

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
Administration Building, 10 Furneaux Street, Cooktown  
20-21-22 July 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/K Nicolaou).

**MEETING OPENED**

The Mayor, Cr PH Scott declared the meeting open at 9:00 am on 21 July 2015.

**APOLOGIES:**

NIL

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**COUNCILORS' REPORTS**

Cr R Bowman

**Meetings**

<b>Date</b>	<b>Type / purpose</b>	<b>Who /where</b>
	General Council Meeting	
	CYLMAC	
	CDCC Board Meeting	
	Economic Developments meeting / Waterfront meeting on site meeting	
	Budget Meeting	
	NBN Meeting / Council / Chamber of Commerce	

**Events Attended (as Councilor or part thereof)**

<b>Date</b>	<b>Type / purpose</b>	<b>Who /where</b>
	Chamber of commerce meeting	
25 June	Open the Cooktown Careers expo at PCYC	
	Bobs Dinner	

**Constituent Representation/Meetings**

<b>Date</b>	<b>Phone calls/ Discussions</b>	<b>Letters/ Minutes</b>
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**Expenses Claimed**

<b>Date</b>		<b>Amount</b>
Nil		
<b>Total</b>		

**Up Coming meetings  
Cooktown Chamber of Commerce**

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Cr K Price

## **Meetings**

<b>Date</b>	<b>Type / purpose</b>	<b>Who /where</b>
15 June	Lakeland Familiarisation and Community Meeting (Progress Association)	
16 June	Council Meeting - Lakeland	
22 June	Teleconference- Lyon Infrastructure – Lakeland Solar Project	
6 July	2020 Steering Committee Meeting – need to consider concert – Reconciliation Rocks!	
8 July	Waterfront Inspection and Advisory Committee	
8 July	Economic Development Meeting	
13 July	National Disability Insurance Scheme (NDIS) Meeting – Event Centre	
14 July	NBN Pre-meeting Meeting – Chambers	
16 July	15-16 Budget Meeting – Chambers	
18 July	Lakeland Progress Assoc – Irrigation Water	

## **Events Attended (as Councilor or part thereof)**

<b>Date</b>	<b>Type / purpose</b>	<b>Who /where</b>
24 June	QAO Audit Presentations – Cairns	
27 June	Laura Races	
14 July	My Pathways – Lonestar Productions – 17 short films	

## **Constituent Representation/Meetings**

<b>Date</b>	<b>Phone calls/ discussions</b>	<b>Letters/ minutes</b>
17 July	Holy Spirit College – familiarisation	
	Rubbish – Starke River – referred P&E	
	Illegal Camping – Airport and other areas around Cooktown – referred to P&E	
	RADF requests – next round projects – provided material	

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Cr A Wilson

**Councillor Report June/July 2015**

18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, & 21<sup>st</sup> June Assisted in running The Laura Aboriginal Dance Festival, which is basically a bush camping experience for most with Aboriginal Culture Traditional Dancing etc. The week-end was free of major problems that were with the help of Cook Shire Mayor Scott and Project Officer Mike Carnegie and staff with the supply of three Auxiliary Power Plants some of the problems were overcome. I thank those people for their timely assistance. The Dance Committee have indicated the Festival was a success. The Cook Shire Booth was very popular with frequent enquiries from travellers which support the belief that these booths are important. The Ladies that operated the booth did a great job. With the attendance of 4000 plus except to two incidents with children injuring themselves there were no major incidents. Our Health Officer has put in a rather scathing report which in parts is incorrect eleven pages I guess he has to do his job but one must remember the logistics of running a venue of this nature every two years with different committees is not a simple task.

24<sup>th</sup> & 25<sup>th</sup> June I attended the Beverage Container Deposit Scheme and waste plastic Summit in Brisbane. The summit was attended by representatives from EHP, LGAQ, Brisbane Shire Council, Director General of Environment QLD, Boomerang Alliance and Tarago Blue. I gave a Power Point presentation on information I have gathered relating to the CDS. This was well received with much applaud and later personal congratulations I believe there is light at the end of the tunnel.

26<sup>th</sup>, 27<sup>th</sup>, 28<sup>th</sup> & 29<sup>th</sup> June I assisted in the running of the Laura Horse sports, The Laura Annual Races and Laura Camp draft Rodeo. There were several incidents which require urgent attention prior to the next annual event.

7<sup>th</sup> July attended Lakeland progress Association Meeting. I noted several matters that require attention from Cook Shire.

10<sup>th</sup> July I took part in a teleconference held by CYSF Board members there were important matters tabled relating to the future of the Cape York Land-Care Officer. I brought to the attention of the board the critical situation relating to the future of the Lakeland Farming and the lack of water. I asked for the possibility of a meeting of stakeholders is called which was supported.

16<sup>th</sup> July I attended a Community meeting at Laura with Australian Army personnel and discussed the future plans for 2016 projects they wish to undertake in Laura. They asked would it be possible for them to occupy the Laura Community Hall as their Site Office. I indicated I would take their request to Council and advise.

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18<sup>th</sup> July I met with Stakeholders from the Lakeland Farmers and Lakeland Progress Association together with Mayor Scott, Councillor Price, the Cook Shire CEO Tim Cronin and Director Community Development Gary Kerr. Mike Hienz Chair of CYSF, Trish Butler CEO of CYSF and board member David Kempton. The future of Lakeland was discussed and it was agreed that water was a major problem for the future. A decision was made and a show of hands that CYSF take an active role with Mr David Kempton carry out enquiries and lobby Govt. Agencies with a view to going forward with a Report to Federal Govt. Requesting for funding.

June has been a busy Month with numerous phone calls and requests from constituents of Cook Shire.

My future schedule

Lakeland Progress Association Meeting 21<sup>st</sup> July.

Task force Advisory Committee on a Container Deposit Scheme for QLD in Brisbane 22<sup>nd</sup> & 23<sup>rd</sup> July

NQLGA Conference at Palm Island on 3rd, 4th & 5<sup>th</sup> August.

Laura interagency meeting 13<sup>th</sup> August.

Cr G Shephard

## **Meetings**

<b>Date</b>	<b>Type / purpose</b>	<b>Who /where</b>
16 July	Budget meeting	

## **Events Attended (as Councilor or part thereof)**

<b>Date</b>	<b>Type / purpose</b>	<b>Who /where</b>
26-29 June	Laura Races, Horse sports and Campdraft	

## **Constituent Representation / Meetings**

<b>DATE</b>	<b>PHONE CALLS/ DISCUSSIONS</b>	<b>LETTERS</b>
	Mobile food van operating in Coen	Phone Calls

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Cr Sue Clark

## **Meetings**

<b>DATE</b>	<b>TYPE</b>	<b>PURPOSE</b>	<b>WHERE</b>
15/6 – 17/6	Cook Shire	Monthly Meeting	Chambers
8/7/15	Cook Shire	Economic Development	Chambers
9/7/15	Aged Care	Unit Allotment	Chambers
14/7/15	NBN Meeting	Public Meeting	Chambers
15/7/15	CAN Meeting	Committee Meeting	Chambers
16/7/15	Cook Shire	Budget Meeting	Chambers
8/7/15	Cook Shire	Airport Development	Chambers
8/7/15	Cook Shire	Waterfront Development	Chambers
	PCYC	Meeting	Events Centre

## **Events Attended (as Councillor or part thereof)**

<b>DATE</b>	<b>TYPE / PURPOSE</b>	<b>WHO / WHERE</b>

## **Constituent Representation / Meetings**

<b>DATE</b>	<b>PHONE CALLS/ DISCUSSIONS</b>	<b>LETTERS</b>
3/7/15	Home Visit Dust Issues Webber Esplanade	Emails / Phone Calls
	Various contacts and phone calls lobbying for new hospital	
	Back and forward correspondence re NBN	
	Correspondence about medical services for Lakeland	



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Cr P Johnson

## **Meetings**

Usual meetings with fellow Councilors and:

<b>Date</b>	<b>Type / purpose</b>	<b>Who /where</b>	<b>Action</b>
17/6	NGRMG FAC meeting-teleconference	Northern Gulf Resource Management Group	Take and distribute minutes
18/6	NGRMG board meeting	Teleconference	Chair
18/6	Reef Rescue Project Governance Committee	Teleconference	Oversee project -- Cape York NRM and Cape York Sustainable Futures
23/6	Cape York NRM Finance & Audit Committee	Roxy Voyce & self, CATC office Cairns	Preliminary budget review
23/6	RRPGC	teleconference	Update on progress
24/6	Audit Committee Forum with QAO	CSC Audit committee, Cairns	Participate
2/7	NGRMG & GHF	teleconference	NRM plan, project updates, GHF structure and Gulf Gold future activities
6/7	2020	Advisory Committee & staff	
8/7	Waterfront & Economic Development Meetings	Councilors & appropriate staff	Update on projects, future plans and priorities
9/7	NGRMG FAC	Teleconference	Take & distribute minutes
10/7	2020 Communications Strategy - draft	Kimberley & Loretta Sullivan	Contribute to draft
13/7	NGRMG and ANGIC combined board meeting- 2015/16 Services Agreement, development of and MOU and other relevant topics	Face to Face, Mareeba	Take and distribute notes to participants
15/7	NGRMG FAC	Teleconference	Take and distribute minutes
16/7	Budget meeting	Council Chambers	Review and update

## **Events Attended (as Councilor or part thereof)**

6/7	Sea of Hands- part of NAIDOC	Address participants	
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### **Constituent Representation/Meetings**

<b>Phone calls/ Discussions/ meeting</b>	<b>Letters/emails minutes</b>	<b>Action</b>
Mick Trout re Tourism and Agriculture development and opportunities for collaboration between Cook Shire and TTT		Follow up with Investabull; forward contact details to ED & CS director and arrange suitable meeting- by ph
Concerns re RLF hosting arrangement with Cook Shire	Locals concerned re impacts and potential reduction in access and service	Follow up with Council and Cape York NRM- potential meeting 21/7 between CEO's
Email – copy of open letter in CLN	Waterfront project funding sources and budget – future sources of external funding identified	Collect more information then draft response & distribute
Food production and consumption – local area, food security	Kym Kruse- RegenAg; potential to collaborate on workshops and property visits in Cook Shire; potential for increased productivity, crop diversity; improved viability; project underway on converting feral pig into agricultural input( fertilizer); potential for mobile butchery across Cape York	Follow up and assist with organizing workshop/ showing a relevant film and open forum for local producers & interested community;
NBN	Submission made on areas that could benefit	
Olive Vale project	Follow up material and information provided by Pinnacle Pocket Consulting	Distribute to Councilors

### **Other & future activities:**

Investigating opportunity to do a horse ride to raise awareness and funds for drought affected people/ communities which will be distributed through Gulf Horizons Foundation– potential support for Cook Shire and neighboring regions in the Gulf- date in October to be decided.

#### **June**

29- 1 July Cape York NRM board meeting – Steve Irwin Reserve (unable to attend and tendered my apology)

#### **July**

- 2 Tropical Savannah Grazing Workshop – Mareeba – participated by teleconference
- 6-8 Youth in Ag Camp- Mt Molloy – explore potential for one to be held in Cook Shire
- 20-22 Council Meeting, Cooktown
- 23 Cape York Local Marine Advisory Committee- 6.30pm, Cook Shire Council Chambers
- 24 State budget launch & meet with DNR& M, Cairns

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26-29 NGRMG board meeting- Georgetown, site visit Cobbold Gorge( land use diversification- environmental and productivity benefits;potential case study & learnings for CSC)

**August**

2-5 NQLGA Annual Conference, Palm Island – assisting with setup

15/16 Cooktown Horse Sports at Lakeland horses sports ground

17-19 Cook Shire Council meeting

**September**

6/7 Lakeland Horse Sports – Lakeland

19/20 Equine Circle of Influence workshop – Lakeland TBC

21- 23 Cook Shire Council meeting

26/27 Lakeland Team penning TBC

**Nov**

4/5 Cape York NRM AGM, Coen

Regular NGMRG and Cape York NRM board and FAC meetings.

**Expenses Claimed**

<b>Date</b>	<b>Details</b>	<b>Amount</b>
<b>Total</b>		

Payment requests for meeting travel to be submitted

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Cr P Scott

**Mayoral Activity Report**

June / July 2015

<b>Date</b>	<b>Venue</b>	<b>Details</b>	<b>Outcome</b>
16/6/15	Lakeland	Community meeting and Council Turalba, abattoir & Solar site	
19/6/15/15	Cairns	Nthn Aust White Paper launch	High end Asian Market
23/6/15	Brisbane	Lyon & Ergon Infrastructure Qld Plan	Solar project Workshop- our priorities/roadblocks
25/6/15	Cairns	Coast road home	30km only
26/6/15	PCYC	JCU address	Model community
29/6/15	Office	Oak Tree retirement village	JV options
30/6/15	Ambulance stn	Ron Beckett- Distinguished Service medal	
1/7/15	Cairns	Preston Law & DTMR N Qld E.D. workshop	CYLC & PDR ILUA Premier – our priorities
6/7/15	Cemetery Lizard Is Research Stn & Resort Hinterland Aviation	French Cons Gen Disaster mgmt contingencies  Business sold to Broome Air	D’Allier Proposed bunker
8/7/15	John Hay & Tony Potter	Tropical Savannah Estate	Support to reactivate proposal
9/7/15	Chambers	DTMR	NDRRA, PDR, ATSI TIDS
10/7/15	Office	Cooktown Hardware Telstra	Consider It Done Fibre conxn
13/7/15	PCYC	NDIS	
14/7/15	Office PCYC	Dryland Cotton Lakeland Community film night	Refer community My Pathways
15/7/15	Holy Spirit Office	Inspection Stacey Q uaid Wendy Seabrook 4CA	Big Annan property GM Canola Tourist Town
16/7/15	Chambers	Budget review	
17/7/15	Office	QRA	

Upcoming Meeting

23/7/15	Chambers	Interagency
7/8/15	Cairns	Regional Development Australia
10/8/15	Port Douglas	FNQROC

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**NOTICE OF BEREAVEMENT:**

Advice has been received of the passing of Helen Rootsey, Joyce Ahlers, Holly Brown, and Milly Sellers

As a mark of respect one minute silence was observed.

**CONFIRMATION OF MINUTES**

	<b>CONFIRMATION OF MINUTES OF ORDINARY MEETING</b>
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Cr S Clark moved; seconded Cr K Price

That the minutes of the Ordinary Meeting of 15-16-17 June 2015 be confirmed

CARRIED

**BUSINESS ARISING:**

Nil

The meeting adjourned for morning tea at 10:15 am and resumed at 10:30 am on the 22 July 2015.

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**PLANNING AND ENVIRONMENT**

PE1	<b>DRAFT PLANNING SCHEME- PROPOSED CHANGES</b>	
	<i>Report No.D15/14869 from Greg Overden, Town Planning Consultant</i>	

Cr A Wilson moved; Seconded Cr P Johnson

That Council adopt the proposed changes to the draft Planning Scheme and resolve to engage with the Department of Infrastructure, Local Government and Planning to discuss the amendments prior to releasing the draft Planning Scheme for public consultation.

**Consideration of the report deferred.**

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31026	<b>APPLICATION FOR A DEVELOPMENT PERMIT – DA/3451 – FOR RECONFIGURATION OF LOT 2 ON PLAN SP 168633 LOCATED AT 94 CHARLOTTE STREET, COOKTOWN INTO TWO (2) LOTS.</b>	
	<i>Report No. AD2015/0002165 from Planning Officer</i>	

Cr R Bowman moved, seconded Cr S Clark

That the application by Town & Country Limited c/- U&i Town Plan for a Development Permit for Reconfiguration of Lot 2 on Plan SP 168633 located at 94 Charlotte Street Cooktown, into two (2) lots be approved subject to the Conditions set out in the recommendations contained in Report AD2015/2165.

**CARRIED**

**Précis**

<b>Applicant:</b>	Town & Country Limited c/- U&i Town Plan PO Box 426 Cooktown Qld 4895
<b>Owner:</b>	Town & Country Ltd
<b>Location:</b>	94 Charlotte Street, Cooktown
<b>RPD:</b>	Lot 2 on Plan SP 168633
<b>Area:</b>	.2023 hectares
<b>Zone:</b>	Business Zone
<b>Proposed Use:</b>	Reconfiguration into two (2) lots.
<b>Minimum Lot Size:</b>	1,022 sq metres
<b>Referral Agencies:</b>	Nil
<b>Submissions:</b>	Not applicable

**Report**

Application has been made to Council for the issue of a Development Permit for the Reconfiguration of Lot 2 on Plan SP 168633 located at 94 Charlotte Street Cooktown into two (2) lots. The application is Code Assessable Development under the Cook Shire Planning Scheme.

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**Proposal**

The application proposes the reconfiguration of Lot 2 on Plan 168633 into two (2) lots. The areas of the proposed lots are as follows:

- Proposed Lot 1 – 1,022 sq metres
- Proposed Lot 2 – 1,022 sq metres

Access to proposed Lot 1 will be via the existing Charlotte Street access, while access to proposed Lot 2 must be via the existing Helen Street access. Both lots will be connected to reticulated water, sewerage and electricity.

**The Site**

The development site is located at 94 Charlotte Street Cooktown and is within the reticulated water, sewerage and electricity areas. Lot 2 has an area of 2,023 sq metres and is zoned Business under the Cook Shire Planning Scheme. Proposed Lot 1 is the current site of two (2) retail outlets, Top End Camping & Outdoors and Top End Nursery & Florist along with ancillary storage facilities and infrastructure. Proposed Lot 2 has a house located on it.

**Town Planning Considerations**

Lot 2 is zoned Business under the Cook Shire Planning Scheme and the proposed Reconfiguration into two (2) lots is Code Assessable development.

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

- *The Business Zone functions as the town centre with a range of retail and commercial activities to support the local community and tourists and visitors;*
- *New retail and commercial areas are consolidated on land in this zone, to achieve greater efficiency and accessibility;*
- *Commercial retail business conducted outside the Business Zone is acceptable only if considered an overriding benefit to the community, and*
- *The built form reflects the historic and architectural qualities of the town.*

**Code Requirements for Reconfiguring a Lot in the Business Zone**

Council's Planning Scheme identifies the following Codes as being applicable to reconfiguring a lot in the Business Zone, however only the following Codes are triggered by this proposed development:

- Business Zone Code
- Reconfiguration of a Lot Code
- Works, Services and Infrastructure Code
- Parking and Access Code
- Townscape Character Overlay Code



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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.

**Discussion**

Lot 2 on Plan SP 168633 was created in March 2004 as part of a proposed redevelopment of the hardware shop site located in Charlotte Street, Cooktown. Only the Charlotte Street portion of the redevelopment was proceeded with, and the house on the Helen Street frontage continued to be used as a House (rental). The applicant now wishes to reconfigure Lot 2 back into its original two lots. All infrastructure associated with the 94 Charlotte Street businesses will be contained within proposed Lot 1. The development complies with the relevant Performance Criteria for the relevant Codes and is recommended to Council by Council officers for approval subject to Conditions.

**Recommendation**

That the application by Town & Country Limited c/- U&i Town Plan for a Development Permit for Reconfiguration of Lot 2 on Plan SP 168633 located at 94 Charlotte Street Cooktown, into two (2) lots be approved subject to the following Conditions:

**A. Assessment Manager (Council)**

**Approved Plans**

1. The development must be carried out generally in accordance with the proposal plan Drawing – Google earth submitted in response to Council’s Information Request, except for any minor variations required to comply with the Conditions of this Approval (see Appendix ‘A’).

**Access**

2. Access to proposed Lot 1 must be via the existing Charlotte Street access.
3. Access to proposed Lot 2 must be via the existing Helen Street crossover. Access from the property boundary to the kerb and channel must be concrete sealed and constructed to the requirements of the FNQROC Manual. Details to be provided for approval by Council’s Director Engineering Services prior to works commencing.

**Water Supply**

4. Both proposed lots must be connected to the Cooktown Reticulated Water Supply.
5. Both proposed lots must have a separate metered water connection.

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**Sewerage**

6. Proposed Lots 1 and 2 must be connected to the Cooktown Reticulated Sewerage Scheme via separate connections.

**Electricity**

7. A reticulated electricity supply must be provided to each proposed lot. Council will accept the overhead reticulation of electricity for this development. A Certificate of Electricity supply from Ergon Energy must be provided to Council by the applicant, prior to Council endorsement of the Plan of Survey.

**Heritage Protection**

8. The Heritage stone kerb and channelling on the Charlotte and Helen Street frontages must be protected from damage at all times.

**Public Utilities**

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

**Internal Infrastructure**

10. All internal infrastructure associated with the current businesses located on the Charlotte Street frontage must be contained within proposed Lot 1.

**Outstanding Charges**

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

**Compliance with Conditions**

12. All relevant conditions of the reconfiguration must be complied with prior to the Plan of Survey being endorsed by Council.

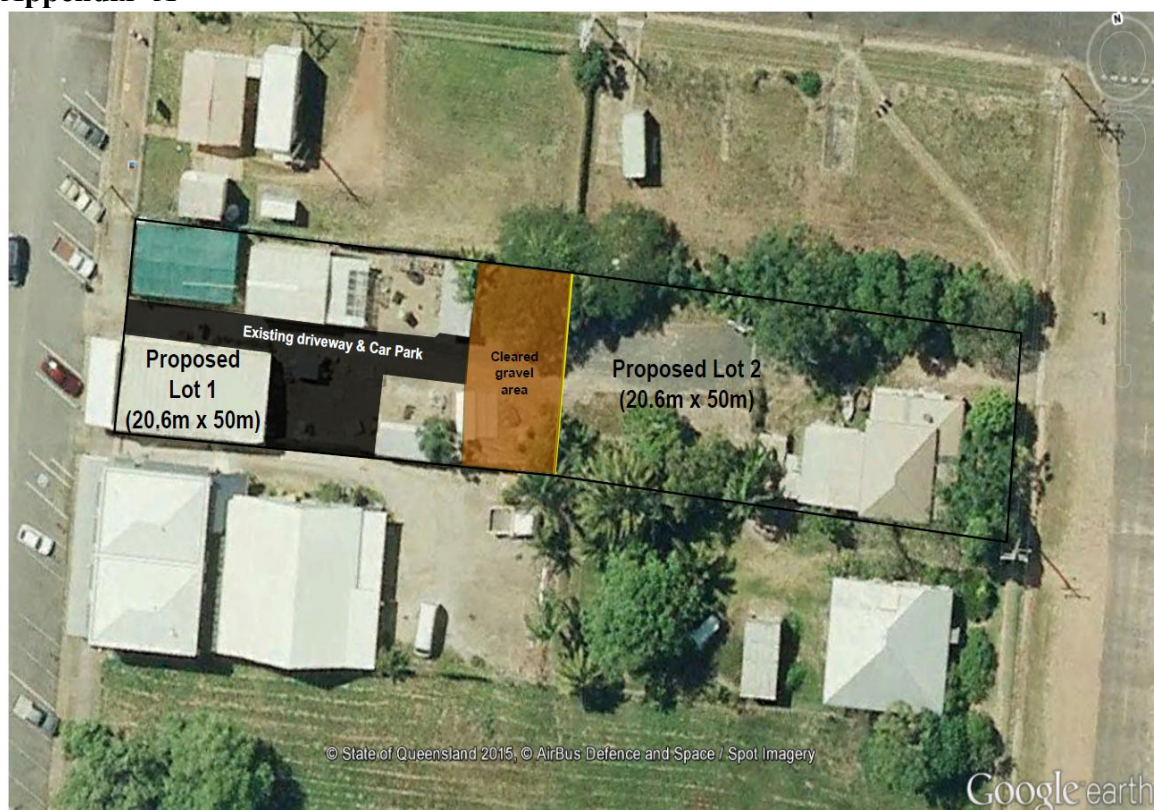
**Signing and Sealing**

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 two (2) years from the commencement of this approval, or this approval will lapse.

