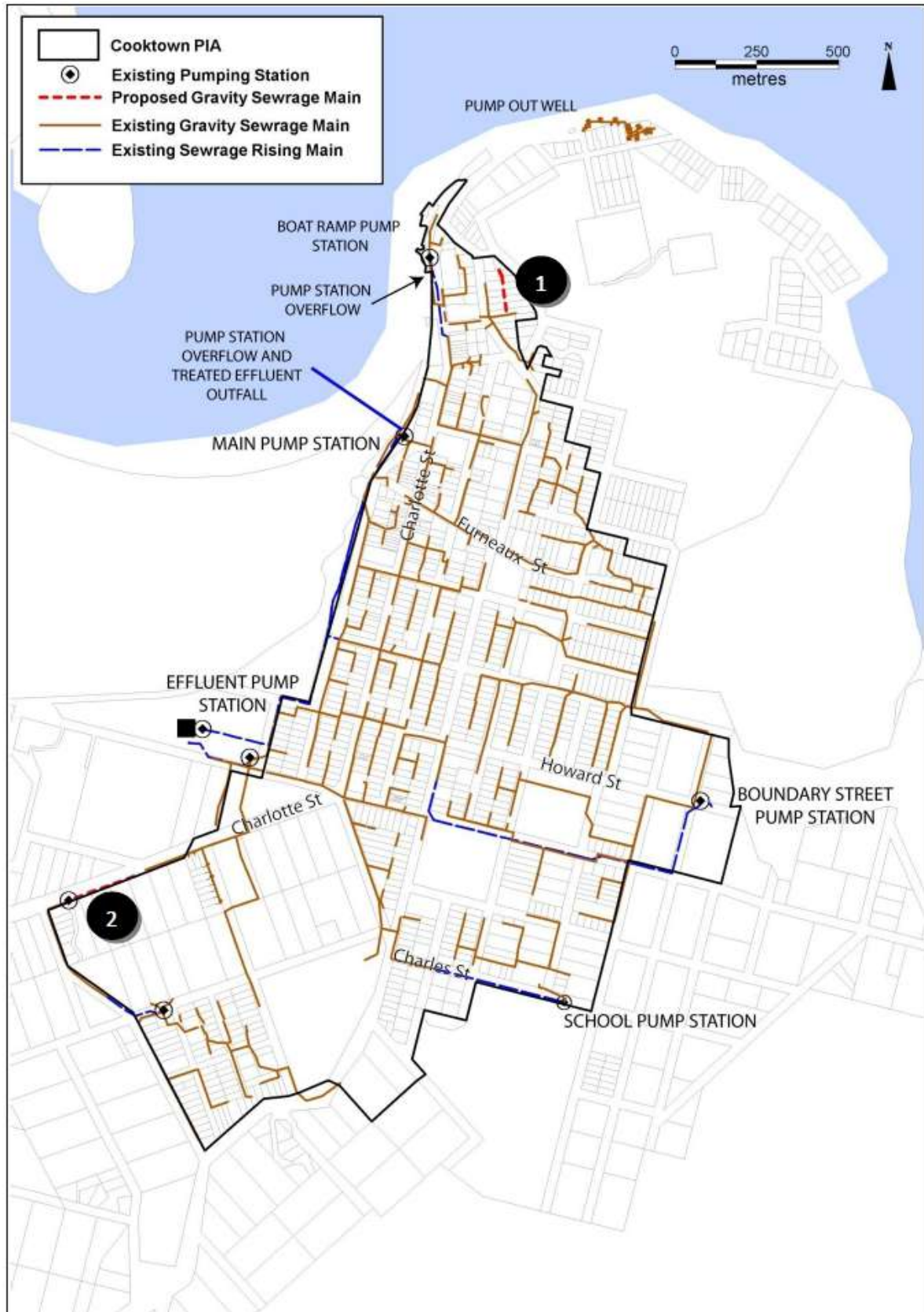
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Map 1 – Water Supply Network Plans for Trunk Infrastructure



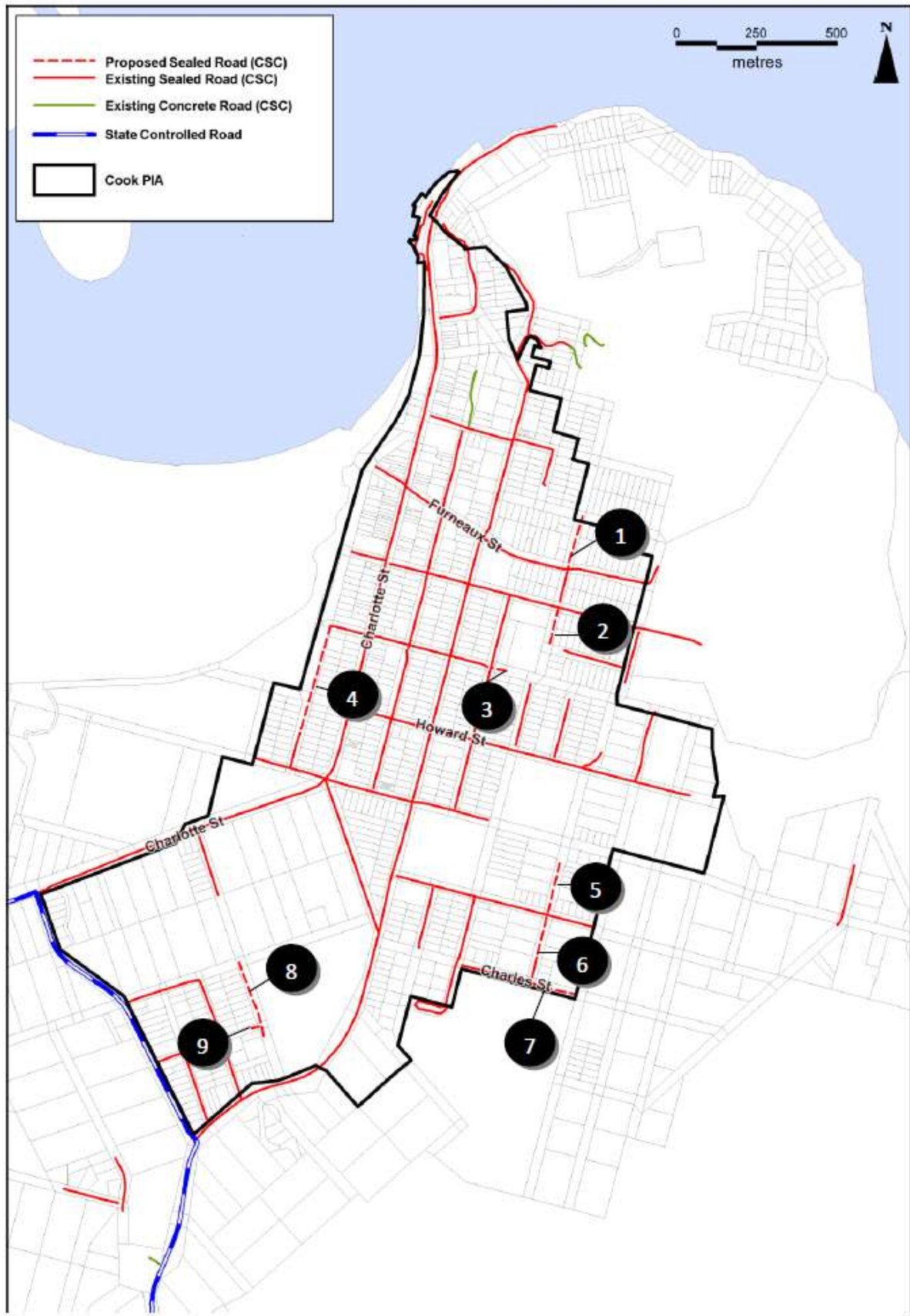
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Map 2—Sewerage Network Plans for Trunk Infrastructure



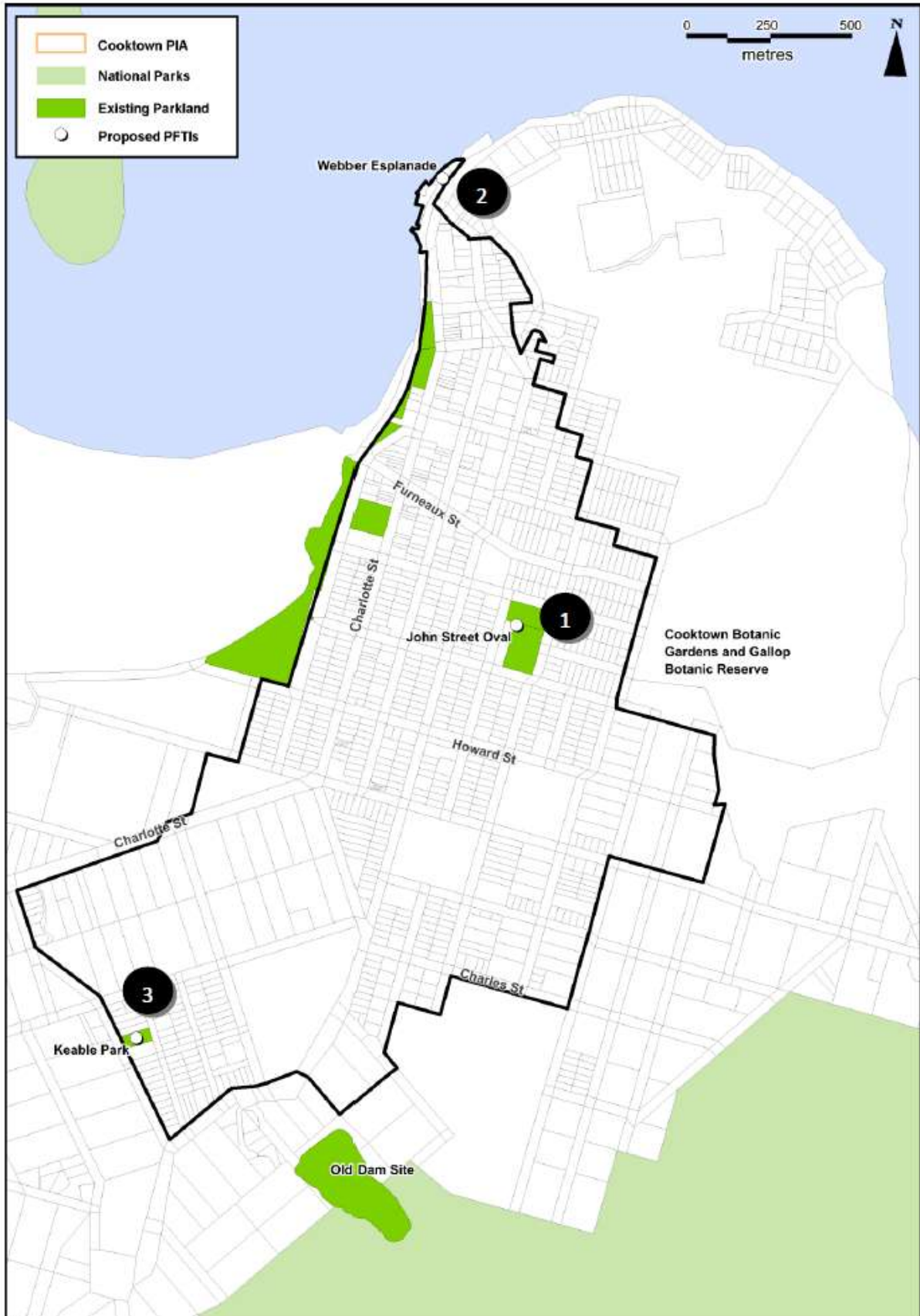
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Map 3 – Transport Network Plans for Trunk Infrastructure



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Map 4 – Public Parks and Community Land Plans for Trunk Infrastructure



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Attachment 4 – Schedule of Works

Water Supply

Map No.	Item ID	Future infrastructure asset description	Estimated Year of completion	Estimated Cost (\$)
Map 1	1	Construction of new water main in Green Street (Helen St to Hope St)	2021	\$70,000
Map 1	2	Construction of new water main in Hogg Street (John St to May St)	2021	\$50,000
Map 1	3	Construction of new water main in Howard Street (John St to Charlotte St)	2021	\$140,000
Total establishment cost				\$260,000

Sewerage

Map No.	Item ID	Future infrastructure asset description	Estimated Year of completion	Estimated Cost (\$)
Map 2	1	Construction of new gravity sewer to service Baird Rd (connect to existing Flinders St gravity sewer)	2021	\$50,000
Map 2	2	Construction of new gravity sewer in Charlotte St (connect to Two Mile Creek SPS)	2021	\$50,000
Total establishment cost				\$100,000

Transport

Map No.	Item ID	Future infrastructure asset description			Estimated Year of completion	Estimated Cost (\$)
		Road	From	To		
Map 3	1	May St	Pryde St	Furneaux St	2021	\$180,000
Map 3	2	May St	Walker St	Kerr St	2021	\$120,000
Map 3	3	Hogg St	John St	May St	2021	\$60,000
Map 3	4	Adelaide St	Boundary St	Hogg St	2021	\$420,000
Map 3	5	Garden St	Ida St	Boundary St	2021	\$180,000
Map 3	6	Garden St	Ida St	Charles St	2021	\$180,000
Map 3	7	Charles St	Garden St	Power St	2021	\$180,000
Map 3	8	Mason St	Savage St	Adams St	2021	\$300,000
Map 3	9	Adams St	Mason St	Existing	2021	\$60,000
Total establishment cost						\$1,680,000

Public Parks and Community Land

Map No.	Item ID	Future infrastructure asset description	Estimated Year of completion	Estimated Cost (\$)
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Map 4	1	Upgrade of Johns St Oval	2021	\$150,000
Map 4	2	Development of Webber Esplanade	2021	\$2,000,000
Map 4	3	New Local Play at Keable Park	2021	\$50,000
			Total establishment cost	\$2,200,000

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**Attachment 5 – Methodology for Determining Final Contract Value for Trunk
Infrastructure Works**

1. Notice of Design with Operational Works

- a) Upon lodgement of the development application for Operational Works, the applicant is to provide Council a formal Notice of Trunk Infrastructure Design (the **Notice of Design**), including a plan which clearly depicts the trunk infrastructure items that is the subject of the necessary trunk infrastructure condition. The plan may be in the same format as the operational works plan; however it must clearly distinguish the trunk infrastructure from any non-trunk infrastructure.
- Note:** The intent of the Notice of Design process is to attain early agreement as to the scope and nature of the trunk works generally described in the Development Approval.
- b) Council will assess the Notice of Design in conjunction with the Operational Works application and will advise the applicant if Council:
- (i) agrees; or
 - (ii) agrees with conditions, or
 - (iii) disagrees with the Applicant's Notice of Design.
- c) Once a Design Approval is given which forms part of the Operational Works Approval and Permit, the applicant may then seek to tender the construction of the trunk works.

2. Call for Tender Notification

- a) At the time that the applicant calls for public tenders for the trunk infrastructure works, a notice (a **Notice to Tender**) containing the following information is to be submitted to Council. :
- (i) Final detailed design documents;
 - (ii) A Bill of Quantities* for the Trunk Works (no costs required) that matches the Trunk Works identified in the Operational Works Approval including the Notice of Design.
 - (iii) Notification of any prospective tenderers that the tender documents have been sent to specifically as part of the open public tender.
 - (iv) The criteria and process for tender assessment that the Applicant and the RPEQ will undergo.

***Note:** The bill of quantities should be presented as a 'separable portion' from the rest of the non-trunk (internal) development works, and in the same format it would be presented to tenderers as part of a tender process. Providing the information in this manner will ensure Council's assessment of the trunk infrastructure design, bill of quantities and costs is seamless and expedited.

3. Tender Assessment of Trunk Works

- a) In procuring the Trunk Works, the following costs can be included in the offset/refund value:
- (i) the cost of planning and designing the work;
 - (ii) the cost of survey and site investigation for the work;
 - (iii) the cost of relocation of services which are considered necessary to deliver the works in accordance with Council standards;
 - (iv) a cost (fixed or provisional) under a construction contract for the work;
 - (v) contract administration;
 - (vi) construction/engineering supervision;
 - (vii) a portable long service leave payment for a construction contract;

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- (viii) an insurance premium for the work;
 - (ix) Council's inspection fee for the commencement and end of the maintenance period for the work;
 - (x) the cost of an approval for the work;
 - (xi) any variations agreed to by Council as a result of agreed site directions including the superintendent of works and the Council officer.
- b) The following is to be excluded from the offset/refund value of the trunk works:
- (i) the cost of carrying out temporary infrastructure;
 - (ii) the cost of carrying out non-trunk infrastructure;
 - (iii) the cost of the decommissioning, removal and rehabilitation of infrastructure identified in (i) and (ii) above;
 - (iv) the part of the trunk infrastructure contribution provided by Council or a person other than the person seeking the infrastructure offset;
 - (v) a cost to the extent that GST is payable and an input tax credit can be claimed for the work;
 - (vi) the cost of carrying out relocation or rehabilitation works for existing infrastructure not directly associated with the supply of trunk works.
- c) In procuring the trunk works, the applicant is to provide to Council a Notice (**Notice of Tender Assessment**) which identifies:
- (i) the tender process conducted;
 - (ii) the tenders received including separable portions and contract values for trunk works within the bill of quantities;
 - (iii) the applicant's preferred tenderer;
 - (iv) the applicant's reason(s) for the preferred tenderer in a tender evaluation report;
 - (v) the terms of the proposed work contract;
 - (vi) a plan for each infrastructure network clearly showing the extent of the works or land for which the infrastructure offset is sought.
- d) Within 10 business days of receiving a Notice of Tender Assessment, Council is to provide a Notice confirming the Contract Value, having regard to matters outlined in this section only.