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**Appendix 'A'**



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31027	<b>APPLICATION FOR A DEVELOPMENT PERMIT – DA/3436 – FOR RECONFIGURATION OF LOT 63 ON PLAN RP851374 LOCATED AT 47 MAY STREET, COOKTOWN INTO TWO (2) LOTS.</b>	
	<i>Report No.AD2015/0002312 from Development Coordinator</i>	

Cr P Johnson moved; seconded Cr K Price

That the Application by Jennifer Guyatt c/- U&i Town Plan for a Development Permit for Reconfiguration of Lot 63 on Plan RP851374 located at 47 May Street Cooktown, into two (2) lots be approved subject to the Conditions set out in the recommendations contained in Report No. AD2015/0002312.

CARRIED

**Précis**

<b>Applicant:</b>	Jennifer Guyatt U&i Town Plan PO Box 426 Cooktown Qld 4895
<b>Owner:</b>	Jennifer Guyatt
<b>Location:</b>	47 May Street, Cooktown
<b>RPD:</b>	Lot 63 on Plan RP851374
<b>Area:</b>	2,024 sq metres
<b>Zone:</b>	Medium Density Residential
<b>Proposed Use:</b>	Reconfiguration into two (2) lots
<b>Minimum Lot Size:</b>	1,011 sq metres
<b>Referral Agencies:</b>	Nil

**Report**

Application has been made to Council for the issue of a Development Permit for the Reconfiguration of Lot 63 on Plan RP851374 located at 47 May Street, Cooktown, into two (2) lots. The application is Code Assessable Development under the Cook Shire Planning Scheme.

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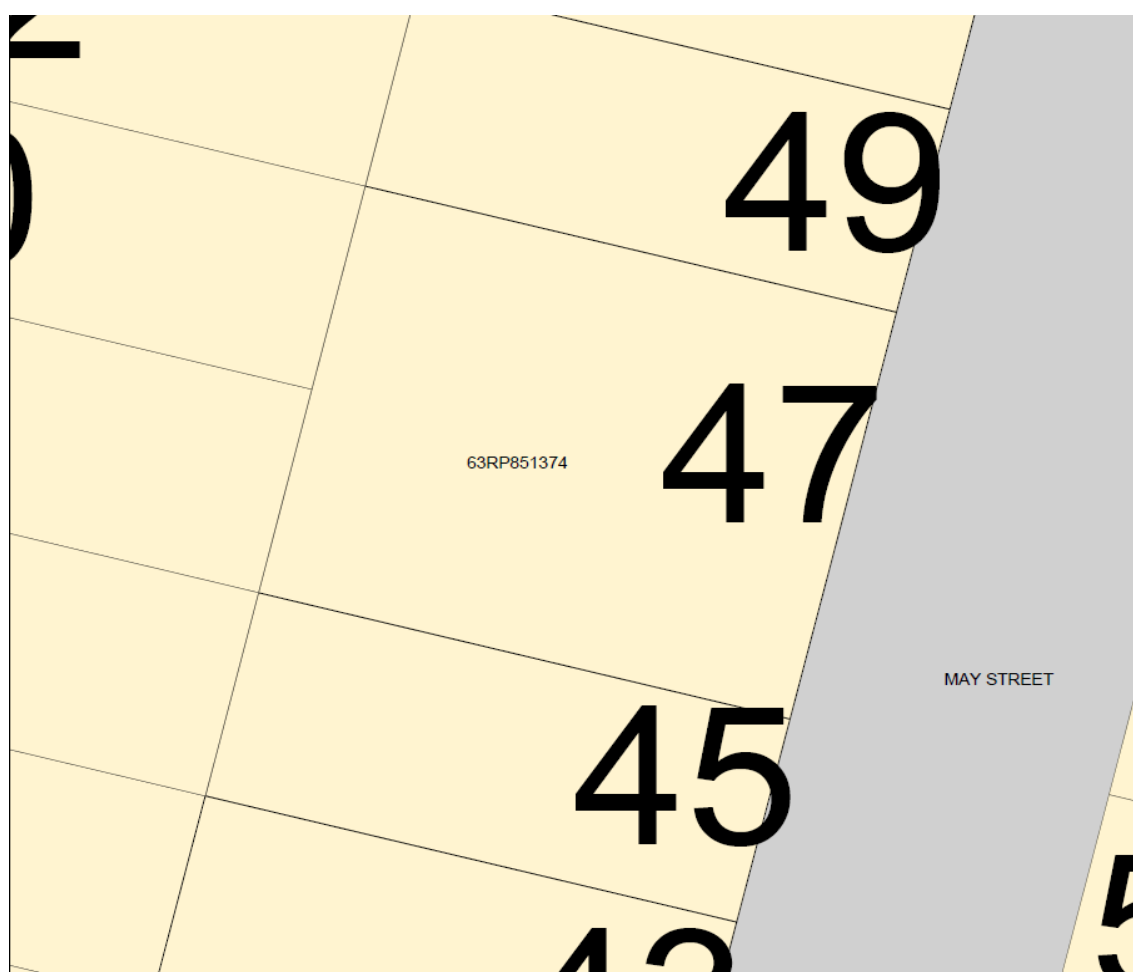
**Proposal**

The application proposed the reconfiguration of Lot 63 on Plan RP851374 into two (2) lots. The areas of the proposed lots are as follows:

- Proposed Lot 63 – 1,011 sq metres; and
- Proposed Lot 64 – 1,012 sq metres.

Access will be via May Street which is bitumen sealed and both lots will be connected to reticulated water, sewerage and electricity.

**The Site**



The development site is located at 47 May Street Cooktown and is within the reticulated water, sewerage and electricity areas. Lot 63 has an area of 2024 sq metres and is zoned Medium Density Residential under the Cook Shire Planning Scheme. Proposed Lot 64 has an existing residence. Whilst proposed Lot 63 is vacant it has an existing point of connection to reticulated sewerage and reticulated water is also available for connection.

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**Town Planning Considerations**

Lot 63 is zoned Medium Density Residential under the Cook Shire Planning Scheme and the proposed Reconfiguration into two (2) lots is Code Assessable development.

The purpose of the Medium Density Residential Zone Code is to achieve the following overall outcomes for the Medium Density Residential zone:

- *The residential neighbourhood is medium density in scale and design and contains a mix of Houses, Dual Occupancies and well designed Multiple Residential and Other Residential land uses with a high standard of residential amenity;*
- *The residential neighbourhood is located close to services and Community Facilities and provided with an appropriate level of infrastructure; and*
- *Non-residential development which supports the immediate community is located and designed to maintain the amenity for adjoining residential development.*

**Code Requirements for Reconfiguration of a Lot in the Medium Density Residential Zone**

Council's Planning Scheme identifies the following Codes as being applicable to Reconfiguration of a lot in the Medium Density Residential Zone, however only the following Codes are triggered by this proposed development:

- Medium Density Residential Zone Code
- Reconfiguration of a Lot Code
- Works, Services and Infrastructure Code
- Parking and Access 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.

**Discussion**

The proposed development is considered to be consistent with the intent of the Medium Density Residential Zone Code and complies with the relevant Performance Criteria applicable to this application. This development is therefore recommended to Council for approval, subject to Conditions.

**Recommendation**

That the Application by Jennifer Guyatt c/- U&i Town Plan for a Development Permit for Reconfiguration of Lot 63 on Plan RP851374 located at 47 May Street Cooktown, into two (2) lots be approved subject to the following Conditions:

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

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**Approved Plan**

1. The development must be carried out generally in accordance with the Proposal Plan submitted in response to Council's Information Request on 15 June 2015 (see Appendix 'A').

**Access**

2. Access to proposed Lot 64 must be via the existing May Street access.
3. Access to proposed Lot 63 must be via May Street. Access from the property boundary to the existing road pavement must be concrete sealed, details to be provided for approval by Council's Director Engineering Services prior to works commencing.

**Water Supply**

4. Both proposed lots must be connected to the Cooktown Reticulated Water Supply in accordance with the requirements of the FNQROC Manual at full cost to the applicant.
5. Both proposed lots must have a separate metered water connection.

**Sewerage**

6. Proposed Lots 64 and 63 must be connected to the Cooktown Reticulated Sewerage Scheme.

**Electricity**

7. Reticulated electricity supply must be provided to each proposed lot. Council will accept the overhead reticulation of electricity for this development. A Certificate of Electricity supply from Ergon Energy must be provided to Council by the applicant prior to Council endorsement of the Plan of Survey.

**Public Utilities**

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

**Outstanding Charges**

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

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**Infrastructure Charges**

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

**Compliance with Conditions**

11. All relevant conditions of the reconfiguration must be complied with prior to the Plan of Survey being endorsed by Council.

**Signing and Sealing**

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 two (2) years from the commencement of this approval or this approval will lapse.

**Appendix 'A'**



**Proposed Plan of Development**

North Arrow pointing North (N).

**Proposed Lot 63 (1,011sqm)**

**Proposed Lot 64 (1,012sqm)**

**Existing House**

Dimensions and Bearings:

- Lot 62: C/79.49, 89°10', 50-232
- Lot 63: 40-234, 89°10'
- Lot 64: 40-234, 89°10', 20.11m, 40-234, 89°10', 20.11m, 6m, 1.5m
- Lot 65: C/79.49, 279°10', 50-232

Adjacent lots: 56, 57, 58, 59, 62, 65.

Street: MAY ST.

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**Appendix 'B'**

Our ref: LM:DA/3436  
Your ref: R14-15

21 July 2015

Jennifer Guyatt  
c/- U&I Town Plan  
PO Box 426  
COOKTOWN QLD 4895

Attention: Ramon Samanes

Dear Mr Samanes

**ADOPTED INFRASTRUCTURE CHARGES NOTICE**  
**DEVELOPMENT APPLICATION DA/3436**  
**47 MAY STREET, COOKTOWN**

**Proposal:** Reconfiguration one (1) lot into two (2) lots

**Applicant:** Jennifer Guyatt  
c/- U&I Town Plan  
PO Box 426  
COOKTOWN QLD 4895

**Location of Site:** 47 May Street, Cooktown

**Real Property Description:** Lot 63 on Plan RP851374

**Type of Development:** Reconfiguration of a Lot

**Infrastructure Charges Calculation:**

Development Class	Charge	Unit of Measure	No of Units	Amount of Charge
Reconfiguration	\$900.00 (Public Open Space)	Equivalent number of Residential Lots	2	\$1,800.00
Reconfiguration	\$1,700.00 (Water)	Equivalent domestic connection	2	\$3,400.00
Reconfiguration	\$1,420.00 (Sewerage)	Equivalent domestic connection	2	\$2,840.00
Total Charges				\$8,040.00

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**Credit Calculation:**

Development Class	Charge	Unit of Measure	No of Units	Amount of Credit
Reconfiguration	\$900.00 (Public Open Space)	Equivalent number of Residential Lots	1	\$ 900.00
Reconfiguration	\$1,700.00 (Water)	Equivalent domestic connection	1	\$1,700.00
Reconfiguration	\$1,420.00 (Sewerage)	Equivalent domestic connection	1	\$1,420.00
<b>Total Credit</b>				<b>\$4,020.00</b>

**Net Adopted Infrastructure Charges Summary:**

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$8,040.00	\$4,020.00	<b>\$4,020.00</b>

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

**Due Date for Payment:**

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

**Payment Details:**

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

**Goods and Services Tax:**

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

**Adopted Infrastructure Charge is Subject to Price Variation:**

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

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

**RIGHTS OF APPEAL:**

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

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

Please contact Council's Town Planning Officer, Mr John Harrison or Development Coordinator Lisa Miller on, (07) 4069 5444 should you require any further information or assistance regarding this matter.

Yours faithfully

Mark Marziale  
Director Planning & Environment Services

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31028	<b>APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A CARAVAN PARK AT 412 SHIPTONS FLAT ROAD, ROSSVILLE - LOT 38 ON SP172667 (DA/3406)</b>
	<i>Report No.D15/14856 from Reel Planning – Planning Consultants</i>

Cr S Clark moved; seconded Cr K Price

That Council issue a Preliminary Approval for the development application submitted by Mr Charles Farrugia c/- Planz Town Planning Pty Ltd for a Material Change of Use for a Caravan Park over Lot 38 on SP172667, subject to the Conditions set out in the recommendations contained in Report No. D15/14856

CARRIED

<b>Applicant:</b>	Mr Charles Farrugia c/- Planz Town Planning Pty Ltd 17 Atherton Street WHITFIELD QLD 4870
<b>Owner:</b>	Mr Charles Farrugia
<b>Location:</b>	412 Shiptons Flat Road, Rossville
<b>R.P.D.:</b>	Lot 38 on SP172667
<b>Area:</b>	9.69 hectares
<b>Zone:</b>	Rural
<b>Proposed Use:</b>	Caravan Park
<b>Referral Agencies:</b>	Department of Transport & Main Roads (Concurrence Agency) via the State Assessment & Referral Agency (SARA)
<b>Submissions:</b>	Three (3) plus one (1) petition

## **REPORT**

An application was made to Council on 31 March 2015 for the issue of a development permit for a Caravan Park at 412 Shiptons Flat Road, Rossville. An acknowledgement notice was issued on 10 April 2015 identifying the Department of Transport and Main Roads (DTMR) as a referral agency.

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Council issued an information request seeking the following information:

- An indication of the impact of a Q100 flood event;
- An amended site plan showing the location of any on-site car parking and the maximum distance between the camp sites and ablution facilities;
- An indication of whether the development is to be a staged;
- information on whether the development constitutes ERA63 (Sewerage treatment); and
- details of what the amenities facilities consist of and the maximum number of persons to be accommodated.

The applicant provided a full (but inadequate) response to the information request via a letter dated 13 February 2015. Public notification was undertaken between 21 April and 12 May 2015 during which three (3) submissions and one (1) petition (containing 107 signatures) was received (refer to Public Notification section of this report).

## **PROPOSAL**

The current proposal involves a caravan park with a maximum of sixty (60) sites to be developed in three (3) stages. The first stage involves construction of twenty (20) sites, with up to twelve (12) being powered via the existing electricity connection to the site. Stages 2 and 3 include twenty (20) sites respectively but will be unpowered. Stages 1 and 3 are intended to contain an ablution building containing two showers and two toilets.

Each site in Stage 1 will be between 60sqm and 90sqm to allow for a caravan, annex and car parking space. Stages 2 and 3 will be less formal, however trees and internal access roads will help to naturally define sites. The sites in Stage 2 in particular are intended to be located in amongst the existing vegetation adjoining the Annan River.

As part of Stage 1, a 6m x 6m shed will be constructed to serve as an office and shop for the caravan park. A dump-easy point is also proposed.

## **THE SITE**

The subject land is located at 412 Shiptons Flat Road, Rossville (better described as Lot 38 on SP172667) and is approximately 25kms south of Cooktown. It currently contains a single residential dwelling which will remain as a managers/caretakers residence for the caravan park. The site is 9.69ha in size and has a frontage to Shiptons Flat Road of over 330m. The site adjoins the Annan River to the west, with the western boundary being the most heavily vegetated. To the north of the site is the Lions Den Hotel which includes camping and accommodation facilities. Surrounding the site in other directions is semi rural properties.

A single point currently provides access to the property off Shiptons Flat Road, approximately 100m south of the northern boundary.

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**Figure 1: Subject Site**

## **TOWN PLANNING CONSIDERATIONS**

### **1. STATUTORY PLANNING CONTEXT**

The site is zoned Rural under Cook Shire Council's Planning Scheme. The proposal best fits the definition of "Caravan Park" under Cook Shire Planning Scheme, repeated below:

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

A Caravan Park in the Rural Zone is subject to impact assessment, allowing Council to look at the provisions of the Planning Scheme as a whole, including the strategic elements of the Planning Scheme. The following codes are also relevant:

- Rural Zone Code;
- Caravan Park Code;



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- Parking & Access Code;
- Works Services & Infrastructure Code; and
- Natural Hazards Code.

## **2. COMPLIANCE WITH CODES AND POLICIES**

### **(i) DEOs**

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

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

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

#### ***DEO 1: A Strong Economy***

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

#### Response

The proposed Caravan Park will assist in the expansion of the range of accommodation choice available for the region and help promote tourism in the area, particularly for travellers along the Bloomfield Track.

#### ***DEO 3: Efficient Settlement***

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

#### Response

The proposed Caravan Park is separate from any town in the Shire and therefore does not consolidate settlement around existing services. There is anecdotal demand for additional accommodation opportunities and the semi-rural setting along the banks of the Annan River



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lends itself to the proposed use. In this sense the use is well located and will not compromise the hierarchy or orderly development of other centres.

***DEO 6: Rural Prosperity***

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

**Response**

The proposed use represents a form of tourist accommodation, associated with the existing Bloomfield Track tourist route and a natural feature in the form of the Annan River. Tourist accommodation in this form nevertheless already exists in this location on the site of the Lions Den Hotel adjoining the site to the north. The clearing that has previously taken place on the land and surrounding land suggests the area has been used for grazing in the past, however little evidence of this (or other productive rural activities) is present at the moment. The use includes limited additional built form and for that reason can be considered temporary in nature and the site can be returned for rural uses should the proposed use cease.

***DEO 8: A Safe Environment***

*Human life, property and the environment are protected from the adverse effects of landslips, bushfires and flooding.*

**Response**

Council does not have records of flooding from the Annan River, however the material submitted with the application included a Q100 line extrapolated from an earlier application in 2003 which runs parallel to Shiptons Flat Road, covering approximately two thirds of the site. The land is also identified in a Bushfire Hazard Area. These two hazards are described in greater detail later in this report.

**(ii) Rural Zone Code**

The overall outcomes of the Rural zone seek to achieve the following:

- *The Rural Zone incorporates a range of agricultural, animal husbandry, forestry, aquaculture and supporting uses which strengthen the rural economy and service the rural community while preserving the amenity and character of rural land;*
- *Good Quality Agricultural Land is protected and is not alienated or fragmented;*
- *Rural zoned land identified as Future Urban Land provides for the long-term expansion of the township and is protected from inappropriate subdivision or changes of use, which could jeopardise its functionality as Future Urban Land. Subdivision of Future Urban Land for urban purposes only occurs where there is a demonstrated community need;*
- *The rural economy and community is serviced by adequate infrastructure (particularly roads);*
- *Intensive rural activities are located away from sensitive land uses and do not have a detrimental impact on the amenity of adjoining land;*

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- *Scenic landscape values and the rural character of the land is preserved for enjoyment of residents, visitors and tourists;*
  - *New extractive industry operations utilise significant local resources and are appropriately located and designed to mitigate any significant environmental impacts; and*
  - *Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.*

The proposed use is consistent with the outcomes sought by the code (to the extent relevant) in that:

- The land is not identified as GQAL or Future Urban Land;
- The site has access to a sealed road;
- The proposed use is not an intensive rural activity and (subject to conditions in respect of the provision of landscaping) will not compromise scenic landscape values or rural character;
- The proposed use is not an extractive industry and there are no nearby extractive industries.

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

<b>1. Performance Criteria</b>	<b>2. Proposal Compliance</b>
<b>Land Use</b>	
PC 1 Land use is primarily rural in nature. A range of non-rural uses are also located in this zone where they are complementary to the primary rural use (eg Roadside Stall) or where they have a direct and necessary connection to the wider rural community (eg. Veterinary Facility).	The proposal involves a new caravan park in the Rural Zone, primarily to support tourism associated with the Bloomfield Track. Anecdotally there is demand for additional caravan park accommodation, however the proposal is not a rural activity, nor is there a direct connection to the wider rural community. The proposed use does not strictly comply with the Performance Criteria as it is not an ancillary rural use nor is there a direct connection to the wider rural community. It is however well located to meet the needs of the tourism industry and (subject to reasonable and relevant conditions) is compatible with surrounding land use.
<b>PC 2</b> The land use aspirations in any Indigenous Land Use Agreement (ILUA) are recognised.	The land is not identified within or close to that identified in an ILUA

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<b>1. Performance Criteria</b>	<b>2. Proposal Compliance</b>
<b>Scale and Density</b>	
<b>PC 3</b> Buildings are of a scale and design that is appropriate for a rural area.	New buildings associated with the proposal are low scale and could be considered similar to surrounding farm sheds. They are therefore appropriate for the area.
<b>Amenity and Setbacks</b>	
<b>PC 4</b> Buildings and structures are setback from road frontages and adjoining sensitive uses and landscaping and other measures (eg earth mounds and solid fences) are provided within this setback to: Complement the character of the area; Minimise adverse impacts on roads and adjoining properties; and Minimise the impact of dust on residents of the rural lot.	The associated acceptable solution specifies a setback of 50m where access is from a sealed road. This can be achieved.
<b>Design</b>	
<b>PC 5</b> Advertising Devices: Consist of a single flat panel mounted on posts; and Are well maintained; and Do not create visual clutter; and Are designed so as not to impact on the amenity of the locality; and Are designed so as not to detract from the character and amenity of the locality or to create a traffic hazard.	No advertising devices are proposed as part of this application
<b>Protection of Extractive Resources</b>	
<b>PC 6</b> Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.	There are no known nearby extractive resources.
<b>Erosion Prone Land</b>	
<b>PC 7</b> In an Erosion Prone Area, there are no adverse impacts on habitat, soil cover or water quality and no significant threats to public safety, infrastructure integrity or the economic value of the Erosion Prone Area.	The site is not in an erosion prone area.

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<b>1. Performance Criteria</b>	<b>2. Proposal Compliance</b>
<b>Watercourse Protection</b>	
<b>PC 8</b> Where land uses or works occur adjacent to wetlands and/or watercourses identified on the Watercourses and Wetlands maps, there are no significant adverse effects on: Water quality; Ecological and biodiversity values; or Landscape quality.	The associated acceptable solution requires that new works or buildings are setback a minimum of 20m from watercourses (in this case the Annan River) and that no clearing take place within this setback. That requirement can be achieved by the proposal.
<b>Acid Sulfate Soils</b>	
<b>PC 9</b> Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulfate soil by: Avoiding disturbance of such areas; or Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels, and Treating and managing surface and groundwater flows from areas of acid sulfate soils to minimise environmental harm.	The proposal does not affect any land at or below 5m AHD so will not have any effect on Acid Sulfate Soils.
<b>Pest Management</b>	
<b>PC 10</b> Movement of State Declared or environmental pest plants and pest animals is prevented by: Not introducing any new declared or environmental pest plants or animals on to the property; and Not allowing seed or plant parts of declared or environmental pest plants to leave the property.	The applicant will be conditioned (as part of this application or a later application for building or operational work) so not to introduce any State declared or environmental pest plants or animals.

**(iii) Caravan Park Code**

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

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

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The subject site provides an attractive setting on the banks of the Annan River, with substantial existing vegetation to provide shade and shelter. While native vegetation is intended to be retained and the site will likely provide an attractive living environment, it has not been demonstrated that impacts on the surrounding area can be avoided. Specifically, the applicant has not demonstrated that water and sewer can adequately be provided to the site, nor what landscaping will be included to protect the scenic amenity of the area.