4. Reconciliation of Final Contract Value

A Reconciliation of Final Contract Value is to occur following lodgment of the earlier of:

- a) an application for 'On Maintenance' with Council for the Trunk Works; or
- b) Lodgment of an Uncompleted Works Bond.

If the Applicant has fully completed the Trunk Works and is seeking an 'On Maintenance' certificate from Council for the Trunk Works, the Applicant is to provide to Council a **Notice of Final Contract Value**. The Notice is to include the following:

- a) Copy of RPEQ Certificate(s) of Payment for each Progress Claim for the Trunk Works and any agreed variations;
- b) A reasonable amount of evidence to support any claimed and agreed variations (e.g. consultant reports, weigh bills, meeting minutes with Council officers, design details etc.)
- c) A consolidated Final Bill of Quantities in the same general format as was included in the Notice to Tender, but having regard for (a) and (b) above.

Within five (5) business days of Council's satisfaction that:

1. (a) and (b) above are consistent with the Design Approval and Notice of Tender Assessment; and
2. 'On Maintenance' being given by Council for the Trunk Works;

the Council is to confirm the Final Contract Value.

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In certain circumstances, and at Council's full discretion, Council may accept a bond for Uncompleted Works prior to the Trunk Works being accepted as 'On Maintenance'. In this circumstance, the following will apply:

If the Applicant has **not** fully completed the Trunk Works and is seeking early Plan Sealing or compliance with Conditions from Council through the signing of an Uncompleted Works Deed, the Applicant is to provide a **Notice of Final Contract Value**. The Notice is to include the following:

- (a) Copy of an RPEQ Certificate of Payment for each Progress Claim for the Trunk Works and any agreed variations to the date of the calculation of remaining works for the purpose of the Uncompleted Works Bond;
- (b) A reasonable amount of evidence to support any claimed and agreed variations (e.g. consultant reports, weigh bills, meeting minutes with Council officers, design details etc.)
- (c) An RPEQ certified assessment in line with the quantities and costs of remaining works specified for the Trunk Works component in the Uncompleted Works Deed submitted to Council;
- (d) A consolidated Final Bill of Quantities in the same general format as was included in the Notice to Tender, but having regard for (a) and (b) above, and including the estimated amount in line with (c) above.

Within 5 business days of Council's satisfaction that:

1. (a) and (b) above are consistent with the Design Approval and Notice of Procurement; and
2. The acceptance of an Uncompleted Works Deed by Council for the Trunk Works;

the Council is to confirm the Final Contract Value.

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LAND TENURE

31018	APPLICATION TO ADD ADDITIONAL PURPOSE OF LOW KEY TOURISM TO ROLLING TERM LEASE PH 14/242 OVER LOT 242 ON PLAN SP154003 – SPRINGVALE STATION, MULLIGAN HIGHWAY, LAKELAND; PARISH OF KINGSDALE; LOCALITY OF LAKELAND.	
	<i>Report No.D15/12448 from Land Tenure Officer File No. 2.650.73.</i>	

Cr P Johnson moved; seconded Cr A Wilson

1. The Department of Natural Resources and Mines be advised that Council raises no objection to the additional purpose of Low Key Tourism to Rolling Term Lease PH14/2424, over Lot 242 on Plan SP154003, subject to;
 - (i) the lessees ensuring that all structures and/or buildings have obtained compliance with the requirements of the Queensland building legislation, the Building Act 1975 and referenced legislation.
 - (ii) all necessary approvals for the low key tourism use are obtained from Cook Shire Council prior to the use commencing.
2. Moreover, Council is unaware of any local non-indigenous cultural heritage values within the lease area that should be considered when assessing the application.

CARRIED

Précis

1. Raise no objection to the change of conditions of a lease to include the additional purpose of Low Key Tourism.

Background/History

2. By letter dated 13 May 2015, the Department of Natural Resources and Mines advised that an application had been received to add additional purpose to Rolling Term Lease PH14/2424, over Lot 242 on Plan SP154003, being Springvale Station Pastoral Holding. See attached SmartMaps.
3. The proposed application is to add an additional condition on the lease to include the additional purpose of Low Key Tourism – current use of land is for Grazing purposes.
4. Planning and Environment advised that there are no outstanding planning requirements although planning approvals may be required prior to the low key tourism use commencing.
5. Although there does not appear to be any outstanding building matters, the lessee must ensure that all structures and/or buildings have obtained compliance with the

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requirements of the Queensland building legislation, the Building Act 1975 and referenced legislation.

6. Engineering have no issues or requirements.
7. There are no known local non-indigenous cultural heritage values within the lease area.
8. The following recommendation is submitted for consideration.

Link to Corporate Plan

9. Key issue 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations

Consultation

10. Internal

Legal Implications (Statutory, basis, legal risks)

11. Nil

Policy Implications

12. Nil

Financial and Resource Implications (Budgetary)

13. Nil

RECOMMENDATION

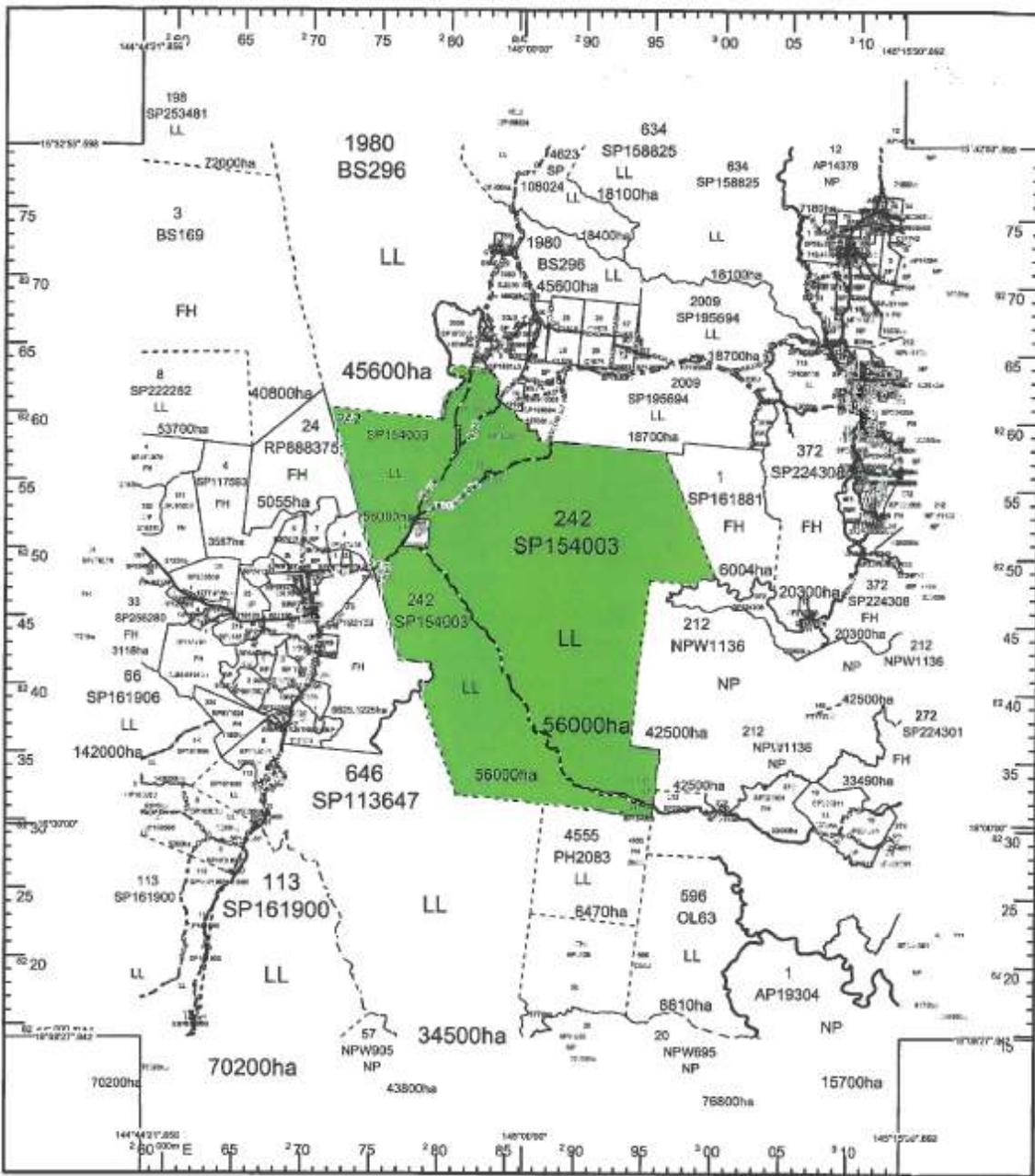
1. The Department of Natural Resources and Mines be advised that Council raises no objection to the additional purpose of Low Key Tourism to Rolling Term Lease PH14/2424, over Lot 242 on Plan SP154003, subject to;
 - (iii)the lessees ensuring that all structures and/or buildings have obtained compliance with the requirements of the Queensland building legislation, the Building Act 1975 and referenced legislation.
 - (iv)all necessary approvals for the low key tourism use are obtained from Cook Shire Council prior to the use commencing.