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

<b>3. Performance Criteria</b>	<b>4. Proposal Compliance</b>
<b>Site suitability</b>	
<b>PC 1</b> Caravan Parks are located so as to be easily and safely accessible to the travelling public.	The associated acceptable solution requires that the park has access to a sealed road with a minimum 20m reserve width. This requirement is met by Shiptons Flat Road.
<b>PC 2</b> Caravan Parks have sufficient area for all individual sites, services and facilities, landscaping and vehicle manoeuvring and parking.	The associated acceptable solution requires a minimum site area of 1ha which is exceeded by the subject site.
<b>PC 3</b> Caravan Parks are well drained and flood free.	Council does not have flood mapping for the site, however the site plan included with the application showed a Q100 line (1 in 100 year flood line) covering approximately 2/3 of the property. Anecdotally the Annan River has not flooded in over 10 years and the applicant argues that the nature of a camp ground is such that there will be no danger to visitors (who will leave prior to the flood) and limited damage to the few buildings constructed on site.
<b>Vehicle access and manoeuvring</b>	
<b>PC 4</b> Safe and efficient vehicle movements are facilitated.	The associated acceptable solution requires that vehicles towing caravans are able to leave the site in a forward gear. While no internal road layouts were shown on the site plan, the site is of sufficient size such that manoeuvring of vehicles is unlikely to be a problem. This can be conditioned as part of any decision.

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<b>3. Performance Criteria</b>	<b>4. Proposal Compliance</b>
<b>PC 5</b> Off-street parking for guest check-in/check-out is provided adjacent the office or caretaker's residence.	As above, the site plan does not specify parking adjacent to the office, there is sufficient space on site to be able to comply with the requirement.
<b>Design</b>	
<b>PC 6</b> Buildings and structures for the purpose of providing recreation for guests are designed and located so as not to adversely impact on the amenity of guests or adjoining properties.	The proposal does not include any specific recreation buildings and there is sufficient space on site to separate permanent buildings on site from individual camping/caravan sites and surrounding properties. This can be conditioned as part of any decision.
<b>PC 7</b> Waste material is stored so as not to be unsightly and so as to be conveniently collected.	The site plan does not detail where bins will be kept, however this can be conditioned as part of any decision.
<b>PC 8</b> Buildings and facilities, individual sites and internal roads are designed and located to minimise the need to remove native vegetation.	No vegetation is proposed to be cleared.
<b>Individual sites</b>	
<b>PC 9</b> Individual sites have adequate area for the comfort of guests.	The minimum site area proposed is 60sqm which aligns with the minimum site area in the associated acceptable solution.
<b>PC 10</b> Individual sites have direct access to an internal road and are delineated on at least two sides by use of fencing or landscaping.	The town planning report submitted states that no fencing or landscaping is proposed to delineate individual sites. Some delineation between the powered sites is recommended to be conditioned as part of the decision.
<b>PC 11</b> Adequate separation is maintained between individual sites and facilities to provide privacy and comfort to guests.	The associated acceptable solution requires 3m between sites and 6m between sites and amenities or ablution facilities. The site plan does not specify individual spaces, however the site area is sufficient to reasonably expect that privacy and comfort for guests will be maintained. Spacing between sites can be conditioned as part of any decision.
<b>Open space</b>	
<b>PC 12</b> Sufficient open space is provided for guests' comfort.	The associated acceptable solution requires that 7% of the site is provided as communal open space. The site area is such that there will be adequate open space.

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3. Performance Criteria	4. Proposal Compliance
<b>Landscaping</b>	
<b>PC 13 Landscaping:</b> <ul style="list-style-type: none"> <li>• Provides a pleasant visual presentation to the street frontage;</li> <li>• Reduces impacts on adjoining properties through the extensive use of boundary plantings;</li> <li>• Makes use of (and/or supplements) existing native vegetation wherever possible; and</li> <li>• Provides shade to guests.</li> </ul>	<p>The associated acceptable solution requires a landscape strip of 6m along the street frontage and 3m along other boundaries. The applicant has argued that given the length of the road frontage and the rural setting, that no landscaping should be required. It is the view of Council officers that some landscaping, particularly along the road frontage should be established given the semi-rural nature of the locality and scenic amenity of the area.</p>

**(iv) Parking and Access Code**

The Parking and Access Code seeks to achieve safe and convenient parking and access both internal and external to the site. Vehicles of guests staying at the caravan park are to be accommodated on the individual sites, so the use should not generate demand for additional car parking beyond that for staff. No parking or internal manoeuvring areas have been shown on the site plan and a condition of approval is recommended demonstrating how safe and convenient parking and manoeuvring can be achieved.

**(v) Works, Services and Infrastructure Code**

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

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

- PC1 requires a rain water tank with a minimum capacity of 50,000 litres to be installed for each residential dwelling unit, as the land is outside the Council's reticulated water area. The application states that potable water will be supplied, however does not specify an appropriate quantity or a storage strategy.
- PC3 deals with sewerage disposal. The application has not demonstrated how the site will be serviced, other than to confirm it will be an on-site system.
- PC6 requires that land is provided with a suitable electricity supply. The existing dwelling is currently serviced with electricity and it is understood this can be extended to service the powered sites as part of Stage 1.

**(vi) Natural Hazards Code**

The overall outcomes for the Natural Hazards Code seeks to ensure that development is compatible with natural hazards in affected areas of the Shire, with impacts on existing developed areas to be minimised and ensuring that development does not materially increase the extent or the severity of natural hazards. The proposal involves additional people being accommodated on a site at risk from bushfire, thereby increasing the risk or exposure to the

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natural hazard. The code requires setbacks from hazardous vegetation, while the applicant argues that because no permanent buildings are proposed no setback should be required.

### **3. REFERRAL AGENCIES**

The Department of Transport and Main Roads (DTMR) via the State Assessment and Referral Agency (SARA) was a referral agency for proximity to a State Controlled Road. DTMR responded via letter dated 1 May 2015 approving the development subject to conditions. The conditions require that:

- The development be constructed in accordance with the proposed plan;
- Access to the site be limited to the existing access location;
- The existing access be upgraded to a rural property access in accordance with DTMR's design manual; and
- Vehicles must enter and exit the site in a forward gear.

### **4. PUBLIC NOTIFICATION**

Public notification of the proposed development was required. This applicant has provided a notice stating that the application was publicly notified in accordance with Section 297 of the *Sustainable Planning Act 2009*. Three (3) submissions and one (1) petition containing 107 signatures was received during the public notification period.

Two (2) of the submissions had the same content (prepared by BNC Planning), with one (1) signed by Purcell Taylor Lawyers and the other by Ms Judy Heslin. The third submission was prepared by Kathy Powell and Gavin Dear.

### **5. SUMMARY GROUNDS FOR SUBMISSIONS**

The following summarises the major grounds raised within the submissions and petition. Some of the grounds raised are not relevant to the town planning assessment of the application.

**1. The petition raises concerns that the caravan park will take business away from the existing Lion's Den Hotel.**

Response:

Private economics are not a valid ground of objection. Anecdotally there is demand for additional accommodation in the area, particularly for RV parking which is in limited supply at the Lions Den.

**2. The petition raised concerns about the caravan park creating a noise disturbance for locals and visitors passing through the area.**

Response:

The Lions Den Hotel located on the northern boundary of the site, which contains accommodation, a bar and entertainment facilities and already has an impact on the acoustic



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environment. In comparison, and considering the setbacks from surrounding land and the road, noise from the proposed caravan park is unlikely to adversely affect surrounding residents and visitors.

**3. One submissions state that a caravan park is inconsistent with the intent of the Planning Scheme, particularly the Rural Zone.**

Response:

Council Officers disagree that a Caravan Park is inconsistent with the intent of the Planning Scheme. While the Rural Zone is primarily intended to accommodate rural and rural support uses, it is also true that (as stated in DEO1) the Shire's economy relies heavily on tourism based around natural and cultural assets. The Bloomfield Track is an important asset for the Shire and a heavily trafficked route for tourists between Port Douglas and Cooktown. In this sense the proposed Caravan Park is well positioned near the tourism attraction and there is not considered to be any conflict with the intent of the Planning Scheme.

**4. One submitter raised concerns that the application was not-properly-made and that it should not have proceeded through the assessment process.**

Response:

The properly-made requirements outlined on the IDAS forms include a number of items to be included on the proposal plans as well as information to be included in the planning assessment. An application is only properly made if it includes the items listed on the IDAS form or if the assessment manager is satisfied that the information is sufficient and accepts the application. Council officers are rarely inclined to refuse to accept an application as not-properly-made, preferring to request additional information later in the IDAS process.

**5. The submitters raised concerns that the application conflicts with the DEOs and codes.**

Response:

The submitters state that the application conflicts with the DEOs and codes. An assessment of the proposal against the DEOs and Codes (refer to section 2 of this report) has been undertaken and it has been determined that no conflict exists.

**6. One submitter raised the potential for further vegetation clearing or environmental harm as a result of the proposal.**

Response:

While the State mapping shows vegetation on site to be of value, the applicant has stated that no clearing will take place. For this reason the application did not require a referral to the Department of Environment and Heritage Protection. A condition of approval is recommended that limits any further clearing without the separate approval of the Director Planning and Environment. This will ensure that appropriate assessment can be undertaken.

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**7. One submitter questions the appropriateness of the use, given the flooding that occurs in the area.**

Response:

As mentioned elsewhere, the applicant showed a Q100 line covering part of the site, however Council does not have detailed flood information for the site. It is not unusual for camp sites to be at some risk of flooding, particularly given they are often located along the banks of rivers and waterways. In this case there are no additional permanent residential buildings proposed, with the site catering for RV, caravan and tent camping only. The site is therefore able to be evacuated, with proposed structures (such as the ablution facilities) able to be cleaned or repaired following inundation. In the circumstances, it is reasonable to require the applicant to demonstrate to Council the risk of flooding as well as the types of measures that can be put in place to manage an evacuation of the site if needed.

## **6. DISCUSSION**

The proposed development is for a Caravan Park in the Rural Zone. The development is a mixture of powered and unpowered sites, with a total of sixty (60) individual sites proposed over three (3) Stages.

Consistency with the Rural Zone

The Rural Zone is intended to be occupied by Rural Uses or rural support uses. While the land appears to have been cleared in the past, there is no evidence of any significant rural uses taking place on this site or surrounding sites in the locality. Moreover, the land is not identified as Good Quality Agricultural Land and the proposed use will not compromise the long term rural potential in the sense that there is very little built form and no significant earthworks proposed.

The DEOs of the Planning Scheme recognise the value of tourism to economy (based on cultural and natural assets) of the Shire, but also recognise the importance of consolidating services and infrastructure within existing settlements. In this case the proposed Caravan Park is well located to service tourists travelling over the Bloomfield Track and benefits from its location along the Annan River. The locality is nevertheless separated from any other services or infrastructure in surrounding townships, with the only non residential use in the area being the Lions Den Hotel which also contains accommodation opportunities.

On balance, the tourism benefits of the proposed Caravan Park in proximity to the Bloomfield Track and Annan River are sufficient to demonstrate compliance with the DEOs. The nature of the Caravan Park is such that visitors will be largely self contained (as opposed to other forms of residential accommodation such as a motel) and on that basis it is relatively well suited to being sited in more remote locations. In any case, the Caravan Park is a relatively short drive from services and facilities in Cooktown.

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**Infrastructure**

The site is not connected to reticulated water and sewer and the application was lodged without information on the method or ability to provide on-site services. Council asked for such information as part of its information request, but the applicant sought to delay the provision of such information until a later stage. As indicated elsewhere in this report, it is our opinion that the land use is appropriate. There is also nothing particular about the land or surrounds which would suggest the applicant will face difficulty servicing the site. Conditions of approval are nevertheless recommended which require the applicant demonstrate to the satisfaction of Council that on-site water and sewerage can be provided in a way that provides for the needs of visitors without impacting on surrounding residents or the environment.

**7. RECOMMENDATION**

That Council issue a Preliminary Approval for the development application submitted by Mr Charles Farrugia c/- Planz Town Planning Pty Ltd for a Material Change of Use for a Caravan Park over Lot 38 on SP172667, subject to the following conditions:

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

**Amended Plan Required**

1. Prior to the issue of a Development Permit for Building Works for Stage 1 and prior to the commencement of the use the applicant is required to submit an amended Site Plan at an appropriate scale, to the satisfaction of the Director – Planning and Environment containing the following information:
  - The location and width of the internal access road;
  - The location and size of the ablution facilities;
  - The location and size of the existing residence, site office, shed and any other ancillary buildings;
  - The location of parking spaces (in addition to those associated with each site);
  - The location of the powered sites as part of Stage 1;
  - Setbacks between camping areas, boundaries and existing and proposed buildings;
  - Setbacks to the Lion's Den Fuelling Facility;
  - Location of water tanks, bores, sewerage irrigation areas, the dump-easy point, refuse areas and other services; and
  - Location of landscaping both along the road frontage of the site and within the development.

**Approved Plan**

2. The development must be carried out generally in accordance with the amended proposal plans to be submitted as per Condition 1 except for any modifications required to comply with the Conditions of this Approval:

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**Land Use**

3. The land is to be used for short-term accommodation in the form of caravans, RVs or conventional camping for stays not exceeding two (2) weeks. This development permit does not permit any Workers' Accommodation taking place on the land.

**Construction and Staging**

4. Staging is to occur sequentially from Stage 1 through to Stage 3. The Office/Store building and one of the ablution buildings is to be constructed as part of Stage 1, prior to commencement. The second ablution building is to be constructed prior to the Stage 2 commencing.
5. Each stage is to contain a maximum of twenty (20) sites.

**Site Population**

6. The Site is to cater for a maximum population of one hundred and twenty (120) persons upon completion of Stage 3, with a maximum of twenty (20) sites in each stage (maximum sixty (60) sites overall).

**Building Works**

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

**Upgrading Access**

8. Access to Shiptons Flat Road must be upgraded in accordance with the requirements of the State Assessment and Referral Agency response dated 1 May 2015, included as 'Appendix A'.
9. Construction of the internal driveway to an all weather (gravel with dust suppressant) standard is to be undertaken to the requirements of the FNQROC Manual as part of each Stage. Engineering drainage must be submitted for approval by Council's Director Engineering Services prior to any works commencing.

**Car Parking**

10. Car parking is to be sited generally in accordance with the amended plan. The car park is to be constructed to an all weather (gravel with dust suppressant) standard and be delineated to the satisfaction of Council.

**Landscaping**

11. Prior to the issue of a Development Permit for Stage 1 Building Works, the applicant is to prepare and submit to the Council a Landscape Plan for approval by the Council's Director Planning and Environment. The plan should indicate how the use will be

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screened from the adjoining land and present attractively to the road frontage. The applicant is to undertake the landscaping in accordance with the approved plan prior to the commencement of the use in Stage 1.

**Flooding**

**12.** Prior to the issue of a Development Permit for Building Works for Stage 1 and prior to the commencement of the use the applicant is required to submit a flood management plan, to the satisfaction of the Director – Planning and Environment containing the following information:

- (a) a plan of development and site showing evacuation routes and assembly areas (where relevant);
- (b) a description of the triggers to activate evacuation plans and other emergency flood management measures;
- (c) a description of relevant signage and proposed locations in the building;
- (d) a list of any procedures required to manage evacuation;
- (e) contact numbers of relevant local Emergency Services; and
- (f) a quantitative assessment of risk and risk-reduction factors, including consideration of extreme flood events up to the probable maximum flood.

**Water Supply**

**13.** Prior to the issue of a Development Permit for Stage 1 Building Works, the applicant is to submit to Council a report prepared by a qualified expert demonstrating the proposed water source complies with the Australian Drinking Water Guidelines. The report is to also detail proposed water treatment devices, including operating parameters and quality testing regimes.

**14.** In the event that the reports required by Condition 13 indicate that the proposed water source is unsuitable, the provision and maintenance of a minimum of 250,000 Litres of rainwater storage on the site with tanks and water supply infrastructure to meet the relevant Australian Codes and Standards for a potable drinking water supply and the relevant requirements of the FNQROC Manual is required. The water supply is to be provided, to the satisfaction of the Council's Director, Engineering Services, prior to the commencement of the use in Stage 1.

**Effluent Disposal**

**15.** Wastewater treatment and disposal applications must include details of proposed wastewater disposal systems and calculations demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – On-site Domestic Wastewater Management. Details to be provided at the time of lodgement of a Plumbing or Building application and prior to the issue of a Development Permit for Stage 1 Building Works. The works are to be completed to the satisfaction of Council's Director of Engineering Services, prior to the commencement of the use in Stage 1.

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16. If the on site sewage system exceeds 21EP the applicant is required to obtain the necessary ERA permit.

**Bushfire Maintenance**

17. Firebreaks between permanent buildings and hazardous vegetation (of 1.5 times the predominant mature canopy tree height or 10 m, whichever is the greater) must be maintained by the owners at all times and flammable material must not be allowed to build up around the buildings so as not to create a fire hazard.
18. Development must be provided with a separate water storage tank with minimum supply of 5,000 litres and fitted with Fire Brigade tank fittings, for fire fighting purposes prior to the use commencing

**Clearing**

19. No clearing of vegetation is to be undertaken unless first approved by the Council's Director Planning and Environment.

**Ablution and Laundry Facilities**

20. The development must be provided with laundry and ablution facilities in accordance with Council's Camping and Caravan Park Local Law No.22.
21. Sufficient lighting should be provided to ensure that ablution and laundry facilities can be safely accessed at night.

**Public Utilities**

22. The development must be connected to a reliable electricity supply. Details to be provided at the time of building application and the works completed prior to the commencement of the use for Stage 1.
23. The developer is responsible for the cost of any alterations to public utilities as a result of complying with the Conditions of this approval.

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

**Environmental**

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

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**Compliance**

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

**Permits**

26. The developer must ensure that all local law permits are obtained prior to the use commencing.

**Outstanding Charges**

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

**Currency Period**

28. The currency period (i.e. the completion of all three (3) stages) for this application is four (4) years. Should the approved Caravan Park not be established within this time, the approval shall lapse.

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

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

**B. Concurrence Agency (Department of Transport and Main Roads) Response:**

See the attached letter from the Department of Transport and Main Roads (Via the State Assessment and Referral Agency) dated 1 May 2015.

**'Appendix A'**

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SDA-0714-012891

## Site details

Street address: 412 Shiptons Flat Road, Rossville  
Lot on plan: Lot 38 on SP172867  
Local government area: Cook Shire Council

## Application details

Proposed development: Development Permit for Material Change of Use for Caravan Park

## Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Caravan Park	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 3, Item 1—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: Material Change of Use (Caravan Park)				
Proposed Caravan Park - 412 Shiptons Flat Road	-	February 2015	Appendix 1: Proposal Plan	-



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Department of  
State Development,  
Infrastructure and Planning

Our reference: SDA-0714-012901  
Your reference: DA3406 / DA3309

1 May 2015

Chief Executive Officer  
Cook Shire Council  
PO Box 3  
Cooktown QLD 4895  
[mail@cook.qld.gov.au](mailto:mail@cook.qld.gov.au)

Attn: John Harrison and Lisa Miller

Dear Sir/Madam

**Concurrence agency response—with conditions**

Material change of use for Caravan Park on land described as Lot 38 on SP172667, located  
at 412 Shiptons Flat Road, Rossville  
(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 16 April 2015.

**Applicant details**

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Applicant name:	Mr Charles Farrugia
Applicant contact details:	C/- Planz Town Planning 17 Atherton Street Whitfield QLD 4870 <a href="mailto:nikki.huddy@planzip.com">nikki.huddy@planzip.com</a>

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SDA-0714-012551

**Site details**

Street address: 412 Shiptons Flat Road, Rossville  
Lot on plan: Lot 38 on SP172667  
Local government area: Cook Shire Council

**Application details**

Proposed development: Development Permit for Material Change of Use for Caravan Park

**Aspects of development and type of approval being sought**

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Caravan Park	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 3, Item 1—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 288(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
<b>Aspect of development: Material Change of Use (Caravan Park)</b>				
Proposed Caravan Park - 412 Shiptons Flat Road	-	February 2015	Appendix 1: Proposal Plan	-

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SDA-0716-012881

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

For further information, please contact Jenny Sapuppo, Senior Planning Officer, Regional Services – Far North Queensland on 4037 3202 or email [jenny.sapuppo@dlgp.qld.gov.au](mailto:jenny.sapuppo@dlgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Angela Foster  
Manager (Planning)

cc: Mr Charles Famugia of- Planz Town Planning, [nikki.huddy@planztp.com](mailto:nikki.huddy@planztp.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-0714-012991

Our reference: SDA-0714-012991

Your reference: DA3406 / DA3309

**Attachment 1—Conditions to be imposed**

No.	Conditions	Condition timing
<b>Development Permit – Material change of Use (Caravan Park)</b>		
<b>Schedule 7, Table 3, Item 1 - State controlled road—Pursuant to section 255D of the Sustainable Planning Act 2009, 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):</b>		
1.	The development must be carried out generally in accordance with the following plan: <ul style="list-style-type: none"> <li>Appendix 1: Proposal Plan 'Proposed Caravan Park', dated February 2015.</li> </ul>	At all times
2.	The permitted road access location, (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained), is to be located between Lot 38 on SP172667 and Shiptons Flat Road via the existing access location, generally in accordance with amended Appendix 1: Proposal Plan 'Proposed Caravan Park', dated February 2015.	At all times
3.	Direct access is not permitted between Shiptons Flat Road and the subject site at any location other than the permitted road access location (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained).	At all times
4.	Road access works comprising of a sealed rural access to the development, (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 Appendix 1: Proposal Plan 'Proposed Caravan Park', dated February 2015.  The road access works must be designed and constructed in accordance with Department of Transport and Main Roads Road Planning and Design Manual and in particular Part 4 of Austroads Guide to Road Design: Intersections and Crossings - General, Figure 7.2 (rural property access).	Prior to the commencement of use and to be maintained at all times
5.	All vehicles must enter and exit the subject site at the permitted road access location (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained) in a forward motion.	At all times

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Our reference: SDA-0714-012991  
Your reference: DA3406 / DA3309

**Attachment 2—Reasons for decision to impose conditions**

The reasons for this decision are:

- To ensure the development complies with Module 19 of the State Development Assessment Provisions, version 1.5.
- 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.
- To ensure the turning movements of vehicles entering and exiting the premises via the road access maintains the safety and efficiency of the state-controlled road.

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SDA-0714-012991

Our reference: SDA-0714-012991  
Your reference: DA3406 / DA3309

**Attachment 3—Further advice**

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General advice – Advertising device	
1.	<p>A local government should obtain advice from the Department of Transport and Main Roads if it intends to approve the erection, alteration or operation of an advertising sign or another advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.</p> <p>Note: The Department of Transport and Main Roads has powers under section 111 of the Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2005 to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p>
General advice – Road access works approval	
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. 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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31029	<b>APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A HOUSE AND A UNDEFINED USE (BYB CULTURAL PLACE) AND A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (FOR 3 LEASE AREAS) AT SHIPTON FLAT - LOT 7 ON SP189923 (DA/3285)</b>
	<i>Report No.D15/14878 from Reel Planning – Planning Consultants</i>

Cr P Johnson moved; seconded Cr K Price

That Council issue an approval for the development application submitted by Bana Yarralji Bubu Incorporated C/- Aurecon Australasia Pty Ltd for Reconfiguring a Lot (3 New Lease Areas) and a Material Change of Use for a House and Undefined Use (BYB Cultural Place) over Lot 7 on SP189923, subject to the Conditions set out on the recommendations contained in Report D15/14878.

**CARRIED**

<b>Applicant:</b>	Bana Yarralji Bubu Corporation c/o Ms Jamie-Lee McKeen Aurecon Australasia Pty Ltd Locked Bag 331 BRISBANE QLD 4001
<b>Owner:</b>	Jabalbina Yalanji Land Trust
<b>Location:</b>	Siptons Flat Road, Rossville
<b>R.P.D.:</b>	Lot 7 on SP189923
<b>Area:</b>	13.61 hectares
<b>Zone:</b>	Conservation
<b>Proposed Use:</b>	Reconfiguring a Lot (three (3) new lease areas) Material Change of Use (House and Undefined Use)
<b>Referral Agencies:</b>	None
<b>Submissions:</b>	Nil

## **REPORT**

An application was made to Council on 7 July 2014 for the issue of a development permit for Reconfiguring a Lot (to create three (3) new lease areas) and a development permit for a Material Change of Use for a House and an Undefined Use at Siptons Flat Road, Rossville (Lot 7 on SP189923). Following significant correspondence between Council, the applicant



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and State Government Referral Agencies regarding the applicable Referrals, the final acknowledgement notice was issued on 12 September 2014.

Council also issued an information request on 12 September 2014 (following the issue of an earlier acknowledgement notice) requesting:

- Information on clearing of vegetation;
- An ecological report referenced in the application;
- Information on the purpose of proposed Lease C;
- Further justification for the proposed car parking rate;
- A wastewater assessment; and
- A water supply assessment.

The information request was taken to be current as at the issue of the final acknowledgement notice on 12 September 2014. The applicant requested an extension to the information request response period until 10 May 2015. The applicant provided a full response to the information request via a letter dated 7 May 2015. Public notification was undertaken between 22 May 2015 and 12 June 2015 with no submissions received during this time.

## **PROPOSAL**

The current proposal represents Stage 2 of a masterplan for the site to ultimately create what the applicant describes as a 'Cultural Healing Place'. Stage 1 (approved by Council in 2011) involved the provision of basic amenities including:

- An office;
- Basic toilets and showers;
- A shelter;
- The establishment of communications (phone line);
- The establishment of services (power and water);

With the provision of these facilities the following activities have been taking place on the site:

- Camping for indigenous students while they are involved in leaning land management;
- Camping for elders;
- Tourism trials; and
- Training programs.

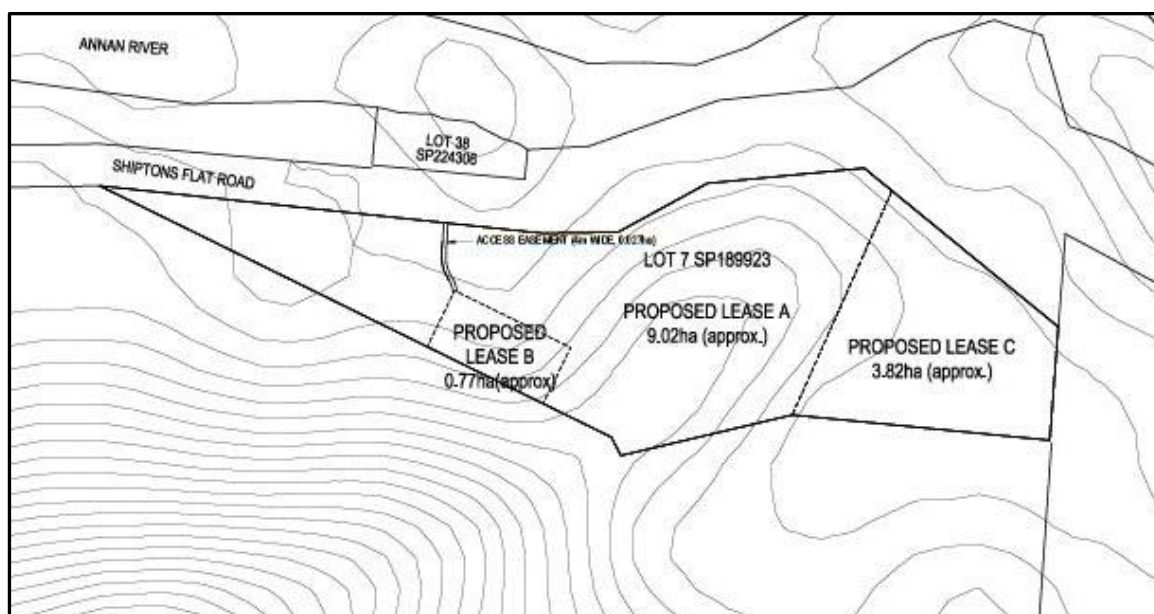
The current proposal involves creating three (3) leases which exceed ten (10) years (and therefore require an application for reconfiguring a lot). The lease areas are shown in Figure 1, while the use of each lease area is summarised below.

- Lease A (9.02ha): BYB Cultural Place:
  - Staff Facilities
  - Camping Areas, cabins & eco-tents;
  - Work shed;

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- Shared kitchen;
- Amenities Buildings;
- Water Supply tanks; and
- Access and car parking.
- 
- Lease B (0.77ha): 4 Bedroom House
- Lease C (3.82ha): Balance Land



**Figure 1: Proposed Lease Areas**

The applicant describes the vision for the site to develop a social enterprise that provides cultural, environment, natural resource management and eco-tourism outcomes on Kuku Nyungkal Country. Stage 1 involved basic services to facilitate short term camping for traditional owners. The current proposal expands the services and facilities (on proposed Lease A) to accommodate:

- Commercial tourism activities;
- An eco-volunteer program;
- Natural resource management and research activities;
- Occasional functions and cultural events; and
- Cultural healing opportunities and Cultural group camps.

The accommodation is described as being non commercial and operating 24 hours per day. The tourism and functions (representing the commercial uses of the land) will generally operate during business hours with limited exceptions (e.g. night walks for tourism and research).

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The total number of people on site is summarised in the table below:

Use	Maximum number of People
Camping Area – 10 sites	30 people
Cabins – 4 cabins with 2-twin share bedrooms	16 people
Staff Cabin – 2 twin share bedrooms	4 people
Eco Tents – 8 twin share tents	16 people
Day Staff	11 people
Day Users	40 people
<b>Total</b>	<b>117 People</b>

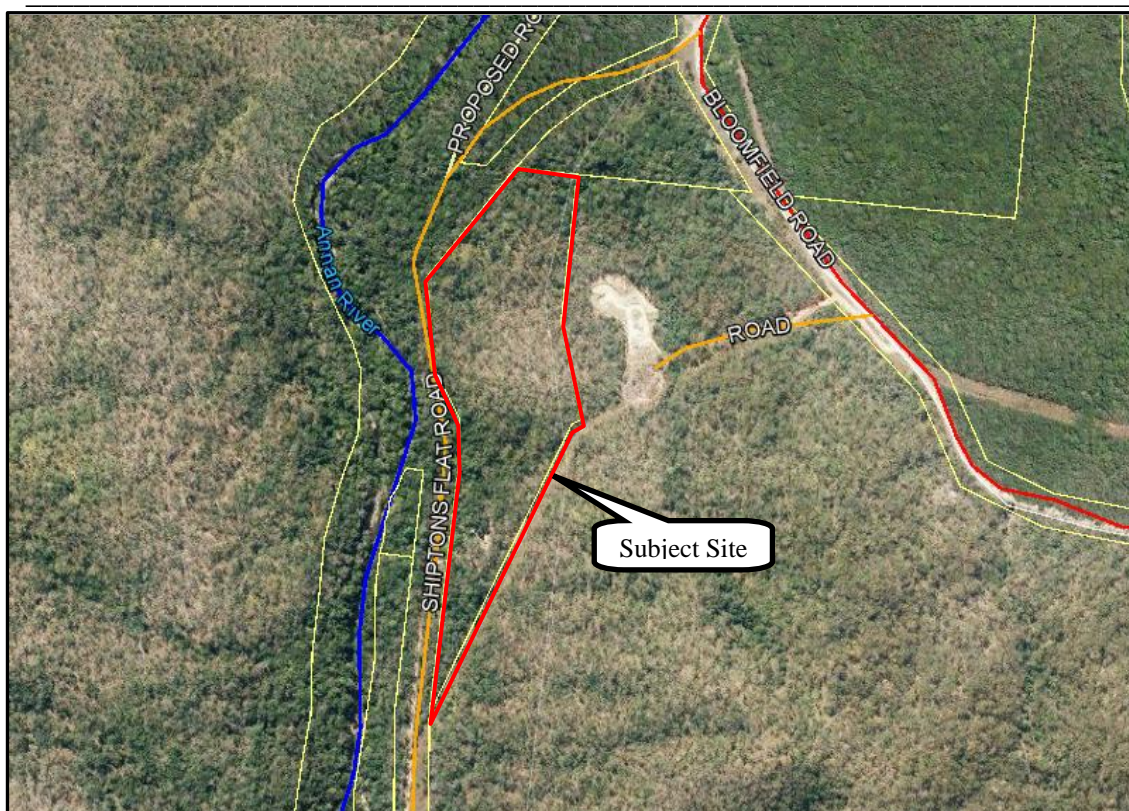
In addition to the above, a house is proposed (in proposed Lease B) for Peter and Marilyn Wallace. There are no uses planned in proposed Lease C and it is understood that this area will remain vacant.

## **THE SITE**

The subject land is Lot 7 on SP189923 and is located on Shiptons Flat Road, Shiptons Flat, approximately 30kms south of Cooktown. The applicant has previously described the site as the ancestral home of the Kunawarra, a clan group of the Kuku Nyungkal people. Part of the site has for some time been used as an informal campsite by traditional owners, accessed via an unsealed track from Shiptons Flat Road. The land is undulating and for the most part heavily vegetated.

With the exception of a small area on the northwest boundary, the entire site is mapped as Remnant Vegetation under the State vegetation mapping. A power easement runs through the eastern section of the site. Surrounding the site is mostly State Timber Reserve, with very little built infrastructure in the immediate vicinity. Rossville is approximately 5kms south east and the Lions Den Hotel is approximately 3kms north.

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**Figure 2: Aerial Photo**

## **TOWN PLANNING CONSIDERATIONS**

### **1. STATUTORY PLANNING CONTEXT**

The site is zoned Conservation under Cook Shire Council's Planning Scheme. Council Officers determined that Stage 1 of the development best fitted the definition of "Caravan Park", even though it was to be used for non-commercial purposes. While it is possible that the uses proposed as part of Stage 2 (the current application) could be considered to fit a range of uses in Council's Planning Scheme (e.g. caravan park, caretakers residence, community facilities, etc), Council Officers have determined that it is more appropriate to assess the proposal as an 'Undefined Use (BYB Cultural Place)'. The house in proposed Lease B will fall under the "House" definition in the Planning Scheme, repeated below:

***House – means the use of premises as a single dwelling unit. No more than one House is located on a single lot***

Undefined uses are subject to impact assessment as is a House in the Conservation Zone, allowing Council to look at the provisions of the Planning Scheme as a whole in assessing the application. Notwithstanding the undefined use, the following codes are considered relevant:

- Conservation Code;
- House Code;
- Parking & Access Code;

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- Works Services & Infrastructure Code; and
- Natural Hazards Code.

## **2. COMPLIANCE WITH CODES AND POLICIES**

### **(i) DEOs**

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

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

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

#### ***DEO 1: A Strong Economy***

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

#### **Response**

The proposal will assist to achieve the DEO by providing ecotourism and research opportunities based around a cultural facility.

#### ***DEO 3: Efficient Settlement***

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

#### **Response**

The proposed use is outside of existing towns and townships, however its location is dictated by the cultural value of the place, upon which the activities are based. The proposal represents a tourism opportunity during business hours, with non-commercial accommodation provided after hours. Activities such as those proposed on this land are not considered to compromise the preferred settlement pattern for the Shire.

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**DEO 5: A Proud Community**

*The diversity of the Shire's population is celebrated and community spirit is built through the provision of quality and accessible social, educational, sporting and recreational facilities. All social groups have the opportunity to participate in and make positive contributions to the growth of a strong and healthy community*

Response

The proposal offers a number of services including ecotourism, however fundamentally it provides a cultural place for the benefit of the Kuku Nyungkal people. For this reason the proposed use is considered to celebrate the diversity of the Shire's population and contribute to a strong and healthy community.

**DEO 6: Rural Prosperity**

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

Response

As mentioned earlier, the proposed use is based around the cultural and ecological values of the land, something specifically contemplated to occur within the Conservation Zone.

**DEO 7: A Distinctive Heritage**

*The Shire's historic cultural and built heritage and its archaeological wealth are not only protected, but make a continuing and vigorous contribution to the life of the community. The story of continuing indigenous settlement, European and Asian immigration and the special role of Cooktown in Australian history, gives Cook Shire a strong and distinctive identity*

Response

The proposed facilities on this land will assist in fostering cultural reconnection and identity between the Kuku Nyungkal people and their traditional land.

**(ii) Conservation Code**

The overall outcomes of the Conservation Zone Code seek to achieve the following:

- *Biological diversity, ecological integrity and scenic amenity are protected;*
- *Low impact recreational use and/or nature based tourism may occur where there are no significant adverse impacts on ecological values or scenic amenity; and*
- *Protection of the scenic backdrop of Cooktown.*

The proposal is consistent with these overall outcomes in that it proposes nature/culture based tourism activities in addition to the use of the land by Traditional Owners. There is no clearing proposed and few, if any, impacts on biological diversity, ecological integrity and scenic amenity of the area will occur as a result the proposed activities. An assessment against the zone code is included below:



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<b>Performance Criteria</b>	<b>Proposal Compliance</b>
<b>Land Use</b>	
<b>PC 1</b> Land remains in a largely undisturbed or natural state. There are limited low impact recreational activities and nature based tourism where this is achieved without significant adverse environmental impact	The proposed use involves nature based tourism in addition to non-commercial accommodation for traditional owners. The applicant has submitted an ecological report demonstrating that there will be minimal impact on the environment subject to the implementation of certain management procedures.
<b>PC 2</b> The land use aspirations in any Indigenous Land Use Agreement (ILUA) are recognised	An ILUA exists between the Eastern Kuku Yalanji, State of Queensland and the Wet Tropics Management Authority. The vision for the site has been development in partnership between the entities and is considered consistent with the ILUA.
<b>Scale and Density</b>	
<b>PC 3</b> Buildings and structures are absent, or of such small scale as to be unobtrusive	New buildings associated with the proposal are low scale and below the tree canopy. It is unlikely they will be visible from surrounding properties or roads.
<b>Amenity and Setbacks</b>	
<b>PC 4</b> Buildings and structures are located to minimise clearing and ensure that natural environmental and scenic values are not diminished	It is not proposed to clear any significant vegetation, with buildings being located in existing clearings. As noted above, it is unlikely that buildings or structures will be visible from surrounding properties or the road.
<b>Design</b>	
<b>PC 5</b> Buildings and structures are designed to be unobtrusive by: Being lower than the surrounding tree canopy and in any case not exceeding m in height above existing ground level; Utilising materials and colours which blend with the natural setting; and Avoiding cut and fill or benching of sites	As noted above, it is unlikely that buildings or structures will be visible from surrounding properties or the road.
<b>PC 6</b> Vehicular access tracks are minimised or avoided altogether	There are 2 existing access tracks to the site (one to existing facilities on proposed Lease A and one to proposed Lease C). One additional track is proposed to be constructed to proposed Lease B – to service the proposed house. Access arrangements as proposed are acceptable.
<b>PC 7</b> Waste material is screened from view in a location permitting easy collection	Waste will be stored in existing storage areas in proposed Lease A, then picked up at the road frontage. Waste will be stored at the proposed house in proposed Lease B and also picked up at the road frontage.

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<b>Performance Criteria</b>	<b>Proposal Compliance</b>
<b>Erosion Prone Land</b>	
<b>PC 8</b> In an Erosion Prone Area, there are no adverse impacts on habitat, soil cover or water quality and no significant threats to public safety, infrastructure integrity or the economic value of the Erosion Prone Area.	The site is not in an Erosion Prone Area.
<b>Watercourse Protection</b>	
<b>PC 9</b> Where land uses or works occur adjacent to wetlands and/or watercourses identified on the Watercourses and Wetlands maps, there are no significant adverse effects on: Water quality;  Ecological and biodiversity values; or  Landscape quality.	The associated acceptable solution requires that new works or buildings are setback a minimum of 20m from watercourses (in this case the Annan River) and that no clearing take place within this setback. That requirement is able to be achieved by the proposal.
<b>Acid Sulfate Soils</b>	
<b>PC 10</b> Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulfate soil by:  Avoiding disturbance of such areas; or  Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels, and  Treating and managing surface and groundwater flows from areas of acid sulfate soils to minimise environmental harm.	The proposal does not affect any land at or below 5m AHD so will not have any effect on Acid Sulfate Soils.
<b>Pest Management</b>	
<b>PC 11</b> Movement of State Declared or environmental pest plants and pest animals is prevented by: Not introducing any new declared or environmental pest plants or animals on to the property; and  Not allowing seed or plant parts of declared or environmental pest plants to leave the property.	The applicant will be conditioned (as part of this application or a later application for building or operational work) so not to introduce any state declared or environmental pest plants or animals.



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**(iii) Parking and Access Code**

There is no parking rate applicable to undefined uses, so Council Officers have suggested a practical approach based on the number of people to be on site at any one time. In response to Council's information request, the number of car spaces proposed on site has increased from twenty-four (24) to thirty-six (36), (including ten (10) informal spaces). The applicant intends that the majority of day visitors will attend the site via mini-buses (which are provided for with two (2) additional dedicated spaces). The site already has access via two (2) tracks, one (1) each to proposed Lease A and proposed Lease C. A third track is proposed to proposed Lease B.

**(iv) Works, Services and Infrastructure Code**

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

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

- **PC1** requires a rain water tank with a minimum capacity of 50,000 litres to be installed for each residential dwelling unit, as the land is outside the Council's reticulated water area. In this case a supply of 56,500 litres exists on Lease A, with a further 56,500 litres proposed as part of this extension. A further 45,000 litres is proposed to service the House on proposed Lease B. A water assessment provided by the applicant demonstrated that the proposed storage was insufficient to cater for the total water needs of both lease areas. The report recommended obtaining additional water via a bore and it is recommended that this be enforced via a condition attached to the decision.
- **PC3** deals with sewerage disposal, which in the current application is proposed to be handled via an on-site trench irrigation system. A report submitted in response to Council's information request sought to demonstrate that the proposed irrigation areas were suitable for the proposed use. In respect of the Camping Amenities block an occupancy rate of 40% was assumed so it is the view of Council Officers that further demonstration of the adequacy of the on-site systems will be required as a condition of the decision.
- **PC6** requires that land is provided with a suitable electricity supply. The site is currently connected to reticulated electricity and it is expected that this will be extended to the new uses.
- **PC8** deals with upgrading the road frontage and access. Access from Shiptons Flat Road will be required to be constructed to an all-weather (gravel) standard as will the internal tracks proposed.

**(v) Natural Hazards Code**

The overall outcomes for the Natural Hazards Code seeks to ensure that development is compatible with natural hazards in affected areas of the Shire, with impacts on existing developed areas to be minimised and ensuring that development does not materially increase the extent or the severity of natural hazards. The primary concern in relation to this site is

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bushfire, with permanent and semi-permanent buildings being constructed. The applicant submitted a Bushfire Hazard Analysis which recommended:

- Maintaining a 4m wide access trail/fire break surrounding the proposed uses in Lease A;
- Regular Slashing/Mowing of fine grass fuels within the proposed yards for internal access of ingress or egress (escape routes);
- Removal of any dead standing trees within the maintained area;
- Provision and maintenance of constructed fire places.
- 

The above recommendations can be conditioned as part of a decision.

### **REFERRAL AGENCIES**

The applicant provided evidence with the application demonstrating that no referral agencies were triggered.

### **PUBLIC NOTIFICATION**

Public notification of the proposed development was required. This applicant has provided a notice stating that the application was publicly notified in accordance with Section 297 of the *Sustainable Planning Act 2009*. No submissions were received during the public notification period.

### **DISCUSSION**

#### Land Use

Stage 1 of development of this site involved the formalisation of camping facilities on land which had for some years been used by traditional owners as an informal camp site. The benefits included the removal of existing unlawful structures and the formalisation of a land use that has been carried out on the site for some years.

The current stage of development introduces commercial activities to the site in the form of eco-tourism, natural resource management including research, occasional functions and cultural events as well as associated accommodation. Eco-tourism is entirely consistent with the purpose and outcomes sought in the Conservation Zone, particularly where it can be demonstrated that there will be limited impacts on ecological values or scenic amenity. Accommodation, particularly in the form proposed (cabins and camping) is commonly associated with the type of ecotourism and research activities proposed. The accommodation will serve a different market to other camp grounds and caravan parks within towns or nearby natural features, with most visitors expected to attend the site for ecotourism or cultural purposes.

In addition, the proposed uses of the land have been developed in partnership with signatories to an ILUA agreement over the land. For these reasons the proposed uses (including the proposed house on Lease B) are considered appropriate.

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Services

The site is to be supplied with on-site water and sewer systems to service the proposed uses, including the new accommodation. In response to Council's information request, the applicant submitted an assessment of the capacity of proposed rainwater storage, as well as the capacity of the proposed sewerage irrigation trenches.

The assessment concluded that there was insufficient rainwater storage and that this would need to be supplemented via a bore.

The assessment concluded that the irrigation trenches were large enough to cater for the proposed use, however assumed a maximum occupancy for the camp ground of 40%. There is also nothing particular about the land or surrounds which would suggest the applicant will face difficulty servicing the site, however conditions of approval are recommended which require the applicant demonstrate to the satisfaction of Council that adequate on-site water and sewerage can be provided.

**RECOMMENDATION**

That Council issue an approval for the development application submitted by Bana Yarralji Bubu Incorporated C/- Aurecon Australasia Pty Ltd for Reconfiguring a Lot (3 New Lease Areas) and a Material Change of Use for a House and Undefined Use (BYB Cultural Place) over Lot 7 on SP189923, subject to the following conditions:

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

**Approved Plan**

1. The development must be carried out generally in accordance with the following proposal plans except for any modifications required to comply with the conditions of this approval:

- SK-03 – Overall Site Plan, prepared by Aurecon, Dated 28/04/15, Revision E;
- SK-04 – Proposed Site Plan for Lease A (BYB Lease) Sheet 1 of 2, prepared by Aurecon, Dated 06/05/15, Revision F;
- SK-05 – Proposed Site Plan for Lease A (BYB Lease) Sheet 2 of 2, prepared by Aurecon, Dated 06/05/15, Revision E;
- SK-06 – Proposed Site Plan for Lease B (Res), prepared by Aurecon, Dated 27/02/15, Revision D;
- SK-07– Proposed Site Plan for Lease C (Res), prepared by Aurecon, Dated 13/06/14, Revision C;
- SK-08– Reconfiguring a Lot Plan (RaL), prepared by Aurecon, Dated 13/06/14, Revision C;
- A01 – House Floor Plan, Prepared by Centre for Appropriate Technology, dated 15/07/13;
- A02 – House Elevations, Prepared by Centre for Appropriate Technology, dated 15/07/13;

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- A03 – Cabin Accommodation, Prepared by Centre for Appropriate Technology, dated 15/07/13;
- A04 – Shared Kitchen Plan, Prepared by Centre for Appropriate Technology, dated 15/07/13;
- A05 – Shared Kitchen Elev, Prepared by Centre for Appropriate Technology, dated 15/07/13;
- A06 – Staff Cabin Accommodation, Prepared by Centre for Appropriate Technology, dated 15/07/13;
- A07 (Proposed Ablution Building) – Section AA – Proposed North Elevation, prepared by Aurecon, received by Council on 07/07/14; and
- H02 (Proposed Ablution Building) – Proposed Hydraulics Plan, prepared by Aurecon, received by Council on 07/07/14.

**Building Works**

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

**Operational Works**

3. Prior to construction commencing, Council will require approval of an Operational Works application for the following:
  - New access to Shiptons Flat Road (for Lease B) between the existing road pavement and the property boundary to an all-weather (gravel) standard and constructed to the requirements of the FNQROC Manual.
  - Submission of erosion and sediment control plans as part of this road access upgrading.