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2. Moreover, Council is unaware of any local non-indigenous cultural heritage values within the lease area that should be considered when assessing the application.

Att.
SmartMaps

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STANDARD MAP NUMBER
7866-21221



SmartMap

An Online Product of
SmartMap Information Services
Based upon an extract from the
Digital Cadastral Data Base



SUBJECT PARCEL DESCRIPTION

DCDB	242/SP154003
Lot/Plan	56000ha
Area/Volume	LAND LEASE
Tenant	COOK SHIRE
Local Government	LAKELAND
Locality	KINGSDALE
Parish	BOLANDER
County	56001
Segment/Parcel	

CLIENT SERVICE STANDARDS

PRINTED (9/05/2015) 13:06:04
For additional information regarding this SmartMap see page 2.
Shading Rates have been applied.

DCDB 13/05/2015 (Lots with an area less than 0.2000ha are not shown)

Users of the information provided in this document (the information) accept all responsibility and risk associated with the use of the information and should seek independent professional advice in relation to dealings with property.

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(Department of Natural
Resources and Mines) 2015.

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31019	NORTH QUEENSLAND LOCAL GOVERNMENT ASSOCIATION 2015 CONFERENCE – SUBMISSION FOR REVIEW OF CURRENT STATE LEGISLATIVE POLICIES FOR RENEWAL OF LEASES, ROLLING LEASES AND CONVERSION OF LEASES.	
	<i>Report No.D15/12519 from Land Tenure Officer File No. 2.965.257 (610).</i>	

Cr A Wilson moved; seconded Cr P Johnson

Council make submission to the North Queensland Local Government Association as per attached.

CARRIED

Précis

1. Submission to the North Queensland Local Government Association 2015 conference be endorsed.

Background/History

2. The *Land and Other Legislation Amendment Bill 2014*, introduced into the Queensland Parliament on 19 March 2014, reformed Queensland's leasehold land system, simplifying the process and improving tenure security.
3. The policy objective was to state land tenure reforms which improve tenure for term leases used for agriculture, grazing and pastoral purposes and declared offshore island tourism leases issued under the *Land Act 1994* (Land Act), and begin to reduce red tape and regulatory burden on landholders, business and government.
4. The introduction of rolling lease extension simplified the renewal process for rural leases – an eligible lease will be rolled over by extending the lease generally by a term equal to the original term of the lease – a lessee is able to apply for an extension in the last 20 years of the term of lease. For a 30 year lease term a lessee may apply for an extension after the first 10 years of the lease has elapsed and then be entitled to a further 30 years on top of the 20 years remaining in the original term. In this way, there is genuine security of tenure for at least a period of 50 years. There is no restriction on the number of times a lease can be extended and it may be extended regardless of how many times it has previously been extended.
5. This new regime of rolling term lease extension provide greater certainty for agribusiness by providing more security of land tenure for existing leaseholders and for those who may wish to invest in rural leasehold land.
6. Rolling term leases apply to leases for grazing, agriculture or pastoral purposes that are 100 hectares or over in area, and will be extended as long as the leaseholder has satisfied a limited number of requirements (e.g. annual rent has been paid in full and there are no outstanding notices) – no other conditions e.g land management agreements which are no longer required – affect the renewal.

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7. These changes have also impacted on Council whereby previously the State could take Councils' road regulation requirements into consideration this now is not within its policy as set out below;

Survey

Survey of the area is required for the issue of a deed of grant or a freeholding lease. The preparation of the plan is the responsibility of the lessee.

If during the conversion assessment it is determined that part of a lease is required as a reserve or for dealing with under the LA or another Act, the lessee is responsible for providing a survey plan of the area to be converted and also the balance public requirement area(s). The matter of who pays the cost of survey is a matter between the lessee and the local government or agency which has identified the public requirements. However, where the survey of public requirements is to identify the location of existing infrastructure (that is, infrastructure that is located on the leased land prior to the date of application for conversion), the local government or agency would be expected to be responsible for the survey costs of the land required for such infrastructure. This is however an issue that the lessee may take up with the respective local government or agency.

8. Council is now in a position of having to negotiate with the lessee all requirements (road regulation, easements, esplanades, reserve areas) within the property area.
9. The following recommendation is submitted for consideration.

Link to Corporate Plan

10. Key issues 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations and 4.7 Economic Wellbeing.

Consultation

11. Nil.

Legal Implications (Statutory, basis, legal risks)

12. Nil.

Policy Implications

13. Nil.

Financial and Resource Implications (Budgetary)/Risk Assessment

14. If the State is to go away from the previous process of requiring road network issues to be resolved to Council's satisfaction (as the road authority for the area), at no cost to Council, as part of the lease renewal process, as a new policy position, costs to Council will greatly increase; or, barring an external injection of funds, new road openings will not occur.

RECOMMENDATION

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Council make submission to the North Queensland Local Government Association as per attached.

Att.
Submission to NQLGA

ATTACHMENT 4

2015 NQLGA CONFERENCE MOTION TEMPLATE

Submitting council

Cook Shire Council

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Date of council resolution*	LGAQ Policy Executive district
16 June 2015	
Title of motion	Review of current State legislative policies regarding renewal and conversion of rural leasehold land.
Motion	The State review its current legislative policies regarding renewal and conversion of rural leasehold land enabling previous Council road network, esplanade and easement issues to be resolved to Council's satisfaction (as the road authority for the area), at no cost to Council.

Background	<p>The <i>Land and Other Legislation Amendment Bill 2014</i>, introduced into the Queensland Parliament on 19 March 2014, reformed Queensland's leasehold land system, simplifying the process and improving tenure security.</p> <p>The provision for rolling leases aimed to simplify the renewal process for rural leases and give lessees a greater level of tenure security – an eligible lease can be rolled over by extending the lease generally by a term equal to the original term with no restriction on the number of times a lease can be extended, providing security of tenure.</p> <p>Rolling leases do not affect any aspect of the lease, including any conditions of the lease – therefore the opportunity for Councils' views/requirements is diminished.</p> <p>These changes to the consideration of Councils' requirements are the same when dealing with the conversion of leases to freehold.</p> <p>Previously, as part of the lease renewal and/or conversion processes the State included Councils' requirement for road network, esplanade and easement issues to be resolved to Council's satisfaction (as the road authority for the area), at no cost to Council.</p>
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CORPORATE SERVICES

FINANCE

31020	REVENUE AND EXPENDITURE – MAY 2015	
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Cr S Clark moved; seconded Cr R Bowman

That the Revenue and Expenditure Statements for May 2015 be adopted

CARRIED

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ADMINISTRATION

	CHRISTIAN COMMUNITY MINISTRIES – ADDITIONAL LAND BY SALE AND TRANSFER OF OWNERSHIP OF LOT 27 ON PLAN C17945	
	<i>Report No.D15/12446 from Business Services Manager</i>	

Cr S Clark moved; seconded Cr R Bowman

Council sell to Christian Community Ministries (for the purpose of extending the facilities the school offers):

Lot 1 on RP703341	for	\$35,000.00;
Lot 2 on RP703341	for	\$35,000.00;
Lot 3 on RP703341	for	\$35,000.00;
Lot 4 on RP703341	for	\$35,000.00;
Lot 7 on RP703341	for	\$45,000.00;
Lot 9 on RP703341	for	\$45,000.00;
Lot 10 on RP703341	for	\$45,000.00;
Lot 11 on RP703341	for	\$45,000.00;
Lot 12 on RP703341	for	\$45,000.00;
Lot 34 on C17945	for	\$135,000.00;
Lot 27 on C17945	for	\$1.00; and

All legal, stamp duty and administrative costs for the above transactions to be met by Christian Community Ministries.

Consideration of the report deferred for further information and investigation and negotiations with the proponent.

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31021	APPOINTMENT OF A RISK MANAGEMENT COMMITTEE.	
	<i>Report No.D15/12447 from Business Services Manager</i>	

Cr P Johnson moved; seconded Cr K Price

Council appoint a Risk Management Committee consisting of:

1. Cr S Clark;
2. Cr R Bowman;
3. Cook Shire Council's Chief Executive Officer;
4. Cook Shire Council's Director for Engineering Services;
5. Cook Shire Council's Director for Corporate Services;
6. Cook Shire Council's Director for Economic Development and Community Services;
7. Cook Shire Council's Director for Planning and Environment; and
8. Cook Shire Council's Business Services Manager.

CARRIED

Précis

Establishment of a Risk Management Committee.

Background/History

Chapter 5 Part 1 Section 164(1) (a) and (b) of the Local Government Regulation 2012 requires that a local authority keep a written record stating risks Council's operations are exposed to, to the extent they are relevant to financial management and the control measures adopted to manage the risks. In compliance with legislation it is proposed that Council appoint a Risk Management Committee who will be responsible for:

- a) Creating a Charter for the running and management of the Risk Management Committee; and
- b) Creating a Risk Management Policy (and associated procedures); and
- c) Ongoing overall management of risks Council's operations are exposed to.

Risk Management

The purpose of risk management is to effectively and efficiently manage risks that may have an impact on the achievement of strategic priorities, operational goals and project objectives as defined in the Corporate and Operational Plans.

Effective risk management will:

- Contribute to the achievement of strategic priorities;
- Facilitate open and transparent communication and consultation between Councillors, the Executive Team, managers and employees in defining aspects related to the identification, analysis, evaluation and treatment of strategic, operational and project risks Council is exposed to;
- Enhance corporate governance by promoting a structured and systematic approach to Council's decision making processes;

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- Promote a proactive and dynamic perspective in handling and monitoring emerging new risks;
- Recognise the capabilities, perceptions and intentions of external and internal stakeholders that can facilitate or deter the achievement of organisational objectives; and
- Facilitate continual improvement of the organisation ⁷

The Risk Management Committee

Chapter 8, Part 2, Division 2 of the Queensland *Local Government Regulation* (2012) sets out how an Advisory Committee may be appointed:

264 Appointment of committees

- (1) *A local government may—*
 - (a) *appoint, from its councillors, standing committees or special committees;*
 - and*
 - (b) *appoint advisory committees.*
- (2) *Two or more local governments may appoint, from their councillors, a joint standing committee.*

265 Advisory committees

- (1) *An advisory committee—*
 - (a) *must not be appointed as a standing committee; and*
 - (b) *may include in its members persons who are not councillors.*
- (2) *A member of an advisory committee (whether or not they are a councillor) may vote on business before the committee.*

Membership

It is recommended that, to ensure all risks are appropriately managed and all senior executives, elected members and employees are kept apprised of Council's status with reference to risk management, the risk management committee include:

- a) No less than two elected members; and
- b) Council's CEO and Directors; and
- c) Council's Business Services Manager.

Administration

It is proposed that the Risk Management Committee be run in accordance with Division 2 (Local Government Committees) and Division 3 (Common provisions for local government and committee meetings) of the Queensland *Local Government Regulation 2012* and that meetings be held no less than once a month.

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Link to Corporate Plan

4.1 Leadership and Governance

4.1.1 Provide, to a standard that ensures legislative compliance

- a) Sustainable financial and administrative management of the Shire's municipal and community resources; and
- c) Appropriate corporate governance.

Consultation

Interdepartmental/EMT

Legal Implications (Statutory, basis, legal risks)

Mitigation of potential legal ramifications and risk.

Policy Implications

New policy to be created.

Financial and Resource Implications (Budgetary)

Ongoing operational expenses.

RECOMMENDATION

Council appoint a Risk Management Committee consisting of:

- 9. Elected Member #1;
- 10. Elected Member #2;
- 11. Cook Shire Council's Chief Executive Officer;
- 12. Cook Shire Council's Director for Engineering Services;
- 13. Cook Shire Council's Director for Corporate Services;
- 14. Cook Shire Council's Director for Economic Development and Community Services;
- 15. Cook Shire Council's Director for Planning and Environment; and
- 16. Cook Shire Council's Business Services Manager.

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31022	INTERNAL AUDIT COMMITTEE – MINUTES JUNE 2015	
	<i>Report No.D15/12697 from Executive Assistant</i>	

Cr P Johnson moved; seconded Cr K Price

That the minutes of the meeting of the Internal Audit Committee be received and the recommendations of the Committee contained therein be adopted.

CARRIED

Précis

Minutes of the first meeting of the Internal Audit Committee

Background/History

The Internal Audit Committee is a statutory committee created under the provisions of the *Local Government Act 2009*.

The committee was created by resolution of Council at its June 2014 ordinary meeting.

Link to Corporate Plan

Legislative requirement

Consultation

Nil required

Legal Implications (Statutory, basis, legal risks)

Legislative requirement

Policy Implications

Legislative requirement

Financial and Resource Implications (Budgetary)/Risk Assessment

Legislative requirement

RECOMMENDATION

That the minutes of the meeting of the Internal Audit Committee be received and the recommendations of the Committee contained therein be adopted.

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**MINUTES OF THE AUDIT COMMITTEE HELD AT THE ADMINISTRATION
BUILDING, 10 FURNEAUX STREET, COOKTOWN ON
5 JUNE 2015**



ATTENDEES:

Councillor K Price (Chair), Councillor P Johnson, Ms Nerida Carr

INVITEES:

Councillor Peter Scott (Mayor), Mr Tim Cronin (CEO), Mr Martin Cookson (DCS), Ms Terry Campbell (Internal Audit)

The Chair opened the meeting at 9.33 am on 12 June 2015 and welcomed the members of the committee and the invitees.

APOLOGIES: Nil

The items listed in the Agenda were accepted.

DECLARATIONS OF INTERESTS BY COMMITTEE MEMBERS

No declarations were necessary as all members of the committee, both councillors and the Director of Corporate Services, Wujal Wujal, had previously supplied their interests in accordance with the Local Government legislation.

AUDIT COMMITTEE CHARTER

The proposed Audit Committee Charter was tabled and some amendments were made to the proposed Charter.

- The CEO advised that a report would be tabled at the June 2015 ordinary meeting of Council for the establishment of a Risk Management Committee.
- As there were only 3 members of the committee the reference to the quorum required for meetings of the committee needed to be amended to reflect the membership.
- Changes were made to the access to staff capabilities of members of the committee.

Amended Audit Committee Charter attached.

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COUNCIL POLICIES

Discussions took place about the review of Council policies. The Committee was informed that there was a framework in place for this purpose. Lana Habermann had an overarching role to ensure that policies are reviewed and, if necessary, amended. The committee asked for a list of policies and their review dates.

INTERNAL AUDIT POLICY

The proposed policy was tabled and, after discussion, some amendments were made.

- Policy title to be changed to Internal Audit Charter.
- Definition of Internal Audit to be changed to that of IIA Professional Practice Framework

ANNUAL WORK PLAN

The proposed Annual Work Plan was tabled

Cr K Price moved; seconded Cr P Johnson

That the Audit Committee Charter be recommended to Council for adoption.

CARRIED

Cr K Price moved; seconded Ms N Carr

That the Internal Audit Charter be recommended to Council for adoption

CARRIED.

The meeting adjourned for morning tea at 10.43 am and resumed at 11.07 am.

The list of policies and review dates was supplied to the members of the committee.

FINANCIAL REPORTING

- All monthly financial reports go to the ordinary meeting of Council for adoption.
- Discussions took place concerning large capital works projects. The CEO indicated that, in future, the progress of large capital works would be robustly reported to Council on a monthly basis. The Audit Committee's role in this was to ensure that major capital works projects were reported to Council and how.

EXTERNAL AUDIT REPORT

- The report was tabled for discussion.
- The CEO advised that the external auditor should attend a committee meeting to present future reports.
- The CEO and Director Corporate Services would go through the report.

INTERIM MANAGEMENT REPORT

- Report tabled and discussed
- Discussions were held concerning access to emails – some concern that employees not entitled were seeing these emails. The CEO pointed out that Personal Assistants needed access to the Senior Managers emails etc on those occasions when the Senior Managers were absent.
- The report needed to be perused and necessary action taken, as required.

RISK MANAGEMENT REGISTER

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- The proposed Risk Management Committee will review the Risk Management Register and develop a Risk Management Framework for Council
- The Risk Management Committee will need to liaise with the Audit Committee

INTERNAL AUDIT PROGRESS REPORT

- Report tabled

Cr P Johnson moved; seconded Ms N Carr

That the Internal Audit Progress Report be recommended for adoption by Council

CARRIED

INTERNAL AUDIT ANNUAL PLAN

- The report was tabled
- The Internal Audit Plan had been prepared prior to the commencement of the CEO
- The CEO advised he would liaise with Internal Audit in respect of the Internal Audit Plan

Next meeting 30 October 2015 at 9.00 am.

The meeting closed at 12.27 pm on 12 June 2015.

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Cook Shire Council
Internal Audit Plan
for
2014/15 – 2016/17

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Internal Audit Plan

This plan sets out the requirements for Council's audit process.