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

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

**Upgrading Access**

4. New access to proposed Lease B between the existing Shiptons Flat Road pavement and the property boundary is to be upgraded to an all-weather gravel standard and constructed to the requirements of the FNQROC Manual. Plans must be submitted for approval by Council's Director Engineering Services as part of an Operational Works Application prior works commencing.

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5. Prior to commencement of the use construction of the internal driveway to an all weather (gravel) standard is to be undertaken to the requirements of the FNQROC Manual. Engineering plans must be submitted for approval by Council's Director Engineering Services prior to works commencing.

**Easement**

6. Prior to the issue of a Development Permit for Building Works, a reciprocal access easement for the benefit of proposed Lease B and proposed Lease A is to be created over the proposed access driveway for proposed Lease B, from Shiptons Flat Road to the boundary of proposed Lease B.

**Car Parking**

7. Permanent car parking is to be sited generally in accordance with the approved plan. The car park is to be constructed to an all weather (gravel with dust suppressant) standard and be delineated to the satisfaction of Council. Car parking spaces must be in accordance with the Australian Standard.
8. Prior to the issue of a Development Permit for Building Works and the commencement of the use the applicant is to submit a plan to the satisfaction of the Director Engineering Services showing the area designated for overflow parking. This area is signposted and kept clear and available for parking at all times.
9. The house on proposed Lease B shall be provided with a minimum of one covered car parking space which is to be concrete sealed.

**Ecological Report**

10. Prior to the issue of a Development Permit for Building Works and commencement of the use the applicant is to implement the recommendations of the Ecological Assessment prepared by Ecologica Consulting dated March 2015, including:

- *Confirm the actual clearing footprint associated with the works;*
- *Structures associated with the southern section of the lot (camping area) will need to be sited in a manner that meets the performance outcomes in the State Vegetation Management Code (e.g. 5 m from a Stream order 1 or 2 watercourses);*
- *Education of custodians on the local values located and/or likely to utilise habitats on the lot. This may also include mapping and providing clear signage;*
- *Designing structures and the layout with the aim of avoiding the removal of woody vegetation, including the retention of canopy vegetation. This may include the co-location of infrastructure and trimming or lopping of trees;*
- *Develop a management strategy for pest and weeds, including identifying key species which need to be targeted, areas of infestation, control measures to be implemented and ongoing monitoring of the measures to ensure success. This strategy should be part of the long term management of the Nyungkal Country rather than project specific;*

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- *Where required, provide a washdown facility to ensure movement of weeds offsite managed especially for large construction machinery. However, preferred option would be to ensure vehicles are restricted to weed free areas (such as existing tracks) and clothes are brushed down;*
- *For large scale machinery ensure that a weed hygiene certificate accompanies the vehicle , refer to for further details:*
  - *Queensland checklist for cleandown procedures*
  - *Queensland checklist for inspection procedures*
- *A flora survey of the final clearing footprint (once area if surveyed) in accordance with EHP's Flora Survey Guidelines - Protected Plants Nature Conservation Act 1992 is required. The survey will aim to ensure that no Cooktown orchids and/or Crepidium lawleri are directly impacted and if required, support a clearing permit under the NC Act and associated regulations;*
- *Landscaping of the area using endemic species and existing biodiversity values;*
- *During the clearing works it is recommended that a spotter/catcher be present to manage (e.g. relocate and/or treat) any fauna that may be impacted*
- *Identify hollow bearing trees and retain where possible;*
- *Engage a suitably qualified spotter-catcher to oversee clearing works. This may potentially rangers subject to required permits and approvals being in place ; and*
- *Relocate timber into Greenfield areas of the lot to provide additional habitat. Alternatively mulch timber for reuse onsite.*

### **Water Supply**

11. The House must be provided with a potable water supply. This would be satisfied by the provision of rainwater tanks with a minimum capacity of 50,000 litres where an alternative source of water is available within the allotment the applicant can provide certified evidence as to the flow rates and water quality of Bore Water or other supply to eliminate or reduce the requirement for on-site water. Details to be provided at the time of application for a development permit to carry out building work.
12. Prior to the issue of a Development Permit for Building Works and commencement of the use, the applicant is to submit to Council a report prepared by a qualified expert demonstrating the proposed water source complies with the Australian Drinking Water Guidelines. The report is to also detail proposed water treatment devices, including operating parameters and quality testing regimes.
13. In the event that the reports required by Condition 9 indicate that the proposed water source is unsuitable, the provision and maintenance of additional rainwater storage on the site with tanks and water supply infrastructure to meet the relevant Australian codes and standards for a potable drinking water supply and the relevant requirements of the FNQROC Manual is required prior to commencement of the use.

### **Effluent Disposal**

14. Wastewater treatment and disposal applications must include details of proposed wastewater disposal systems and calculations demonstrating compliance with the

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Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – On-site Domestic Wastewater Management. Details to be provided at the time of lodgement of a Plumbing or Building application. The works are to be completed to the satisfaction of Council's Director Engineering Services, prior to the commencement of the use.

15. If the on-site sewage system exceeds 21EP the applicant is required to obtain an ERA, prior to the commencement of the use.

**Bushfire Maintenance**

16. Firebreaks from hazardous vegetation (of 1.5 times the predominant mature canopy tree height or 10 m, whichever is the greater) must be maintained by the owners at all times and flammable material must not be allowed to build up around the buildings so as not to create a fire hazard.
17. The House and the Undefined Use must each be provided with a separate water storage tank with minimum supply of 5,000 litres and fitted with Fire Brigade tank fittings, for fire fighting purposes prior to the use commencing.

**Public Utilities**

18. The development must be connected to a reliable electricity supply. Details to be provided prior to the issue of a Development Permit for Building Works.
19. The developer is responsible for the cost of any alterations to public utilities as a result of complying with the Conditions of this approval.

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

**Environmental**

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

**Compliance**

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

**Outstanding Charges**

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

**Plan of Survey**

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- 23.** A plan of survey for proposed Leases A, B and C must be submitted to Council for Endorsement and the Lease Process completed prior to the lodgement of applications for Building Work and Operational Works.

**Currency Period**

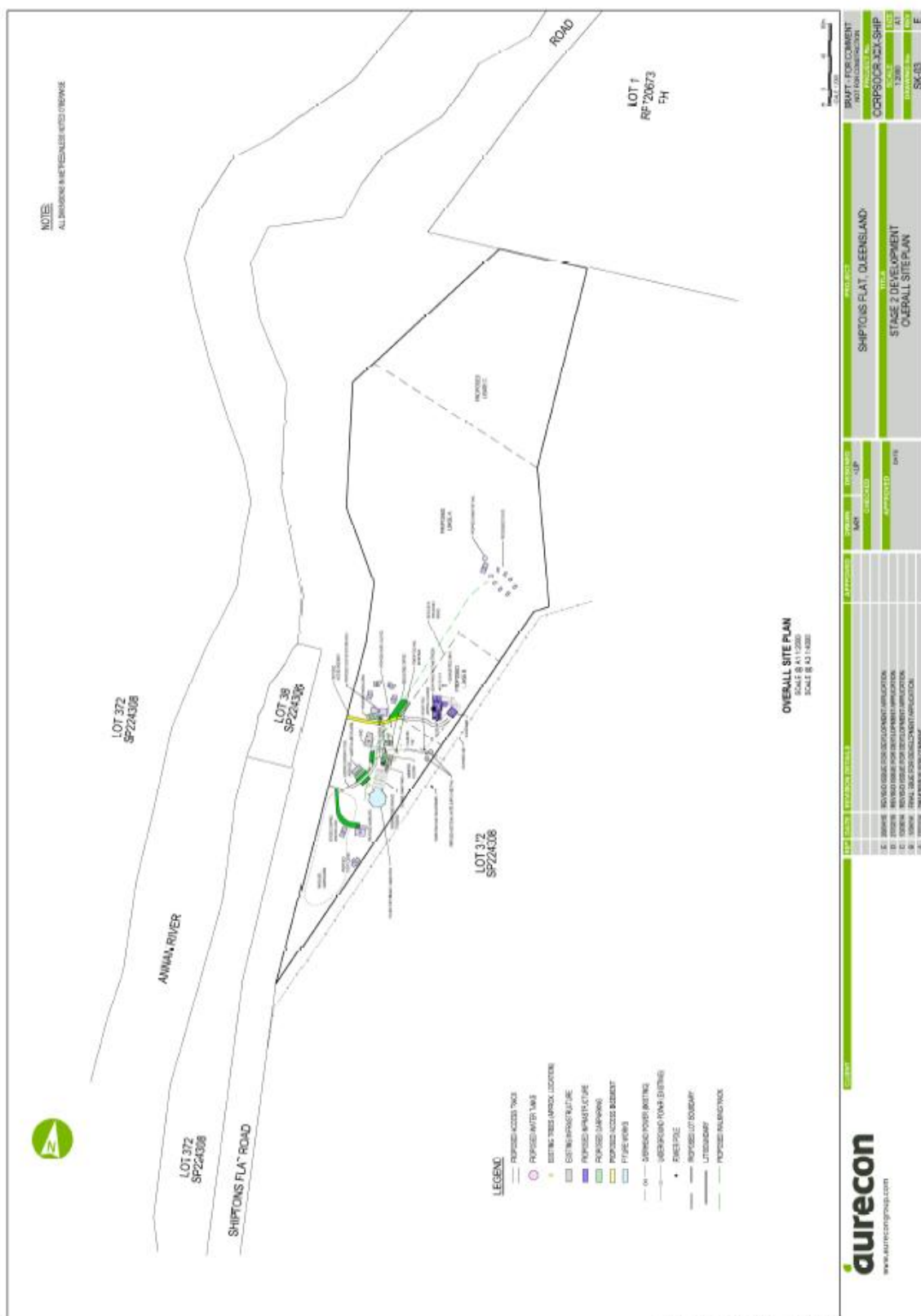
- 24.** The currency period for this application is four (4) years. Should the approved Reconfiguration for the purpose of a lease and Material Change of Use for a House and Undefined Use not be established within this time, the approval shall lapse.

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

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

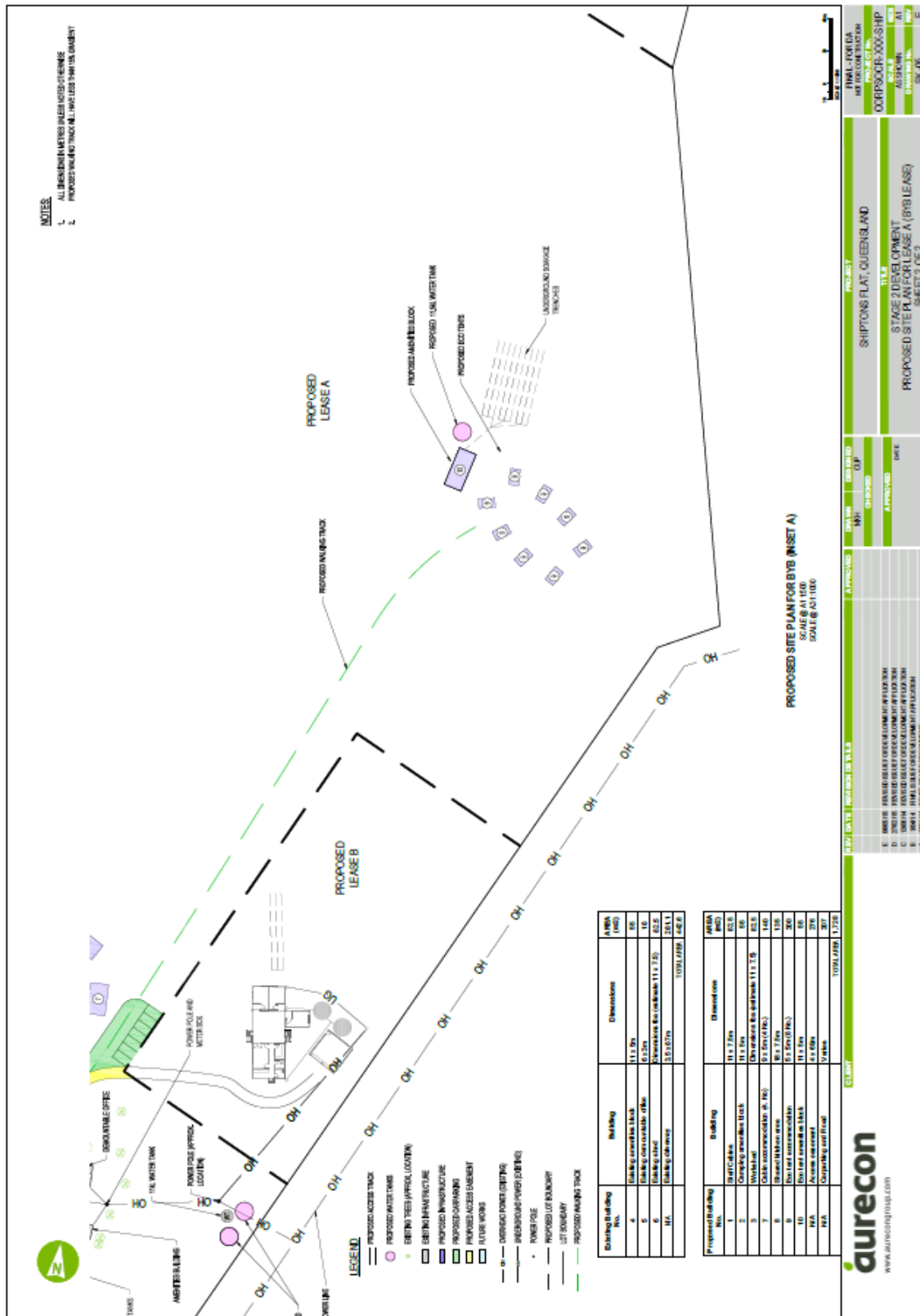
**Appendix A: Approved Plans:**





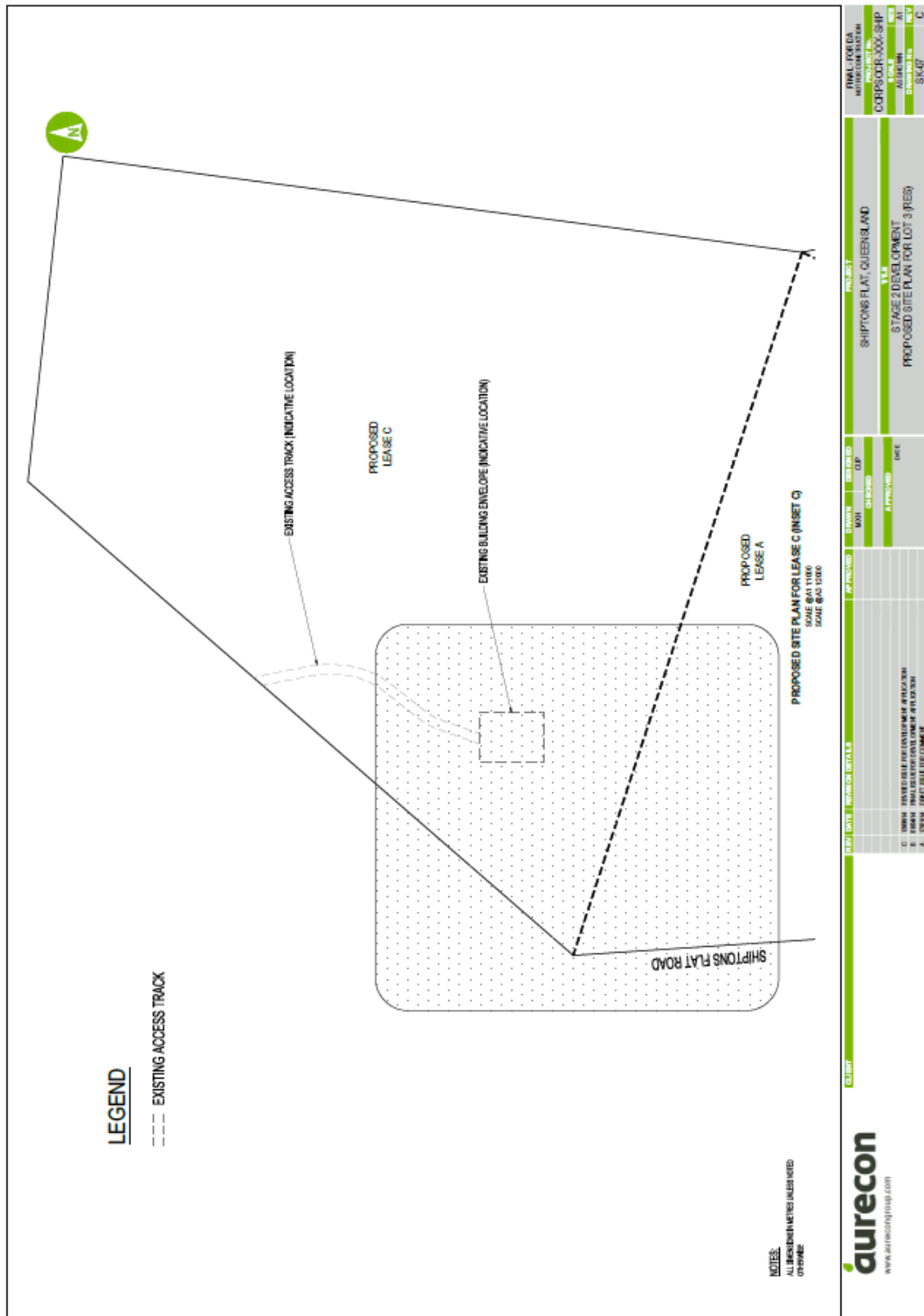
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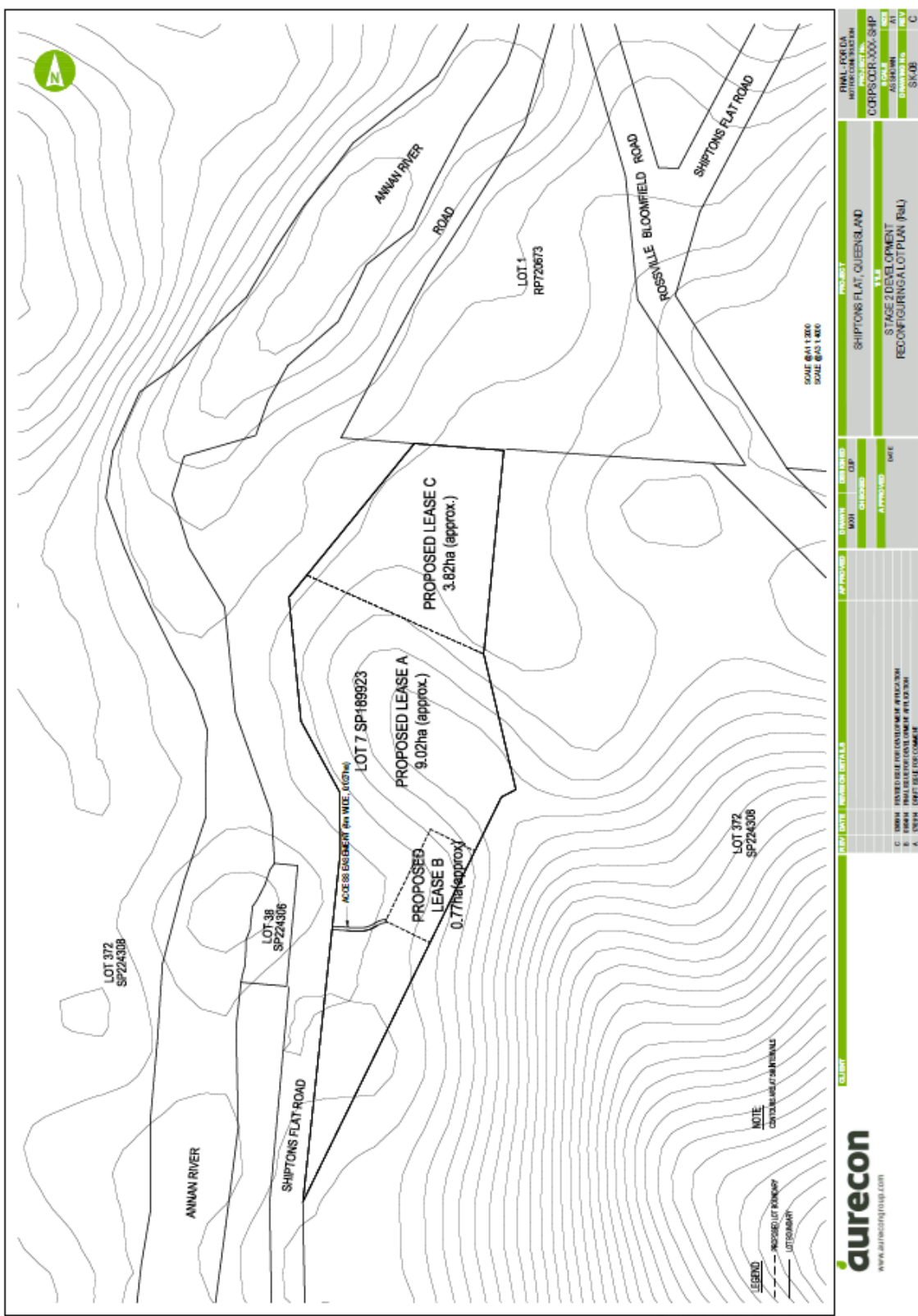