1. Audit Scope

Audit Type	Risk Assessed
QAO Statutory (External) Audit	Financial Reporting Risk – The audit aims to establish if the financial statement provide a true and fair representation of the financial position of the Council.
Internal Audit	Enterprise Risk – The audit aims to establish if Council is appropriately managing* its strategic risks. Operational Risk – The audit aims to establish if Council is appropriately managing* its operational risks.

* Managing risks includes applying appropriate risk treatment and systematically monitoring the use of the risk treatments.

2. Audit Charter

Council's audit charter is to utilise the process of both statutory and internal audit to improve the processes of the Council's operations.

The QAO audit interrogates the financial reporting risk of the Council and therefore the internal audit will focus on those risks that are not within the scope of the QAO audit. Where matters raised by the QAO audit indicate a weakness in the enterprise or operational risk management put in place by the Council it is then appropriate for the internal audit to review those matters.

3. Audit Committee

Council is required to have an audit committee after 1 July 2014.

Internal Audit reports to Council's Audit Committee at least twice per year. The Audit Committee proposes to meet three times a year and has developed an annual work program with rolling agenda items.

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4. Internal Audit Criteria

Council uses a combination of identified risks (Risk Register), emerging issues (identified by Management or Audit) and annual compliance reviews to determine the internal audit plan each year.

- Council's corporate risk register is a record of those risks identified and assessed by Council.
- Emerging risk/ issues will generally be reviewed and reported upon by Management. Where a specific skillset or independence is considered necessary to adequately consider the emerging risk, the audit committee may allocate the review to the internal auditor for inclusion in the current year audit plan.
- Council operates in a complex and changing environment. To execute its function to oversee Council's compliance with laws and regulations, the audit committee will ensure that over a rolling four year period, all aspects of Council's compliance with its financial, legal and regulatory, Human resources, Workplace Health and Safety, Environmental, Information and reporting and service delivery obligations are reviewed by Internal audit.

5. Development of an Integrated Assurance Plan

Current risk landscape

Council has an Enterprise Risk policy in place and the corporate risk register was updated May 2015. Risk is also a standing agenda item at the weekly EMT meetings, although the risk items raised are usually operational.

The key risks to the control environment, identified by Council are outlined below.

RISK REF	SUB_RISK AREA	IDENTIFIED RISK/S	Risk rating	Proposed Audit Timing			
			H/M/L	2014/2015	2015/2016	2016/2017	2017/2018
CORP1	Financial Sustainability Loss of revenue and funding. Expenditure exceeds revenue leading to increasing debt	<ul style="list-style-type: none"> ▪ Impact of natural disasters ▪ Failure of community to pay rates/fees and charges ▪ Over-reliance on State and Federal Funding, particularly NDRRA Funding (Flood Damage). ▪ Failure to effectively model and monitor long-term financial forecasts. ▪ Low rate base versus geographic size 	M			□	

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levels.

CORP2	Disaster Management Inability to effectively coordinate response to disaster	<ul style="list-style-type: none"> ▪ Damage to Disaster Recovery Centre (IT infrastructure) ▪ Major / prolonged loss of telecommunications ▪ Lack of trained staff ▪ Failure of planning 	L		□
CORP3	Stakeholder management Political influence impacting on operational management of organisation	<ul style="list-style-type: none"> ▪ Councillors not following protocols and/or acting outside area of responsibilities, including involvement in operational matters 	M		□
CORP4	Community Engagement Inability to effectively engage with the community Poor perception of value in Community	<ul style="list-style-type: none"> ▪ Council lacks ongoing relationship with stakeholders ▪ Inconsistent messages being delivered to public via media and other channels ▪ Ad-hoc planning without considering the needs of other areas across Council ▪ Poor processes and systems 	M		□
CORP5	Compliance Failure to comply with statutory and/or organisational obligations and	<ul style="list-style-type: none"> ▪ Lack of skilled and appropriately qualified resources ▪ Increased compliance costs ▪ Lack of consultation ▪ Inadequate systems to capture and 	M		□

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	responsibilities	distribute information		
CORP6	Governance Lack of adequate governance, internal controls and reporting.	<ul style="list-style-type: none"> ▪ Inability to comply with legislation ▪ Poor leadership ▪ Inappropriate decision-making – lack of rigour and transparency ▪ Lack of performance reporting and monitoring ▪ Deficiencies in design and/or implementation of internal controls 	M	□
CORP7	Human Resources Inadequate skill base of staff that impacts on service delivery	<ul style="list-style-type: none"> ▪ Inability to attract and retain skilled employees ▪ Ageing workforce - higher retirement rate ▪ Uncompetitive remuneration ▪ Lack of performance management and improvement system 	M	□
CORP8	WH&S – Poor compliance with WH&S systems	<ul style="list-style-type: none"> ▪ Lack of appropriately skilled and qualified staff ▪ Lack of systems and procedures to monitor and review compliance ▪ Inadequate budget ▪ Lack of leadership / senior officer support – culture of non-compliance 	H	□
CORP9	Service Delivery – Capital works Ineffective Project Management	<ul style="list-style-type: none"> ▪ Inadequate project management skills ▪ Lack of rigour around decision making – no business case/feasibility study ▪ Poor financial management (budget blowouts) ▪ Changing priorities ▪ Loss of funding ▪ Major disasters putting strain on 	H	□

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- resources
- Excessive commitments



The above risk landscape is a selection of risks identified in Council's Corporate Risk Register.

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6. Draft Internal Audit Plan 2015 - 16

The objective of council's internal audit plan for 2014-15 is to allocate sufficient internal audit resources to the independent review of Council's key compliance and operational risks as set out in Section 5.

The CEO, in consultation with the Audit Committee, will determine at each internal audit during each year which matters of risk will be included in that audit program. The CEO will identify resources with the appropriate skills and knowledge to undertake the internal audit work and provide a report to Council. The Audit Plan should be reviewed annually.

6.1 The following risks are recommended for review in 2015-16

RISK REF	Significant Risk	Objective of Audit	Audit year	Proposed month	Reporting to audit Committee	Approval status
CORP8	Workplace Health & Safety Inappropriate level of workplace accidents.	To assess Council's compliance with relevant WH&S laws, regulations, polices and procedures including management of and response to identified issues.	2015-16	June 2015	October 2015	
CORP6	Procurement Deficiencies in design and/or implementation of internal controls.	To examine whether: <ul style="list-style-type: none"> the procurement of all goods, equipment and related services, construction contracts and service contracts (including maintenance) complies with Council Procurement 	2015-16	September 2015	October 2015	

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RISK REF	Significant Risk	Objective of Audit	Audit year	Proposed month	Reporting to audit Committee	Approval status
CORP6	Payroll & time recording Deficiencies in design and/or implementation of internal controls	<p>Policy.</p> <ul style="list-style-type: none"> All procurement activity is accountable, auditable, transparent, unbiased, financially responsible, and in the best interests of Council and its constituents <p>To assess the effectiveness of the management control framework in place to support the accuracy of payroll payments, including:</p> <ul style="list-style-type: none"> An assessment of the control environment surrounding the employee masterfile and the calculation of Council's payroll An assessment of the authorisation and recording of payroll and 	2015-16	September 2015	October 2015	

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RISK REF	Significant Risk	Objective of Audit	Audit year	Proposed month	Reporting to audit Committee	Approval status
		employee time data				

6.2. The following risks are recommended for review by Internal Audit. Timing to be agreed by the CEO, subject to progress and outcomes of corporate improvement projects.

RISK REF	Significant Risk	Objective of Audit	Approval Status
CORP1	Service Delivery Failure to effectively model and monitor long-term financial forecasts.	To examine the effectiveness and efficiency of facilities and services delivered to the community, including the reliability and integrity of financial and operational information.	
CORP4	Community engagement Ineffective community understanding and engagement leading to lack of support for Council.	To examine the adequacy and effectiveness of Council's Community Engagement framework and practices.	
CORP9	Project and contract management Lack of Effective Project Management leading to projects not achieving desired outcomes.	To examine the adequacy and effectiveness of Council's Project Management framework and practices, including transparency and accountability of decision-making process.	
CORP5	Compliance with legislation Non-compliance with, and a lack of understanding of, Legislation and Regulations Inherent in Local Government	To assess Council's compliance with relevant laws and regulations, including management of and response to identified issues.	

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Operational Processes		
CORP6	Governance Lack of adequate governance, internal controls and reporting	To examine the adequacy and effectiveness of Council's organisational performance reporting and monitoring framework and practices.
CORP7	Employee performance management system Inability to attract and retain appropriately skilled employee and management base.	To assess adequacy and effectiveness of the development and implementation of the Performance Management System across Council.