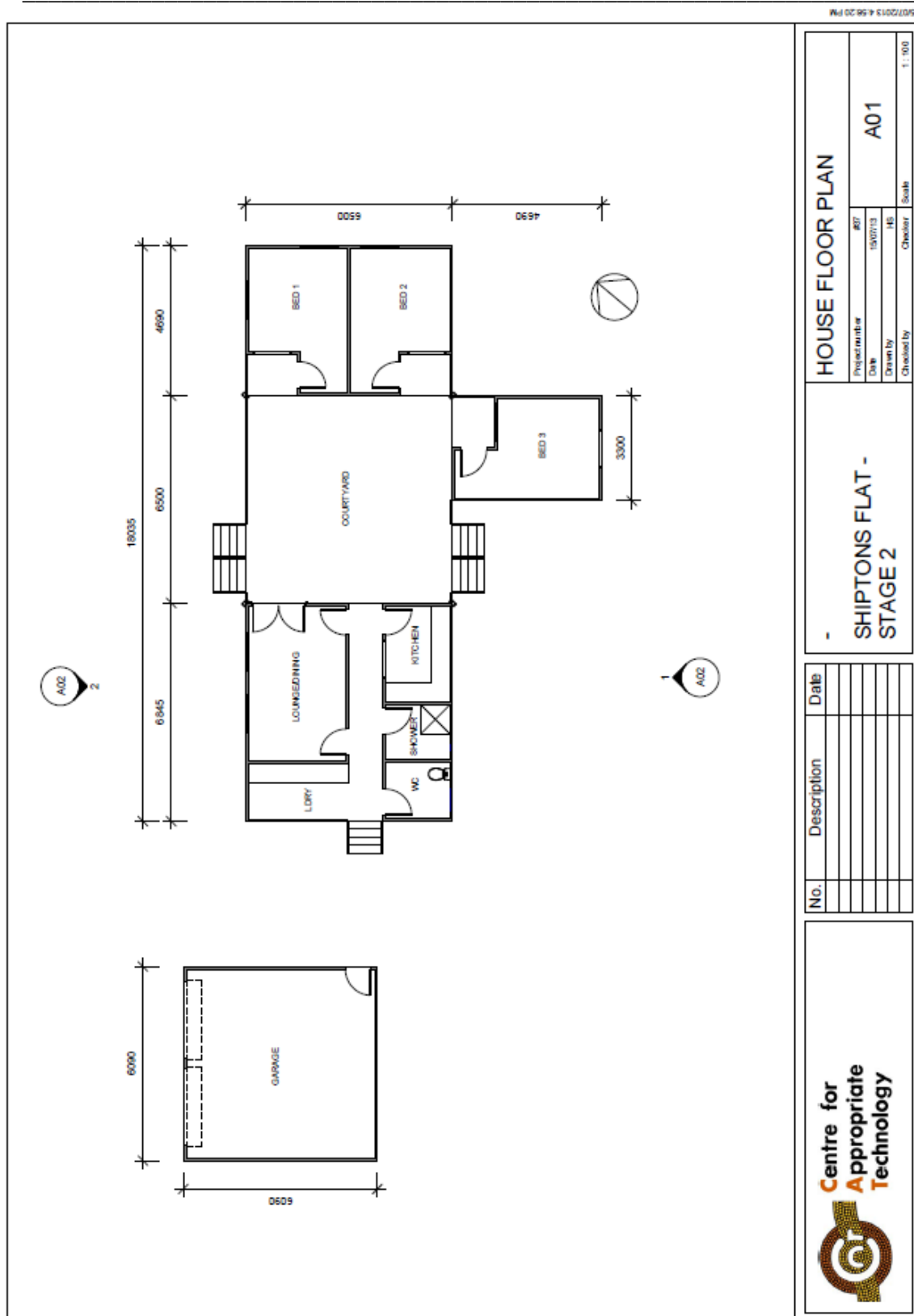
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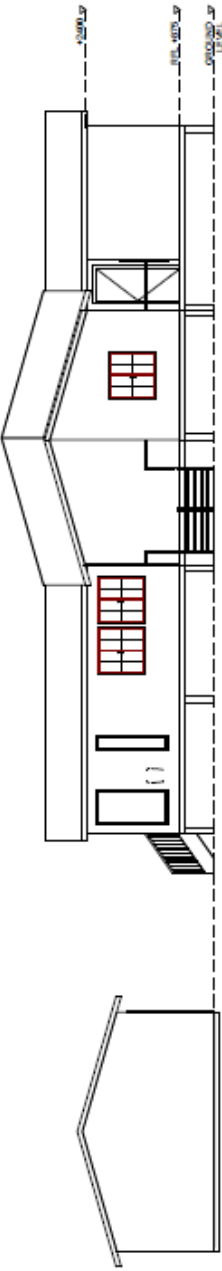
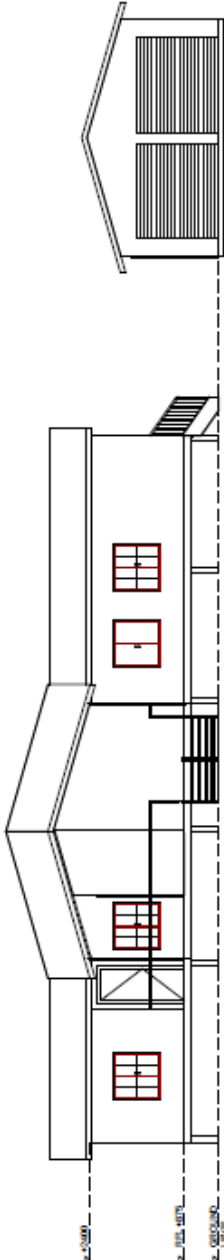





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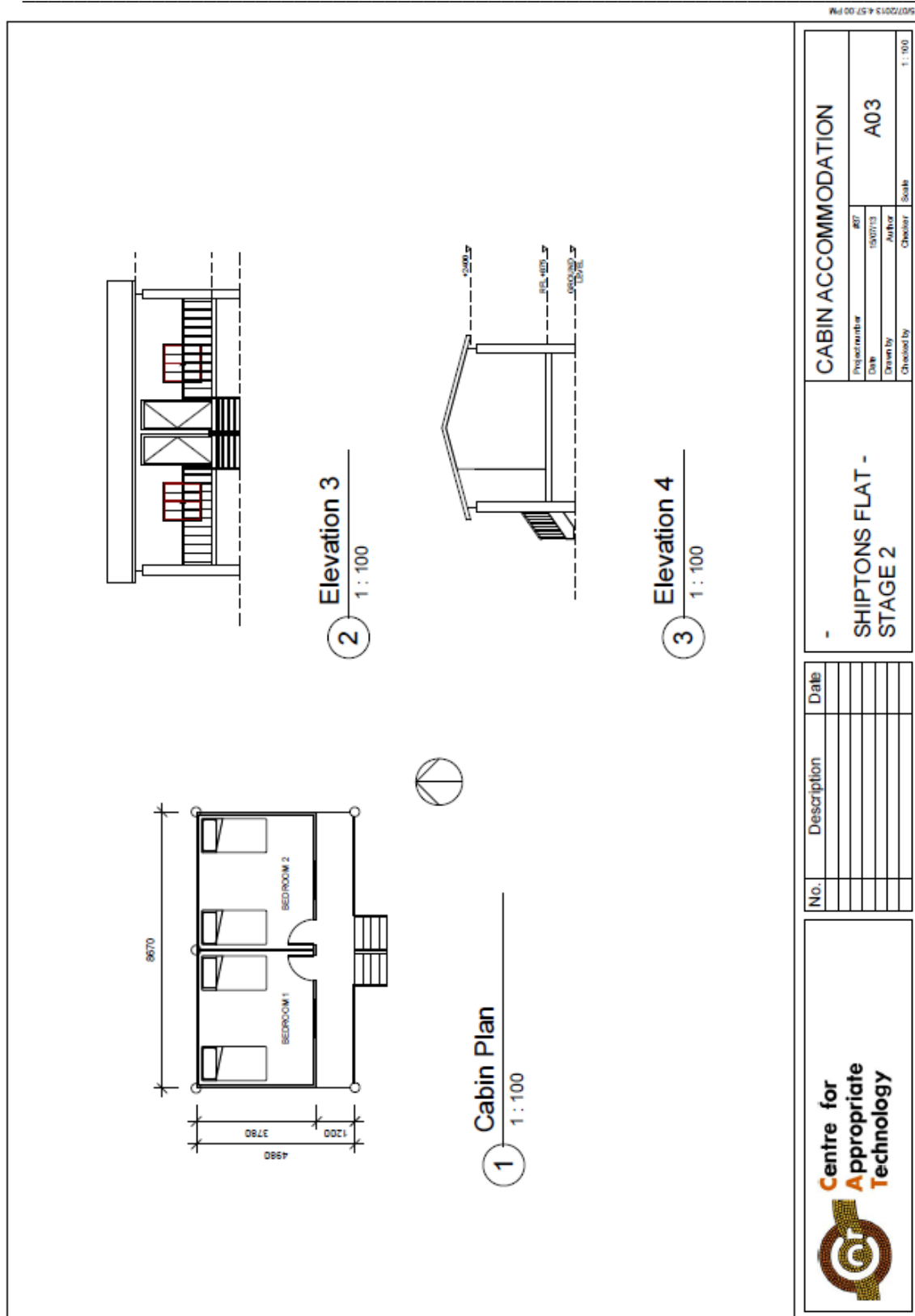


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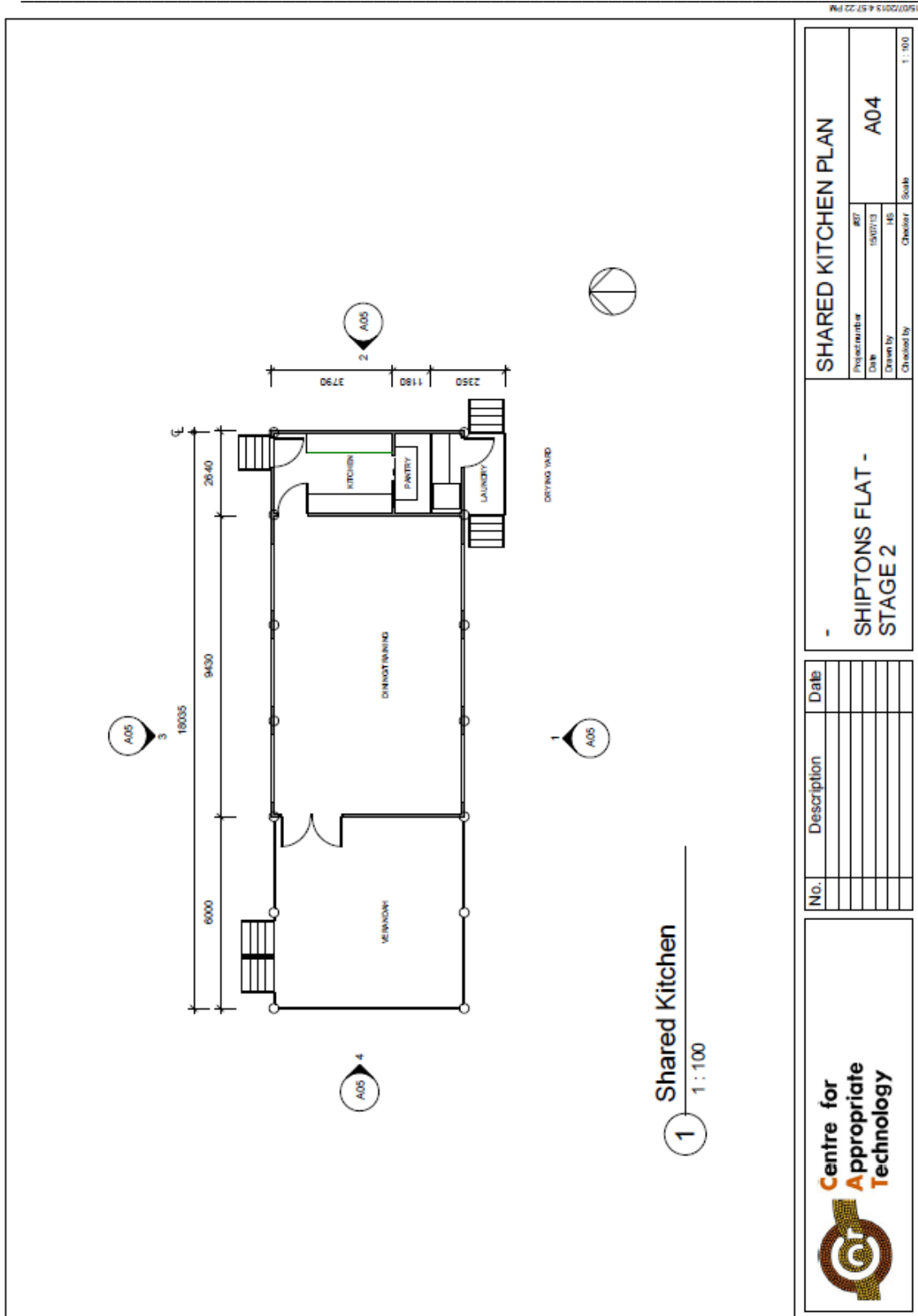
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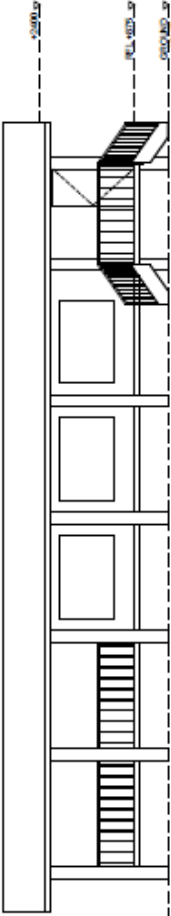
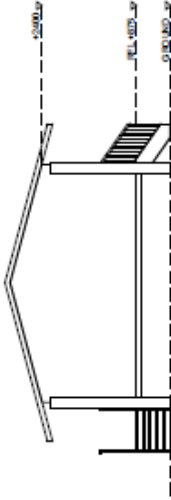
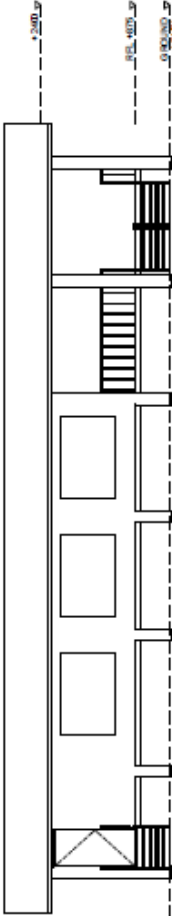
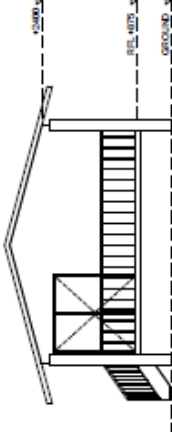
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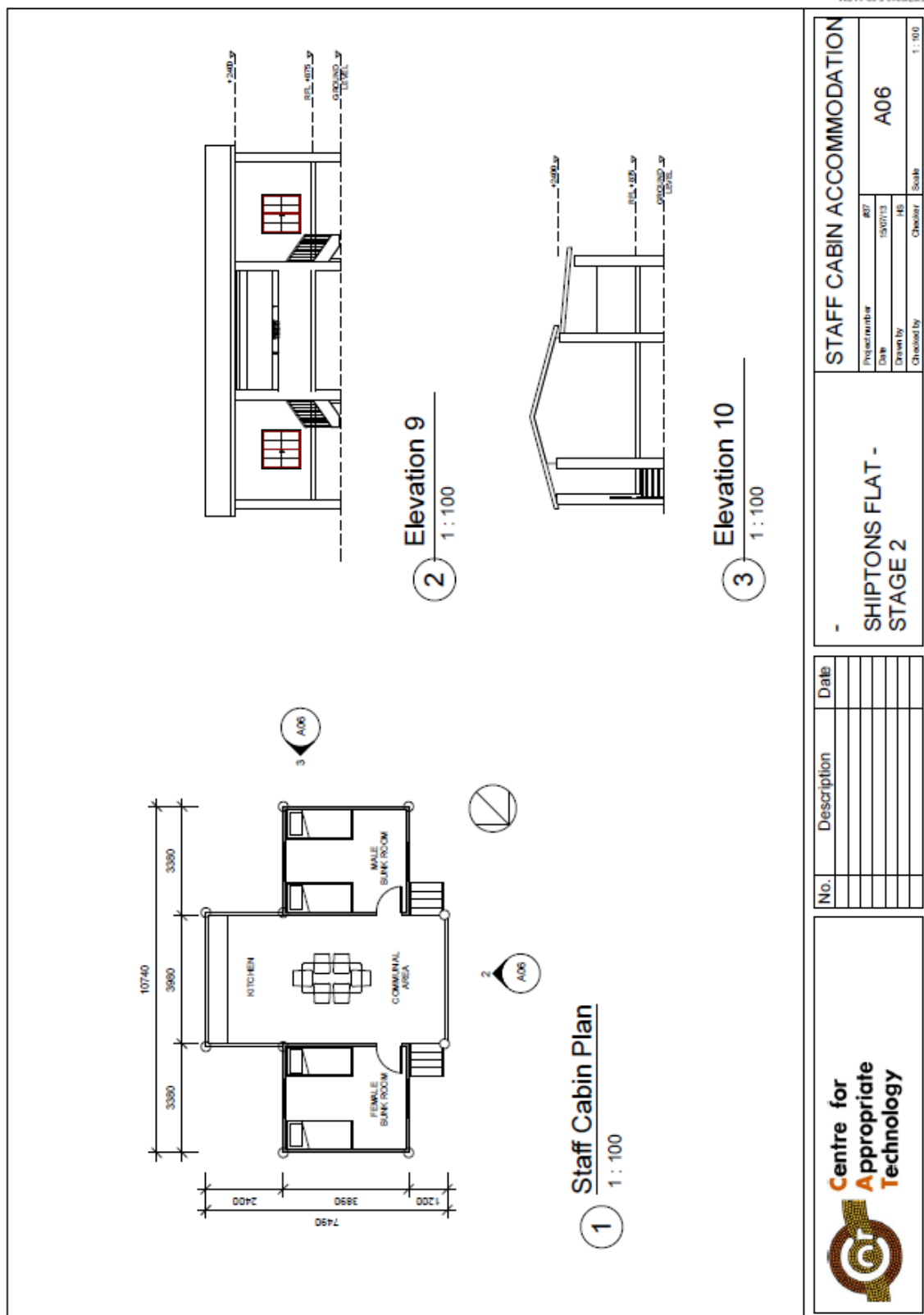


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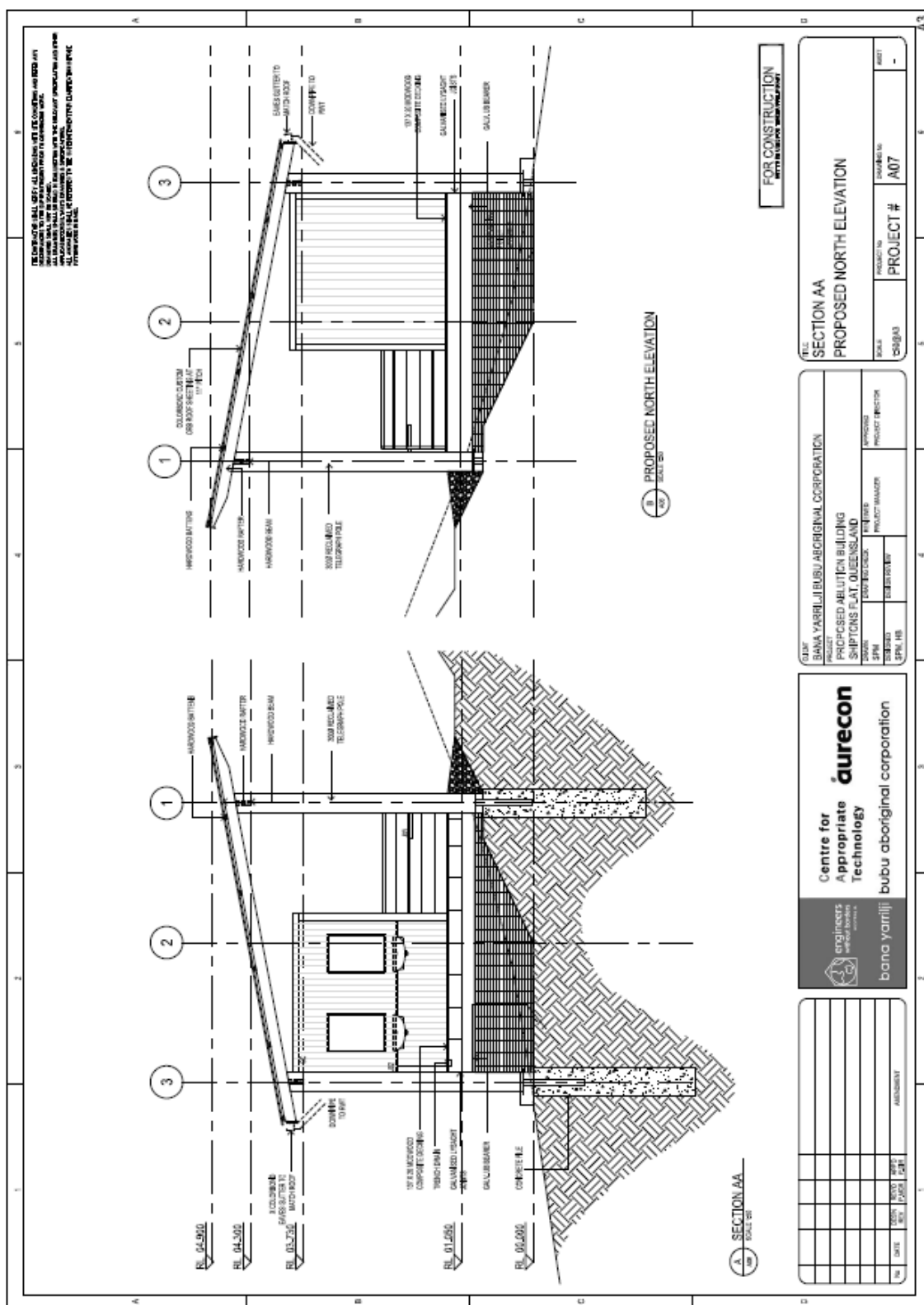
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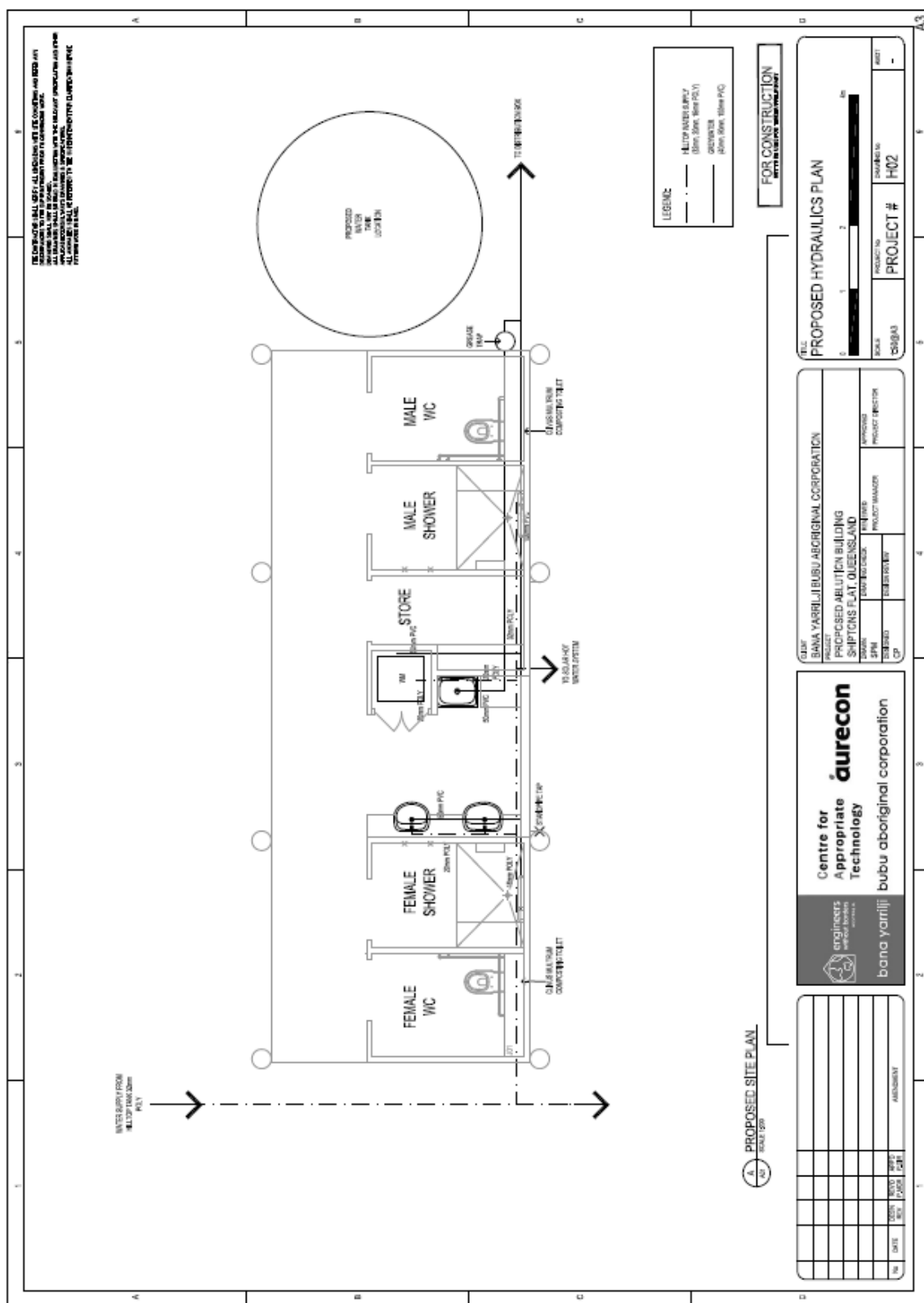
 <p style="text-align: center;"><b>Centre for Appropriate Technology</b></p>	<p><b>SHIPTONS FLAT - STAGE 2</b></p>	<p><b>SHARED KITCHEN ELEV</b></p>
<p>No.</p>	<p>Description</p>	<p>Date</p>
<p>Project number</p>	<p>887</p>	<p>19/07/13</p>
<p>Date</p>	<p>19/07/13</p>	<p>1:100</p>
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STAFF CABIN ACCOMMODATION		SHIPTONS FLAT - STAGE 2	
No.	Description	Date	Scale
1	Staff Cabin Plan	19/07/15	1:100
2	Elevation 9	19/07/15	1:100
3	Elevation 10	19/07/15	1:100





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31030	<b>APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A CARAVAN PARK AT 1 SESAME STREET, LAKELAND - LOT 26 ON RP725840 (DA/3380)</b>
	<i>Report No.D15/14896 from Reel Planning – Planning Consultants</i>

Cr A Wilson moved; seconded Cr G Shephard

That Council issue an approval for the development application submitted by Mr Malcolm McCudden c/- Brazier Motti Pty Ltd for a Material Change of Use for a Caravan Park over Lot 26 on RP725840, subject to the Conditions set out in recommendations contained in Report No. D15/14896

**CARRIED**

**Applicant:** Mr Malcolm McCudden  
c/- Brazier Motti Pty Ltd  
PO Box 1185  
CAIRNS QLD 4870

**Owner:** McCudden Holdings Pty Ltd

**Location:** 1 Sesame Street, Lakeland Qld 4871

**R.P.D.:** Lot 26 on RP725840

**Area:** 9,978sqm

**Zone:** Village

**Proposed Use:** Caravan Park

**Referral Agencies:** None

**Submissions:** One (1)

## **REPORT**

An application was made to Council on 20 January 2015 for the issue of a development permit for a Caravan Park at 1 Sesame Street, Lakeland. An acknowledgement notice was issued on 4 February 2015 and an information request on 10 February 2015 requesting:

- Confirmation of the population of each cabin;
- Confirmation on whether any of the existing structures will be retained on site;
- An amended site plan showing:
  - Staging;
  - Any proposed tent or caravan sites;
  - Any cabins to be retained;
  - Dimensions to site boundaries and the road frontage;
  - Formalised car parking; and

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- Locations of new waste water disposal units.
- Details on the capacity of the existing waste water systems;
- Details on the total number of toilets, showers and laundry facilities;
- Floor plans and elevations of the units;
- Details on the location of disabled units;
- Confirmation of the setbacks between units;
- Details on the location, size and method of refuse storage and collection;
- An assessment against the relevant State Planning Policy provisions; and
- The maximum site population.