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6.3 Emerging risks / issues

RISK REF	Significant Risk	Management's Response	Identified by	Action agreed	Reporting to Audit Committee
Asset Management	Asset management plans not in place.	Position of Asset Manager has been included in 2015-16 budget and person will be allocated to that role in new financial year. Consider Internal Audit Review in outer year.	Management		

6.4 Follow-up and reporting on the following open audit issues will also be performed:

RISK REF	Significant Risk	Management's Response	Management Risk Assessment	Action timeframe	Reporting to Audit Committee
Financial Sustainability	Loss of revenue/expenditure exceeding revenue leading to long-term sustainability issues.	Develop a long term financial strategy acknowledging impacts of current and future funding changes and undertake scenarios	Medium	2014-15	June 2015
Local Laws	Review of local laws behind schedule.	Review underway with expected completion date of August 2015.	Medium	30/08/15	September 2015
Information Technology Usage Audits and Review	No systematic audits of down loads, data storage and appropriate filters.	Not significantly progressed due to limited resources – focussed on higher priority matters such as updating disaster recovery plan and capacity.	Low	2014-15	June 2015
Risk Management	Develop risk register, assess risks and implement risk management framework.	Corporate risk register reviewed May 2015 for EMT endorsement and reporting to Audit Committee June 2015.	Medium	2014/15	June 2015
Training Plan, training policy	Progress training needs, policy	Work has commenced to design and implement a new performance management	High	2015-16	June 2016

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RISK REF	Significant Risk	Management's Response	Management Risk Assessment	Action timeframe	Reporting to Audit Committee
and succession planning	and succession planning.	system (PMS).			
Documentation of procedures	Progress documenting procedures.	Procedures are progressively being documented as resources allow.	Low	2015-16	June 2016
Compliance with legislation (New matter May 2015)	Council is currently managing a non-compliance issue where they were conducting an environmentally relevant activity (ERA) without the required environmental authority (EA).	Being actively managed in consultation with EHP.	Medium		
Project management of capital works projects (New matter May 2015)	Waterfront project has exceeded original budget - revised budget for the project is \$6.124 million, with approximately 50% of that funded from government grants.	Review of major projects and capital works program.	High		

Upon approval of the annual audit plan, the internal auditor will prepare individual internal audit plans for each approved audit for sign off by the CEO. These will include details of:

- Background;
- Objective of Audit;
- Scope and boundary;
- Proposed Methodology;
- Significant risk/issues identified;
- Timeframes;

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- Resources required – staffing and financial; and
- Approvals.

AUDIT COMMITTEE CHARTER

Purpose

Section 105 of the *Local Government Act 2009* provides the legislative grounds to implement an “audit committee” within Council. It is now a requirement for all councils to have an “audit committee”; the existence of an independent audit committee is recognized internationally as an important feature of good corporate governance.

Cook Shire Council’s policy is to establish an Audit Committee by Council resolution in accordance with *Local Government Regulation 2012*, section 209, 210 & 211 and *Local Government Act 2009*, section 105.

Scope

The Audit Committee is established in accordance with the *Local Government Act 2009*, section 105.

The Audit Committee is an advisory Committee as determined by the *Local Government Act 2009*. It has no line authority in itself and does not replace the responsibilities of Executive Management, but acts as a source of independent advice to the Council and to the Chief Executive Officer.

The Audit Committee does not replace existing reporting lines of either the Internal or External Audit.

The overall objective of the Audit Committee is to assist the Council and the Chief Executive to discharge financial management and operational responsibilities imposed under the *Financial Accountability Act 2009*, the *Local Government Act 2009* and other relevant legislation.

In addition, the Audit Committee will:

- make recommendation as to the adequacy of Council’s financial, administrative and operating controls;
- maintain by scheduling regular meetings, open lines of communications with Council, Executive Management, External Audit and Internal Audit,
- oversee and appraise the quality and cost of audits conducted by both the External and Internal Audit functions;
- ensure both the Internal and External Audit functions are independent and effective;
- review and address the risks to which the Council’s operations are exposed;
- make recommendations on the adequacy of the governance and management reporting mechanisms within Council;
- review Council’s organisational structure and its systems and procedures for carrying out its functions and legislative duties;
- maintain an independent and objective forum.

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Responsibilities

The administration of this policy is the responsibility of the Chief Executive Officer.

Minutes of the Audit Committee meetings are to be provided to Council for endorsement.

To avoid any doubt, this policy may only be amended by resolution of Council.

definitions

Internal Auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

External Auditor is the Auditor General's Representative engaged to undertake the annual audit function on behalf of the Auditor General.

Audit Committee are members of the audit committee selected to be representative of the committee

Policy statement

Composition of the Audit Committee

In accordance with section 210 of the *Local Government Regulation 2012*, the Audit committee of a local government must -

- a) consist of at least 3 and no more than 6 members; and include -
 - (i) 1, but no more than 2, councillors appointed by the local government; and
 - (ii) at least 1 member who has significant experience and skills in financial matters.
- b) The chief executive officer can not be a member of the audit committee but can attend meetings of the committee.
- c) The local government must appoint 1 of the members of the audit committee as chairperson.

Executive Management (or nominee) will attend each meeting but are not members of the Audit Committee and do not have voting rights. Executive Management being:

- Councillors;
- Chief Executive Officer;
- Director Corporate Services;
- Other staff by invitation.

Compilation and membership of the Audit Committee may be changed by Council at its discretion.

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Internal and External Audit are not members of the Audit Committee and have no voting rights. Both may attend Audit Committee meetings.

Quorum

In accordance with section 211 (2) of the *Local Government Regulation 2012*

At a meeting of the audit committee -

- a) a quorum is at least two members of the committee;
- b) either—
 - (i) the chairperson presides; or
 - (ii) if the chairperson is absent, the member chosen by the members present as chairperson for the meeting, presides.

Meetings

The Director Corporate Services will prepare the Agenda.

The Agenda and attachments will be distributed to the Audit Committee members and to Executive Management at least five (5) business days prior to the meetings.

Minutes of meetings will be distributed to members for confirmation in accordance with Council's meeting protocols.

Due to the confidential nature of information and the high level of independence of Internal and External Audit, Committee meetings will be closed to the public in accordance with the *Local Government Regulation 2010*, section 275.

The release of information considered by the Audit Committee shall be undertaken in accordance with Council policy (Confidentiality Policy & Code of Conduct for Councillors).

The Committee will meet at least twice per annum in accordance with *Local Government Regulation 2012*, section 211(1)(a) or at other times as determined by the Committee.

Access

The Audit Committee shall have the authority to seek information it requires from any person employed by Council, or employees of business units controlled by Council. Requests for Council officers, employees of business units and independent experts to attend an Audit Committee Meeting or provide information shall be undertaken through the Director Corporate Services or nominee.

The Committee is authorised to consult with and seek advice from independent experts as it considers necessary to execute its duties and responsibilities. Requests by the Audit Committee for information and advice shall be undertaken through the Director Corporate Services or nominee.

Duties

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The Audit Committee shall consider any matters relating to the financial operations and business activities of Council and that of External and Internal Audit. The specific duties and responsibilities include, among others:

a. Control and Policies

- evaluate and monitor the integrity, adequacy and effectiveness of finance, administrative and operating systems, policies and procedures through communication with, and reports from Management, External and Internal Audit;
- monitor the standard of corporate conduct in areas such as arm's-length dealings, likely conflicts of interest, and take an active interest in ethical considerations regarding Council policies and practices;
- monitor compliance with statutory and regulatory obligations.

b. Financial Reporting

- review and make recommendations as to issues in relation to the finalization of financial statements, content of monthly reports, accounting policy changes, and the External Auditor's Report;
- review the Council's financial status, including financial sustainability analysis and 10 year forecast, and operational performance as it deems necessary.

c. Risk Management

- review and monitor Council's risk management register and strategies, policies and processes including Codes of Conduct, complaints management and management reporting mechanisms.

d. Governance

- review and monitor Council's governance strategies, policies and processes; monitor the standard of corporate conduct in areas such as arm's-length dealings, likely conflicts of interest and take an active interest in ethical considerations regarding Council's policies and practices.

e. Internal and External Audit

- review Internal and External Audit Work Plans and make recommendations to maximise the overall cost effectiveness of the audit process; review Internal and External Audit reports and monitor the action taken.

f. Other Matters

- review and monitor major projects, systems and services of Council.

Reporting Requirements

The Audit Committee must report to Council as required by the *Local Government Regulation 2012*, section 211(4). To this end, the Minutes of the Audit Committee Meetings are to be endorsed by Council.

Internal and External Audit may be requested to address Council to provide detailed explanation of the issues reported or raised within the Audit Committee meetings. It is imperative that Audit's independence is not compromised or seen to be compromised. To maintain this high level of independence, it may be necessary to resolve that the Council

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meeting be closed when Audit addresses Council (*Local Government Regulation 2012*, section 275).

Staff

An Advisory Committee of the Council has no delegated authority to employ staff.