The applicant provided a full response to the information request via a letter dated 30 April 2015 but received by Council on 4 May 2015. Public notification was undertaken between 15 May and 9 June 2015 during which one submission was received (refer to Public Notification section of this report).

## **PROPOSAL**

The current proposal involves the expansion of an existing a caravan park with an additional thirty-nine (39) cabins to be constructed over four (4) stages. The first stage involves construction of three (3) cabins, six (6) car parking spaces, a new amenities building and new septic systems. Stage 2 involves construction of eleven (11) cabins and three (3) car parking spaces with Stage 3 involving the construction of eight (8) cabins and five (5) car parking spaces. The final (4<sup>th</sup>) Stage involves the construction of fourteen (14) cabins and sixteen (16) car parking spaces.

It is intended that the existing tent and caravan sites will remain while each stage is being developed. It is also intended that the existing septic tanks, reception building (and covered area) and kitchen will be retained on site.

## **THE SITE**

The subject land is located at 1 Sesame Street, Lakeland (better described as Lot 26 on RP725840) and has a 130m frontage to Sesame Street which is sealed, a 70m frontage to Slim Close which is unsealed and a 100m frontage to Kookaburra Avenue which is unformed. It is rectangular in shape, 9,978sqm in size and currently used as a caravan park. The existing use has expanded informally over time, however correspondence from Council in 2002 states that a twenty (20) site caravan park had been operating from the land since before Council's first Planning Scheme in 1982. At present there is nevertheless a mixture of pre-fabricated cabins, caravans and occasional tent camping, supported by a reception building, ablution facilities and a kitchen.

The site is within the town of Lakeland, opposite a petrol station and general store along Sesame Street, industrial uses along Slim Close and residential uses elsewhere. Access is available via Sesame Street and Slim Close



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**Figure 1: Subject Site**

## **TOWN PLANNING CONSIDERATIONS**

### **1. STATUTORY PLANNING CONTEXT**

The site is zoned Village under Cook Shire Council's Planning Scheme. The proposal best fits the definition of "Caravan Park" under Cook Shire Planning Scheme, repeated below:

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

A Caravan Park in the Village Zone is subject to impact assessment, allowing Council to look at the provisions of the Planning Scheme as a whole, including the strategic elements of the Planning Scheme. The following codes are also relevant:

- Village Zone Code;
- Caravan Park Code;
- Parking & Access Code;
- Works Services & Infrastructure Code; and
- Natural Hazards Code

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## **2. COMPLIANCE WITH CODES AND POLICIES**

### **(i) DEOs**

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

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

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

#### ***DEO 1: A Strong Economy***

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

#### **Response**

The proposed Caravan Park responds to an existing demand for accommodation in Lakeland for seasonal workers and the travelling public. The proposal will assist in facilitating rural industries and tourism, thereby fulfilling the DEO.

#### ***DEO 3: Efficient Settlement***

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

#### **Response**

The proposed Caravan Park is within the Lakeland township and is proximate to existing services. It is well located and will not compromise the hierarchy or orderly development of other centres.

#### ***DEO 6: Rural Prosperity***

*The Shire's rural areas provide for a wide and diversifying range of agriculture, animal husbandry, forestry, extractive industries, aquaculture and tourism. Tourist accommodation*

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*is only encouraged where associated with one or more local, natural or cultural feature.  
Rural industry is managed to protect the Shire's environmental quality and biodiversity and  
good quality agricultural land is maintained for long-term rural production.*

**Response**

The proposal is in response to demand for additional accommodation in the area from nearby rural industries and the travelling public. In this sense the proposal will assist in protecting and enhancing the rural industry and fulfils the DEO.

**(ii) Village Zone Code**

The overall outcomes of the Village zone seek to achieve the following:

- *The Village Zone provides for a range of commercial, retail and community land uses as well as low density residential use;*
- *Employment generating activities are appropriately located to support the local community without detrimentally impacting upon the amenity of the township;*
- *Subdivision of Village zoned land only occurs where there is a demonstrated community need; and*
- *The design of buildings and structures is sympathetic to the existing character and the natural setting of the township.*

The proposed use is consistent with the outcomes sought by the code (to the extent relevant) in that:

- The use is a low scale residential use with a commercial influence;
- The proposal is not significant in terms of employment generation, but will accommodate a reasonable population to support existing local services;
- No subdivision is proposed as part of this application; and
- The buildings will be low scale and will represent an improvement on the current built form of the site.

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

<b>5. Performance Criteria</b>	<b>6. Proposal Compliance</b>
<b>Land Use</b>	
<b>PC 1</b> Residential uses are supported by a mix of commercial, community, recreation and industry uses where of a nature and scale that does not undermine the residential amenity.	The proposal is for a residential use, however the combinations of setbacks and landscaping will ensure that there is limited to no effect on residential amenity. This is particularly the case because the site is adjoined on some sides by non residential uses including industry.
<b>Scale and Density</b>	
<b>PC 2</b> The scale and design of buildings is consistent with the existing area.	

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5. Performance Criteria	6. Proposal Compliance
<b>PC 3</b> Buildings are consistent in height and bulk with the existing pattern of construction.	The associated acceptable solution specifies a maximum height of 8.5m, pitched roof forms and a maximum site coverage of 50%. These criteria are met by the proposal.
<b>Amenity and Setbacks</b>	
<b>PC 4</b> High standards of residential amenity and landscaping are maintained and new buildings are setback from boundaries so as to minimise adverse impacts on the amenity of adjoining sensitive uses and the streetscape.	While not contemplating caravan parks specifically, the associated acceptable solution specifies a setback of 6m from street frontages and 3m from other frontages. The proposed setbacks are between 2 and 2.5m from all setbacks including the road frontages. A combination of acoustic fences (along the northern boundary and landscaping along other boundaries is considered an appropriate response to ensure that the proposal meets the Performance Criteria.
<b>PC 5</b> Privacy of adjoining residents is protected such that where windows of commercial uses look directly into a bedroom or living area of an adjoining dwelling unit, effective visual screening is provided (eg fixed screens or panels).	The proposal is not a conventional commercial use, however as outlined above, a combination of acoustic fences and landscaping along the boundaries is considered an appropriate response to maintain the amenity of adjoining residents.
<b>Design</b>	
<b>PC 6</b> New buildings and structures are designed to: <ul style="list-style-type: none"> <li>• Provide a high level of visual appeal;</li> <li>• To be in keeping with the predominate character of the area;</li> <li>• Ensure that walls facing the street frontage are articulated and punctuated by windows and doors (i.e. long expanses of blank and/or flat walls are unacceptable); and</li> <li>• Ensure that the street frontage and internal car parking areas are well capable of surveillance from dwelling unit(s) located on the site.</li> </ul>	The proposed cabins will represent an improvement to the existing built form. The length of frontage, spacing of buildings and provision of landscaping along the boundaries will mean that the residential character of the area will be maintained.
<b>PC 7</b> Non-residential uses provide appropriate weather protection for pedestrians.	The proposal is residential in nature
<b>PC 8</b> Effective landscaping is employed to provide an attractive presentation to the street.	Landscaping is recommended along the frontages of the site to mitigate the visual impact of the use.

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<b>5. Performance Criteria</b>	<b>6. Proposal Compliance</b>
<b>PC 9</b> Safe and efficient vehicle movements are facilitated.	It is proposed to utilise the existing access points on Sesame Street and Slim close, while constructing a new internal driveway linking the two. This is considered an appropriate response for this type of development.
<b>PC 10</b> Waste material is stored so as not to be unsightly and so as to be conveniently collected.	It is proposed to keep individual waste bins in each cabin area, to be collected via kerbside. This can be conditioned as part of any approval.
<b>PC 11</b> Waste material is stored so as to ensure adequate containment and retention of waste material.	As above
<b>Erosion Prone Land</b>	
<b>PC 12</b> In an Erosion Prone Area, there are no adverse impacts on habitat, soil cover or water quality and no significant threats to public safety, infrastructure integrity or the economic value of the Erosion Prone Area.	The site is not in an erosion prone area.
<b>Acid Sulfate Soils</b>	
<b>PC 13</b> Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulfate soil by: Avoiding disturbance of such areas; or Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels, and Treating and managing surface and groundwater flows from areas of acid sulfate soils to minimise environmental harm.	The proposal does not affect any land at or below 5m AHD so will not have any effect on Acid Sulfate Soils.
<b>Pest Management</b>	
<b>PC 14</b> Movement of State Declared or environmental pest plants and pest animals is prevented by: Not introducing any new declared or environmental pest plants or animals on to the property; and Not allowing seed or plant parts of declared or environmental pest plants to leave the property.	The applicant will be conditioned (as part of this application or a later application for building or operational work) so not to introduce any State declared or environmental pest plants or animals.

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**(iii) Caravan Park Code**

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

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

The proposal will represent an improvement on the existing built form of the site and with the provision of landscaping along the boundaries is considered to provide an attractive living environment for surrounding residents. The site retains large areas of open space for on-site residents and while there is little native vegetation existing on site, additional landscaping will be required throughout the site and along the boundaries.

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

<b>7. Performance Criteria</b>	<b>8. Proposal Compliance</b>
<b>Site suitability</b>	
<b>PC 1</b> Caravan Parks are located so as to be easily and safely accessible to the travelling public.	The associated acceptable solution requires that the park has access to a sealed road with a minimum 20m reserve width. This requirement is met by Sesame Street.
<b>PC 2</b> Caravan Parks have sufficient area for all individual sites, services and facilities, landscaping and vehicle manoeuvring and parking.	The associated acceptable solution requires a minimum site area of 1ha. The site is just short of that figure and therefore considered to comply.
<b>PC 3</b> Caravan Parks are well drained and flood free.	Council does not have flood mapping for the site, however there is no known flooding.
<b>Vehicle access and manoeuvring</b>	
<b>PC 4</b> Safe and efficient vehicle movements are facilitated.	The associated acceptable solution requires that vehicles towing caravans are able to leave the site in a forward gear. No caravan parks are proposed to be accommodated on site upon completion of all stages, but in any case the dual access driveways will allow such vehicle movements if required.



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<b>7. Performance Criteria</b>	<b>8. Proposal Compliance</b>
<b>PC 5</b> Off-street parking for guest check-in/check-out is provided adjacent the office or caretaker's residence.	Three parking spaces and a temporary parking area have been proposed next to the existing site office which is proposed to be retained.
<b>Design</b>	
<b>PC 6</b> Buildings and structures for the purpose of providing recreation for guests are designed and located so as not to adversely impact on the amenity of guests or adjoining properties.	The proposal does not include any specific recreation buildings. The public areas and areas of open space are generally located away from surrounding residents. The nature of the accommodation, being cabins rather (for example) than tent camping means that reduced internal setbacks between buildings can be tolerated.
<b>PC 7</b> Waste material is stored so as not to be unsightly and so as to be conveniently collected.	The planning report indicated that refuse bins would be stored in the cabin areas and then moved to the kerbside on collection day by the on site management. This arrangement satisfies the performance criteria.
<b>PC 8</b> Buildings and facilities, individual sites and internal roads are designed and located to minimise the need to remove native vegetation.	No vegetation is proposed to be cleared.
<b>Individual sites</b>	
<b>PC 9</b> Individual sites have adequate area for the comfort of guests.	The proposal plan indicates that a rectangle with dimensions of 13m by 8m, giving a total area of 104sqm for each cabin which is slightly less than the minimum site area in the associated acceptable solution. There are nevertheless large areas of open space in the remainder of the site and the site cover is less than the maximum specified elsewhere.
<b>PC 10</b> Individual sites have direct access to an internal road and are delineated on at least two sides by use of fencing or landscaping.	The proposal differs from some other forms of caravan parks in that the fully developed site will only consist of cabin accommodation, rather than caravans, RVs and Tents. For this reason it is unnecessary to distinguish individual sites with landscaping or fencing because this delineation is created by the built form. For the same reason direct vehicle access to the internal road is not required, with walkways from communal car areas an appropriate response.

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<b>7. Performance Criteria</b>	<b>8. Proposal Compliance</b>
<b>PC 11</b> Adequate separation is maintained between individual sites and facilities to provide privacy and comfort to guests.	The associated acceptable solution requires 3m between sites and 6m between sites and amenities or ablution facilities. Comparing the cabin plans to the site plan reveals that there is likely to be at least 4m between sites and at least 6m to any communal facilities.
<b>Open space</b>	
<b>PC 12</b> Sufficient open space is provided for guests' comfort.	The associated acceptable solution requires that 7% of the site is provided as communal open space. There are large areas of open space along the western boundary, likely to represent well over 7% of the site area.
<b>Landscaping</b>	
<b>PC 13</b> Landscaping: <ul style="list-style-type: none"> <li>• Provides a pleasant visual presentation to the street frontage;</li> <li>• Reduces impacts on adjoining properties through the extensive use of boundary plantings;</li> <li>• Makes use of (and/or supplements) existing native vegetation wherever possible; and</li> <li>• Provides shade to guests.</li> </ul>	The associated acceptable solution requires a landscape strip of 6m along the street frontage and 3m along other boundaries. There is not sufficient space between the proposed units and the street frontages to provide 6m of landscaping. It is nevertheless considered that a combination of fences along the northern boundary and landscaping along the other boundaries will achieve the intent of the performance criteria.

**(iv) Parking and Access Code**

The Parking and Access Code seeks to achieve safe and convenient parking and access both internal and external to the site. The parking rate in the planning scheme is one space per cabin, plus one visitor space per 10 cabins. That results in a total parking demand of 43 spaces, whereas only 30 spaces have been provided. Alternative parking solutions such as overflow parking can be considered in lieu of visitor parking, however it is considered that the applicant should provide a minimum of one formalised space per cabin. The site access and internal layout is otherwise considered to comply with the requirements of the code.

**(v) Works, Services and Infrastructure Code**

This code seeks to ensure infrastructure is designed and constructed to a suitable standard and that works, services an infrastructure do not cause environmental degradation or increase the risk of natural hazards. The site is connected to reticulated water, stormwater, electricity and communications however relies on existing septic systems as there is no reticulated sewer in the area. In response to Council's information request, the applicant provided a report from Auswide Environmental Specialists recommending an irrigation area for additional on-site waste water disposal systems.



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**(vi) Natural Hazards Code**

The overall outcomes for the Natural Hazards Code seeks to ensure that development is compatible with natural hazards in affected areas of the shire, with impacts on existing developed areas to be minimised and ensuring that development does not materially increase the extent or the severity of natural hazards. There are no known natural hazards on the site.

**3. REFERRAL AGENCIES**

The application did not trigger any referral agencies.

**4. PUBLIC NOTIFICATION**

Public notification of the proposed development was required. This applicant has provided a notice stating that the application was publicly notified in accordance with Section 297 of the *Sustainable Planning Act 2009*. One (1) submission was received during the public notification period.

**5. SUMMARY GROUNDS FOR SUBMISSIONS**

The following summarises the major grounds raised within the submission.

- 1. The submission questions whether the use is best classified as a caravan park, given the likelihood of use by seasonal workers.**

Response:

The submitter indicates that a caravan park suggests short term accommodation, whereas seasonal workers could stay for between 2 and 6 months. The definition of caravan park in Council's Planning Scheme does not limit the use of the accommodation for short term stays and while the site is likely to accommodate some seasonal workers, it will also be available for the travelling public. Caravan Park is therefore considered an appropriate definition.

- 2. The submitter raises some concerns about the removal of powered and unpowered sites and the potential impact on permanent employees and grey nomads.**

Response:

The Planning Scheme does not regulate the types of accommodation to be provided and it is the responsibility of the applicant to determine the market for a particular use.

- 3. The submitter raises some concerns about whether the cabins will be self contained and what facilities will be available as the stages of development progress.**

Response:

The applicant will be conditioned to provide facilities for visitors as part of the first stages of development.

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## **6. DISCUSSION**

The proposed development is for a Caravan Park in the Village Zone, with thirty-nine (39) cabins over four (4) Stages.

### Existing Uses

Correspondence from Council in 2002 confirmed that there were existing use rights for twenty (20) sites, with the caravan park having started operating prior to Council's first Planning Scheme in 1982. The site currently contains a number of prefabricated dwellings (i.e. dongas), caravans and open spaces for camping.

The applicant's intention is to retain the existing uses while the new cabins are being developed in each stage. It is recommended that a condition of approval be imposed to limit the maximum number of sites to twenty (20), until such time as the number of cabins exceeds twenty (20). In other words, if Stage 3 is developed first consisting of nine (9) cabins, then the applicant will be allowed to maintain eleven (11) sites on the remainder of the site.

### Facilities and Driveway

The proposed driveway appears sufficient to cater for one way traffic (logically entering via Sesame Street and existing via Slim Close however, parts of the driveway are included in separate stages. It is recommended that the entire driveway and both access points be constructed prior to the commencement of the first stage.

Similarly, the applicant will be required to construct the new amenities building prior to the first stage of development to ensure there is adequate facilities for guests.

## **7. RECOMMENDATION**

That Council issue an approval for the development application submitted by Mr Malcolm McCudden c/- Brazier Motti Pty Ltd for a Material Change of Use for a Caravan Park over Lot 26 on RP725840, subject to the following conditions:

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

#### Approved Plan

1. The development must be carried out generally in accordance with the following proposal plans except for any modifications required to comply with the conditions of this approval:
  - 33162/001E – Proposed Master Plan, prepared by Brazier Motti, Dated 07/07/15, Revision E;
  - 33162/004A – Sketch Plan – Proposed New Amenities Building, prepared by Brazier Motti, Dated 29/04/15;
  - Cabin Internal Layout Plan – prepared by Auswide Steel Buildings & Shed Alliance Gold Coast, undated – received by Council on 04/05/15; and

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- Cabin Elevations – prepared by Auswide Steel Buildings & Shed Alliance Gold Coast, dated 15/04/15.

**Upgrading Access**

2. Entrances from Sesame Street and Slim Close, between the road pavement and the site boundary shall be bitumen sealed and constructed to the requirements of the FNQROC Manual, prior to the commencement of the First Stage.

**Internal Driveway and Car Parking**

3. The internal driveway and car parking is to be sited generally in accordance with the approved plans.
4. The internal driveway and the temporary parking bay adjacent to the existing reception building must be bitumen or concrete sealed and constructed prior to the commencement of the First Stage.
5. In addition to the temporary parking bay, one (1) car parking space must be provided for each cabin/site, either adjacent to the cabin/site or adjacent to the internal access road. Car parking is to be bitumen or concrete sealed and line marked
6. Construction of internal driveways and car parking must be to the requirements of the FNQROC Manual. Engineering drawings must be submitted for approval by Council's Director Engineering Services prior to works commencing.

**External Road Works**

7. Slim Close must be upgraded to a four (4) metre wide bitumen seal including ancillary drainage between the site access and the intersection with Sesame Street prior to the first stage commencing. Design and construction must be in accordance with the FNQROC Manual requirements. Engineering plans must be submitted for approval by Council's Director Engineering Services as part of an Operational Works application prior to works commencing.

**Construction and Staging**

8. The new amenities building shall be constructed prior to commencement of the First Stage where cabins are constructed without ensuite.
9. Staging can occur in any order, Stage 1 through to Stage 4.

**Existing Uses**

10. In recognition of the existing use rights, the applicant is able to retain some 'existing sites' while redeveloping the remainder of the site in accordance with this approval. The number of existing sites able to be maintained shall be calculated by subtracting the number of

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new cabins from the twenty (20) lawful sites. Existing lawful sites may continue to be used for caravans, RVs, tent camping or cabins but should not interfere with the requirements of this approval.

**Progress Plan**

11. The developer is to submit a progress plan to the satisfaction of the Director Planning and Environment prior to the commencement of each stage indicating:
- a. How existing sites will be accommodated within the site;
  - b. Details of additional recreation and dining facilities such as outdoor BBQ's;
  - c. Typical materials and colours for new buildings; and
  - d. Areas designated for waste water irrigation.

**Infrastructure Charges**

12. Infrastructure charges for water must be paid to Council when the number of sites exceeds twenty (20). An adopted Infrastructure Charges Notice shall be issued upon receipt of the progress plan mentioned in Condition 11. Charges are to be paid prior to the commencement of the Stage, at the rate applicable at the time of payment.

**Site Population**

13. Each cabin is not to accommodate more than two (2) persons, with a maximum site population of seventy-eight (78) persons when the site is fully developed.

**Building Works**

14. The existing cabin which is constructed over the property boundary fronting Slim Close is to be removed prior to the commencement of the First Stage.
15. The developer is to obtain building approval for all existing structures prior to commencement of the First Stage.
16. All new structures must obtain the necessary development permits for building works and plumbing and drainage approvals prior to any construction commencing on the site.

**Operational Works**

17. Prior to any construction commencing on the site, Council will require approval of an Operational Works application for the following:
- Upgrading of the access to Sesame Street and Slim Close between the existing road pavement and the property boundary to bitumen sealed standard.
  - Upgrading of Slim Close between the existing access and the intersection with Sesame Street.

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- Submission of erosion and sediment control plans as part of this road and access upgrading.