Finances

An Advisory Committee of the Council has no delegated authority to expend monies.

associated documents

6.1 This policy should be read in conjunction with the following documents:

- *Local Government Regulation 2012*;
- *Local Government Act 2009*;
- *Financial Accountability Act 2009*;
- Cook Shire Council Confidentiality Policy;
- Cook Shire Council Code of Conduct for Councillors;
- Cook Shire Council Internal Audit Policy;
- Any other relevant Acts, Regulations or Standards

Next Review

This policy remains in force until amended or repealed by resolution of Council. Council will determine review dates as required.

resolution

Adopted by Council on the XXXXXXXXX 2015 by Council Resolution XXXX/OXX.

Chief Executive Officer

____/____/____
Date

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

Officer responsible for review:	Officers Name
Current adoption:	Month
Version No:	Version no
Date for review:	Date to be reviewed

INTERNAL AUDIT CHARTER

Purpose

Section 207 of the *Local Government Regulation 2012* clearly states that each local government must establish an efficient and effective internal audit function. The purpose of this policy is to ensure Cook Shire Council establishes an Internal Audit Function in accordance with the State legislation.

Scope

Internal Audit is an independent function that reviews, evaluates and reports upon activities, operations, information and records as a service to Council, Audit Committee, Executive Management and all levels of Management.

Responsibilities

- 3.1 The administration of this policy is the responsibility of the Chief Executive Officer and Council
- 3.2 To avoid any doubt, this policy may only be amended by resolution of Council.

definitions

Internal Auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

External Auditor is the Auditor General's Representative engaged to undertake the annual audit function on behalf of the Auditor General.

Policy statement

The purpose of the Internal Audit is:

To review and monitor legislative compliance generally and specifically the effectiveness of any legal compliance reporting process;

To review and monitor compliance with the Council's established policies and procedures, and recommend improvements;

To appraise the adequacy, application and cost effectiveness of financial, administrative and operating controls;

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- To examine the integrity of financial, administrative and operating systems and the accuracy of information reported;
 - To examine Information Technology systems and their development to determine the efficacy of internal controls;
 - To appraise and monitor the procedures and controls over external contractual relationships;
 - To assist in risk management and ascertain the extent to which Council physical assets are accounted for and safeguarded from losses of all kinds;
 - To investigate, to assist in, or be advised of any investigations where losses to Council assets have occurred or integrity issues arise;
 - To examine and evaluate operational functions to maximise the economic, efficient and effective use of all Council resources;
 - To consider requests for specific audit assignments from Councillors and Executive Management with due consideration to overall Council risk, availability of Internal Audit resources and impact to the approved Annual Operational Plan;
- Contribute to the overall audit requirements in regard to Council's Financial Statements.

Organisational Arrangements and Independence

The Internal Auditor (as appointed by Council) is responsible to Council, through the Chief Executive Officer, for the effective management of an independent Internal Audit function. The independent status within Council is essential to effective internal auditing and shall be maintained at all times.

The Internal Auditor has no managerial powers, authorities, functions or duties except those relating to the Internal Audit function. Accordingly, Internal Audit activities do not in any way relieve other personnel from their responsibilities.

Internal Audit has the right of access to Council's properties, works, records, accounts, correspondence, minutes and other documents that may be necessary in the conduct of a review. Council personnel may be requested to provide relevant information within a specified time frame to enable a review to be efficiently completed.

Internal Audit shall not be responsible for detailed development, implementation of, or variation to financial and administrative systems, but should be advised of any approved development or change to such systems.

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Internal Audit will promote its image as a service function carrying out its responsibilities through constructive co-operation with Executive Management and personnel at all levels within Council.

Competence, Standards and Conduct of Audit Work

Internal Audit will maintain a high degree of professionalism through application of the following competency and standard requirements.

- Internal Audit personnel will be qualified to at least the minimum required for entry to the professional accounting bodies or other appropriate qualification that may be determined from time-to-time.
- Internal Audit personnel will be appropriately experienced and skilled to independently operate as effective Internal Auditors.
- An appropriate range of skills will be maintained within the function.
- Internal Audit personnel will maintain and develop competency and skills through involvement in accepted professional development programs.
- Standards applicable to the Internal Audit function will be, as applicable, those promulgated by the Australian Professional Accounting Bodies and the Institute of Internal Auditors.
- Appropriate quality assurance and performance standards shall be met with all activities undertaken by Internal Audit.

Audit Planning and Control

Internal Audit planning shall be risk based and aligned to the Council's Corporate Plan. The risk based methodology will indicate where longer term strategic or cyclic activities are involved. In addition, the internal audit plan will take cognizance of the results of the previous year, advice and requests from Council, and Management.

The Chief Executive Officer will approve the Internal Audit Annual Work Plan on the recommendation of executive management, consisting of the Directors and/or various Managers.

Internal Audit Reporting Process

The Internal Audit Reporting Process will comply with the *Local Government Regulation* 2012 and as promulgated from time-to-time. The Internal Audit Reporting Process is broadly described below.

Reporting the Results of Audit

Matters arising during audits, including matters for possible inclusion in reports will, on completion of the audit, be discussed with the Manager in charge of the area and where appropriate with the responsible Director.

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Matters that can be promptly resolved without the need for formal reporting will be done so and if necessary followed up. Details of such matters will be retained in audit working papers.

Formal reports will be issued to Council's Chief Executive Officer as soon as possible after the completion of the review.

Reports will include the Manager's response to audit recommendations that will include recommendation acceptance, the responsible officer to undertake the corrective action and the expected date that the corrective action will be completed.

Managers are required to respond to all issues within 30 days of the formal report being issued. This is an initial response only and further work associated with particular recommendations will be negotiated with the appropriate Manager/Director as required.

The Audit Report including Management responses and actions will be presented to Council via the Chief Executive Officer.

Organisational Reporting of Audit Activity

The Internal Audit function is directly responsible to the Chief Executive Officer and will report the results of audit reviews to the Chief Executive Officer.

Extract from the Local Government Regulation 2012

S.207 - Internal audit

(1) For each financial year, a local government must—

- (a) prepare an internal audit plan; and*
- (b) carry out an internal audit; and*
- (c) prepare a progress report for the internal audit; and*
- (d) assess compliance with the internal audit plan.*

*(2) A local government's **internal audit plan** is a document that includes statements about—*

- (a) the way in which the operational risks have been evaluated; and*
- (b) the most significant operational risks identified from the evaluation; and*
- (c) the control measures that the local government has adopted, or is to adopt, to manage the most significant operational risks.*

(3) A local government must give its audit committee -

- (a) the progress report mentioned in subsection (1)(c); and*
- (b) at least twice during the year after the internal audit is carried out, each of the*

following

documents—

- (i) a summary of the recommendations stated in the report;*
- (ii) a summary of the actions that have been taken by the local government in*

response

to the recommendations;

- (iii) a summary of any actions that have not been taken by the local government*

in

response to the recommendations.

(4) If a local government does not have an audit committee, a reference to the committee in

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subsection (3) is taken to be a reference to the chief executive officer.

associated documents

6.1 This policy should be read in conjunction with the following Documents:

- *Local Government Regulation 2012;*
- *Local Government Act 2009*
- Financial Accountability Act 2009;
- Cook Shire Council Audit Committee Charter
- Audit Results from the audits conducted by the External Auditor;
- Any other relevant Acts, Regulations or Standards

Next Review

This policy remains in force until amended or repealed by resolution of Council stemming from changes prescribed in the Local Government Regulation 2012. Council will determine review dates as required.

Resolution

Adopted by Council on the 16 June 2015 by Council Resolution XXXX/OXX.

_____/_____/_____
Chief Executive Officer Date

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

Officer responsible for review:	Officers Name
Current adoption:	Month
Version No:	Version no
Date for review:	Date to be reviewed

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Town Hall, Lakeland on
16 June 2015**

FINANCE

31023	COMMITTEE OF THE WHOLE	
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Cr S Clark moved; seconded Cr P Johnson

That the meeting resolve into Committee of the Whole at 2.41 pm on 16 June 2015 to discuss a request to pay off arrears of rates and charges by instalments.

CARRIED

31024	COMMITTEE OF THE WHOLE	
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Cr P Johnson moved; seconded Cr A Wilson

That the meeting revert to the Ordinary Meeting of Council at 3.05 pm on 16 June 2015 after discussions concerning a request to pay off arrears of rates and charges by instalments.

CARRIED

31025	REQUEST FOR ARRANGEMENT TO PAY RATES AND FOR EXEMPTION FROM INTEREST CHARGES – ASSESSMENTS 10002954, 10002962 & 10004950	
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Report No.D15/12013 from Executive Assistant

Cr A Wilson moved; seconded Cr P Johnson

That the application to enter into an arrangement to pay off the arrears of rates and charges on assessments 10002954, 10002962 and 10004950 be refused.

Further that the judgement debt remain on file until the indebtedness is paid in full.

CARRIED

The meeting closed at 3.20pm on 16 June 2015

P Scott
Mayor