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

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

### **Landscaping**

18. Prior to the issue of a Development Permit for Building Works, the applicant is to prepare and submit to the Council a Landscape Plan for approval by the Council's Director Planning and Environment. The plan should include a 2m landscaped buffer along the boundary of the site with details about how the use will be screened from the adjoining land and present attractively to the road frontage. The plan should also show how existing mature vegetation is to be retained. The Applicant is to undertake the landscaping in accordance with the approved plan prior to the commencement of the First Stage.

### **Acoustic Fence**

19. A 2m high acoustic fence is to be provided along the northern boundary of the site and is to be:
- Constructed of a material with a minimum surface area density of 12.5kg/m<sup>2</sup>;
  - Constructed of an aesthetically pleasing weather-resistant material such as fibre cement, painted or treated timber, brick, concrete or a combination thereof; and
  - Continuous and gap free.

On completion, submit to Director Engineering Services, certification from an appropriately qualified consultant that the constructed acoustic barrier complies with the above requirements.

### **Storm Water**

20. Storm water must be directed to a legal point of discharge to the satisfaction of Council's Director Engineering Services.

### **Services**

21. The proposal is to be connected to the reticulated water system, electricity supply and telecommunication services at the time of construction. Internal electricity reticulation must be via underground connection.

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**Effluent Disposal**

22. Wastewater treatment and disposal applications must include details of proposed wastewater disposal systems and calculations demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – On-site Domestic Wastewater Management. Details to be provided at the time of lodgement of a Plumbing or Building application and prior to the issue of a Development Permit for Stage 1 Building Works. The works are to be completed to the satisfaction of Council's Director of Engineering Services, prior to the commencement of the use in Stage 1.
23. If the on site sewage system exceeds 21EP the applicant is required to obtain the necessary ERA permit. The applicant is reminded that an ERA relates to the capacity of the site as a whole, not the capacity of each system.
24. The existing irrigation area is to be replaced in accordance with the report prepared by Auswide Environmental dated 14 March 2015.

**Refuse**

25. Refuse Storage areas are to be screened from view from the road. Collection is to be via kerbside collection to the satisfaction of the Director of Planning and Environment Services.

**Certificate and Maintenance**

26. Upon completion of the works subject to the requirement for an Operational Works application in Condition 17 of this approval, a certificate from a qualified engineer is to be submitted to Council stating that the works have been carried out properly and in accordance with the plans and specifications approved by Council.

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

**Public Utilities**

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

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

**Environmental**

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

**Compliance**

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

**Outstanding Charges**

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

**Currency Period**

31. The currency period (i.e. the completion of all four (4) Stages) for this application is four (4) years. Should the approved Caravan Park not be established within this time, the approval shall lapse.

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

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

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**'Appendix A'**





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**SKETCH PLAN - PROPOSED NEW AMENITIES BUILDING**

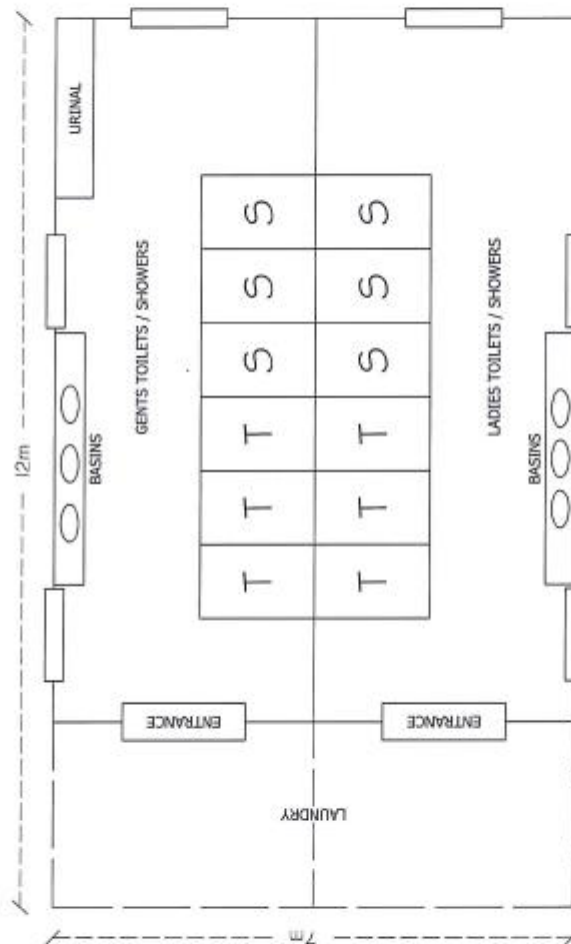
in Lot 26 on RP725840

Sesame Street, Lakeland

Parish of Bullhead

County of Banks

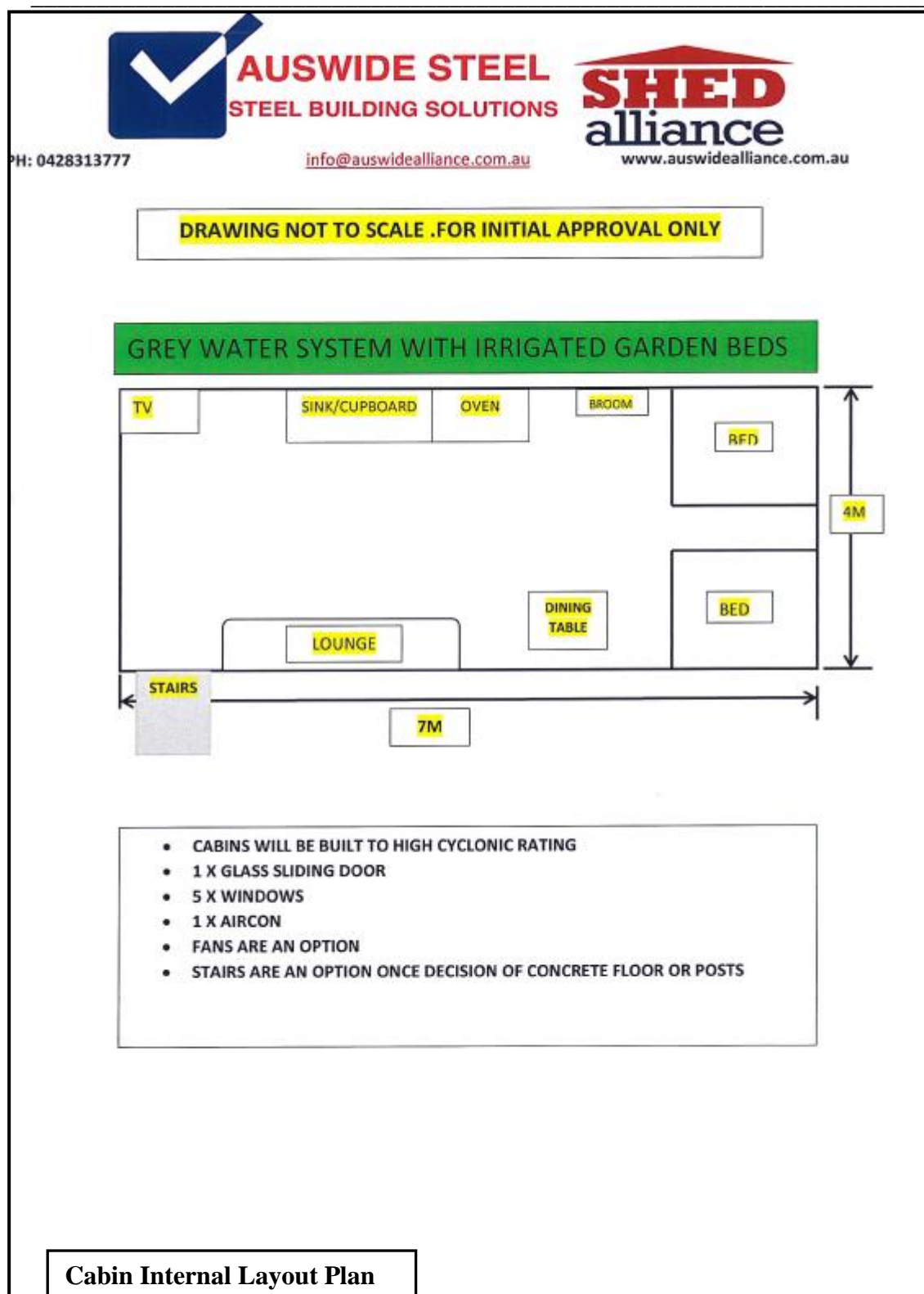
Local Authority of Cook Shire Council



**brazier mom**  
 1300 267 878  
 www.braziermom.com.au  
 Date: 20th April 2016  
 Scale: 1 : 15 @ A4  
 Drawn: MIC  
 Job No: 331621-3  
 Plan No: 33162\_00AA  
 Project: new planning project management, mapping and GIS

This plan is conceptual and for discussion purposes only. All areas, dimensions and floor area are preliminary, subject to investigation, survey, engineering, and local authority and Agency approval.

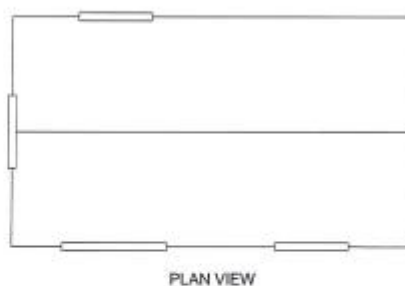
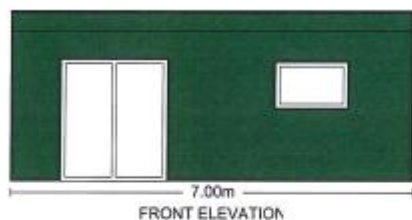
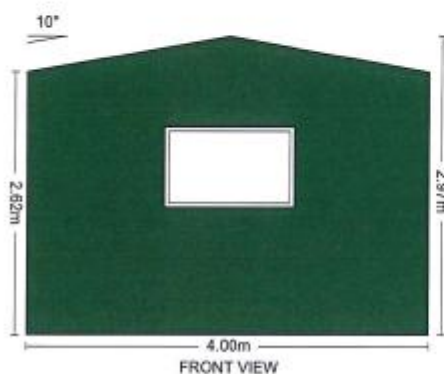
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Auswide Steel Buildings & Shed Alliance Gold Coast		Quotation
ABN: 64 074 438 437	Phone: 0428 313 777	No: <b>84202</b>
Address: 12 Hasemann Cres Upper Coomera QLD 4209	Fax: 07 3276 1545	Date: 15/04/2015
Email: sales@auswidealliance.com.au		Valid: 14 Days
Web: www.auswidealliance.com.au		



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**Cabin Elevations**

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31031	<b>LICENCE APPLICATION FOR GM MODIFIED CANOLA</b>	
	<i>Report No.D15/14693 from Senior Biosecurity Officer</i>	

Cr P Johnson moved; seconded Cr K Price

Provide comment that Cook Shire Council does not support GM glyphosate tolerant crops for release in its local government area, due to the potential to damage the clean green image that many producers are using to sell their product and for the potential environmental impact if these plants escape into the natural environment.

CARRIED

### **Précis**

The Department of Health has requested advice on licence application DIR 138 from Bayer CropScience Pty Ltd for commercial release of canola which has been genetically modified for dual herbicide tolerance and a hybrid breeding system. Responses are required by 13 August 2015.

### **Background/History**

The Gene Technology Regulator has received the above application in preparing a Risk Assessment and Risk Management Plan is seeking advice from a range of experts, agencies and authorities, including local councils of Australia.

The licence application is for commercial release, Australia wide, of a variety of GM canola bred by crossing two strains of GM canola; GM InVigor canola and GM TruFlex Roundup Ready canola. Both of the parent strains are individually authorised for commercial release in Australia, although neither has been grown commercially here, although field trials have been conducted on both parent strains and they are grown commercially in Canada and the US. GM Invigor canola is tolerant to the herbicide glufosinate-ammonium. As a broad-spectrum herbicide, glufosinate-ammonium acts against a wide range of annual and perennial broadleaf weeds and grasses, and is used in GM cropping situations in more than 100 crops in 82 countries. Bayer CropScience glufosinate-ammonium based herbicides such as Basta®, Finale®, Rely®, and Liberty®.

Truflex Roundup Ready canola is tolerant to glyphosate. It can tolerate higher rates of glyphosate herbicides and has a wider window for herbicide application than the more widely grown GM Roundup Ready canola.

The Gene Technology Regulator reported that there have been no credible reports of adverse effects on human health or the environment from either of the parent strains.

This is the first round of consultation. A second round of consultation will seek comments on the consultation Risk Assessment and Risk Management Plan and will be open to the public as well as prescribed experts, agencies and authorities, including local government.

At this point in time there are no plans to grow canola in Cook Shire, however with the mooted expansion of northern agriculture, in particular Lakeland and the recent developments at Olive Vale Station, it could be introduced in the future.

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GM modified canola tolerant to glufosinate-ammonium and glyphosate herbicides are already approved for commercial release in Australia, and as such this new variety is only combining two already herbicide resistant strains into one.

It is therefore not feasible for Council to prevent the commercial release of glyphosate tolerant canola in Australia. Also Council has no method for restricting what crops are grown as under the planning scheme agriculture is self assessable development.

### **Link to Corporate Plan**

Environmental Wellbeing; Planning and Environment

### **Consultation**

Director Planning and Environment, Councillors and Mayor.

Some Councillors have raised concerns that GM herbicide resistant crops could damage the clean green image of the Shire.

### **Legal Implications (Statutory, basis, legal risks)**

If GM Canola is grown in Cook Shire there could be implications for controlling herbicide resistant plants if they escape into the environment and become the next weed of significance (and potentially declared under legislation).

### **Policy Implications**

There have been various views put forward by Councillors in the past couple of weeks. Some of these could have policy implications, such as making Cook Shire, or parts thereof, GM free or a glyphosate free.

### **Financial and Resource Implications (Budgetary)/Risk Assessment**

There are potential reputational risks if other growers are advertising no or low herbicide use and the neighbouring property is broad acre spraying herbicides.

While glyphosate based herbicides should not be used indiscriminately or be allowed to drift onto non-target plants they are used extensively within the Shire for both Council and private weed/vegetation control. If glyphosate is banned across the whole Shire the cost of weed control undertaken by Council will increase significantly (Glyphosate is one of the cheapest control options) and it would be extremely hard to regulate. However it may be feasible for certain areas, such as Rossville, to voluntarily not use these herbicides providing that Council and residents are prepared to implement and pay for alternative control methods, so that legislative and safety responsibilities are still met.

### **Options**

1. Do not comment on the matter.

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2. Provide comment that Cook Shire Council does not support the commercial release of GM canola in its local government area, due to potential impacts on the environment and other farmers, if these plants move off farm.
3. Provide comment that Cook Shire Council does not support GM glyphosate tolerant crops for release in its local government area, due to the potential to damage the clean green image that many producers are using to sell their product and for the potential environmental impact if these plants escape into the natural environment.
4. Provide comment that Cook Shire Council supports the commercial release of canola genetically modified.

NOTE: For option 2 or 3 to take effect Council would need to lobby for the State Government to prohibit GM modified canola and/or glyphosate tolerant crops from being grown in Queensland or parts thereof (SA and Tasmania have done this).

**RECOMMENDATION**

Provide comment that Cook Shire Council does not support GM glyphosate tolerant crops for release in its local government area, due to the potential to damage the clean green image that many producers are using to sell their product and for the potential environmental impact if these plants escape into the natural environment.

31032	<b>SUSPENSION OF STANDING ORDERS</b>	
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Cr P Johnson moved; seconded Cr K Price

That Standing Orders be suspended at 11:10am to allow comment from the gallery.

**CARRIED**

31033	<b>SUSPENSION OF STANDING ORDERS</b>	
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Cr P Scott moved; seconded Cr P Johnson

That Council revert to the ordinary meeting of Council at 11.11am

**CARRIED**

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PE8	<b>AYTON WASTE TRANSFER STATION OPERATIONS</b>	
	<i>Report No.D15/14800 from Waste Management Coordinator</i>	

Cr A Wilson moved; seconded Cr P Johnson

Council herein resolves to undertake the following actions and changes if Douglas Shire will withdraw from SLA:

1. Change the opening hours of Ayton WTS to one day/ week on Saturdays from 11am – 3pm; and
2. Introduce a new disposal fee of \$333/m<sup>3</sup> + GST (representing actual cost recovery and not the profit) for Douglas Shire residents.

**Consideration of the report deferred for further information and investigation.**

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## **LAND TENURE**

31034	<b>APPLICATION FOR RENEWAL OF TERM LEASE 216274 OVER LOT 3 on PLAN CP844110 – TELSTRA COPORATION LTD - WITHIN PALMERVILLE STATION: PARISH OF JESSOP; LOCALITY OF PALMER.</b>	
	<i>Report No.D15/14867 from Land Tenure Officer File No.2.650.50; 2.965.242.</i>	

Cr A Wilson moved; seconded Cr G Shephard

The Department of Natural Resources and Mines be advised that Council raises no objection to the renewal of Term Lease 216274 over Lot 3 on Plan CP844110, for a further term, subject to the inclusion of a condition that the provision of access will not be the responsibility of the Local Authority.

**CARRIED**

### **Précis**

1. Raise no objection to renewal of lease.

### **Background/History**

2. By letter dated 11 June 2015, the Department of Natural Resources and Mines requested Council's views/requirements in respect of the renewal of the abovementioned lease and any views that may affect future use of the land or if a different form of tenure may be considered.
3. The proposed use of the land is for Communication purposes – this is in keeping with its existing use, namely, transmitting/transceiving station/tower purpose and for purposes incidental thereto.
4. The lease expires 28 February 2017 and is situated within Lot 14 on Plan SP250040, known as 'Palmerville Station', as indicated on attached MAP 'A' and SmartMap.
5. The following conditions of the lease are of interest to Council;

#### **Conditions:**

##### **A46**

(1) The lessee shall use the leased land for communication purposes namely transmitting/transceiving station/tower purposes and for purposes incidental thereto.

(2) In the event of the lessee ceasing to use the leased land as provided for in Condition A46 clause (1) above, the lease may be forfeited or cancelled.



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(4) The lessee shall pay the cost of any required re-survey.

(5) The lessee must keep any noxious plants, on the leased land, under control.

(6) The lessee has the responsibility for a duty of care for the leased land.

(7) The lessee shall ensure that the use and development of the leased land conforms to the Town Planning Scheme By-Laws and requirements of the Council of the Shire of Cook.

C322 The lessee shall comply with any lawful requirements of the Department of Natural Resources and the Council of the Shire of Cook.

G42 The lease is not eligible for conversion to freehold tenure in terms of Section 166 of the Land Act 1994.

H115 The provision of access to the leased land will not be the responsibility of the local authority or the State.

6. There are no known local non-indigenous cultural heritage values within this lease.
7. Neither Engineering nor Planning and Environment have any issues with the renewal, however the lessee must ensure that all structures and/or buildings have obtained compliance with the requirements of the Queensland Building Legislation, the Building Act 1975 and referenced legislation.
8. The recommendation that Council raise no objection to the renewal of the lease, subject to the inclusion of a condition that the provision of access will not be the responsibility of the Local Government, is submitted.

#### **Link to Corporate Plan**

9. Key issues 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations; 4.6 Drainage, Stormwater, Road, Footpath and Bridge Network.

#### **Consultation**

10. Nil.

#### **Legal Implications (Statutory, basis, legal risks)**

11. Nil.

#### **Policy Implications**

12. Nil.

#### **Financial and Resource Implications (Budgetary)**

13. Nil.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
Administration Building, 10 Furneaux Street, Cooktown  
20-21-22 July 2015**

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**RECOMMENDATION**

The Department of Natural Resources and Mines be advised that Council raises no objection to the renewal of Term Lease 216274 over Lot 3 on Plan CP844110, for a further term, subject to the inclusion of a condition that the provision of access will not be the responsibility of the Local Authority.

Further, the lessee must ensure that all structures and/or buildings have obtained compliance with the requirements of the Queensland Building Legislation, the Building Act 1975 and referenced legislation.

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

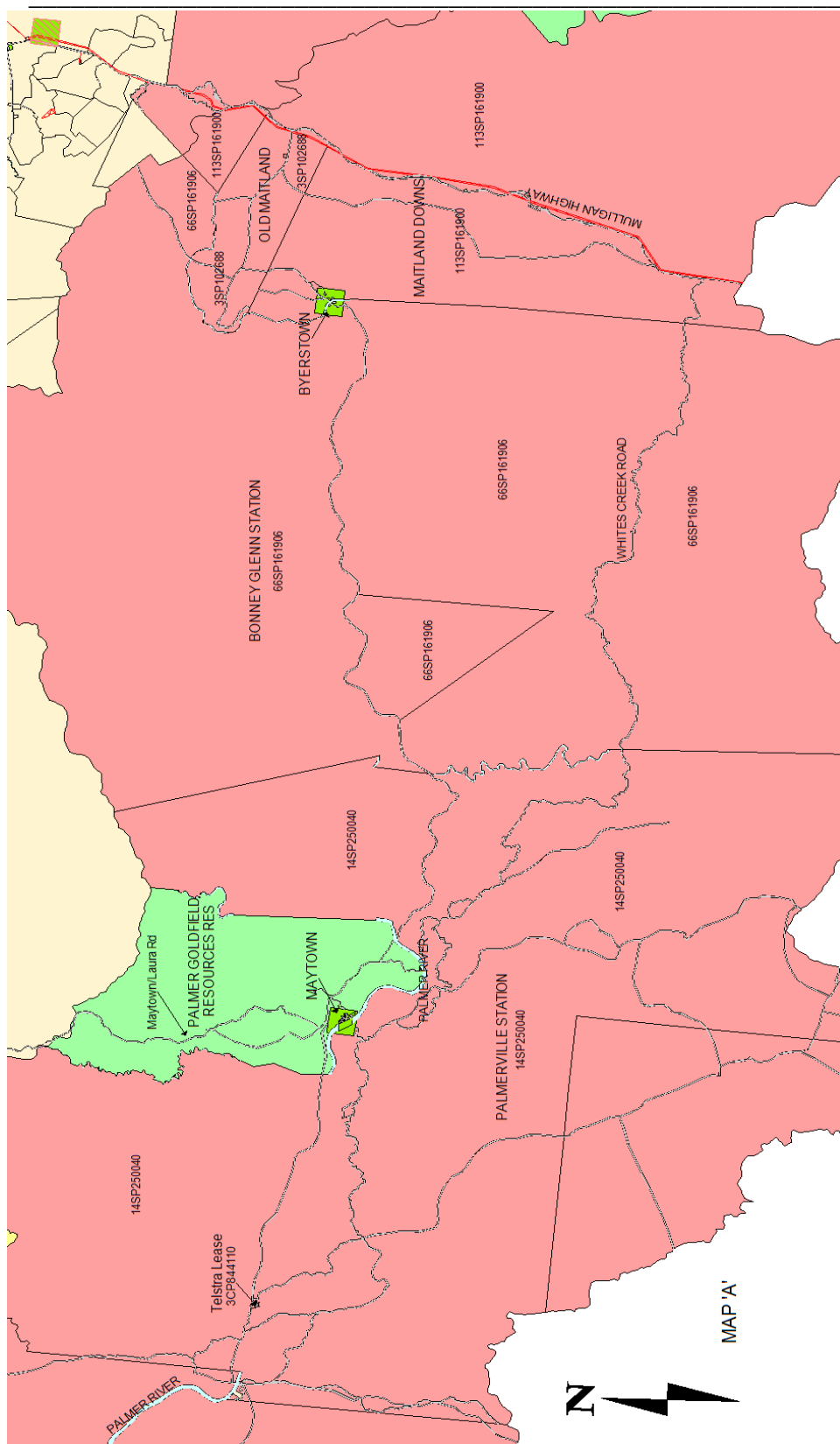
Att.

MAP 'A'

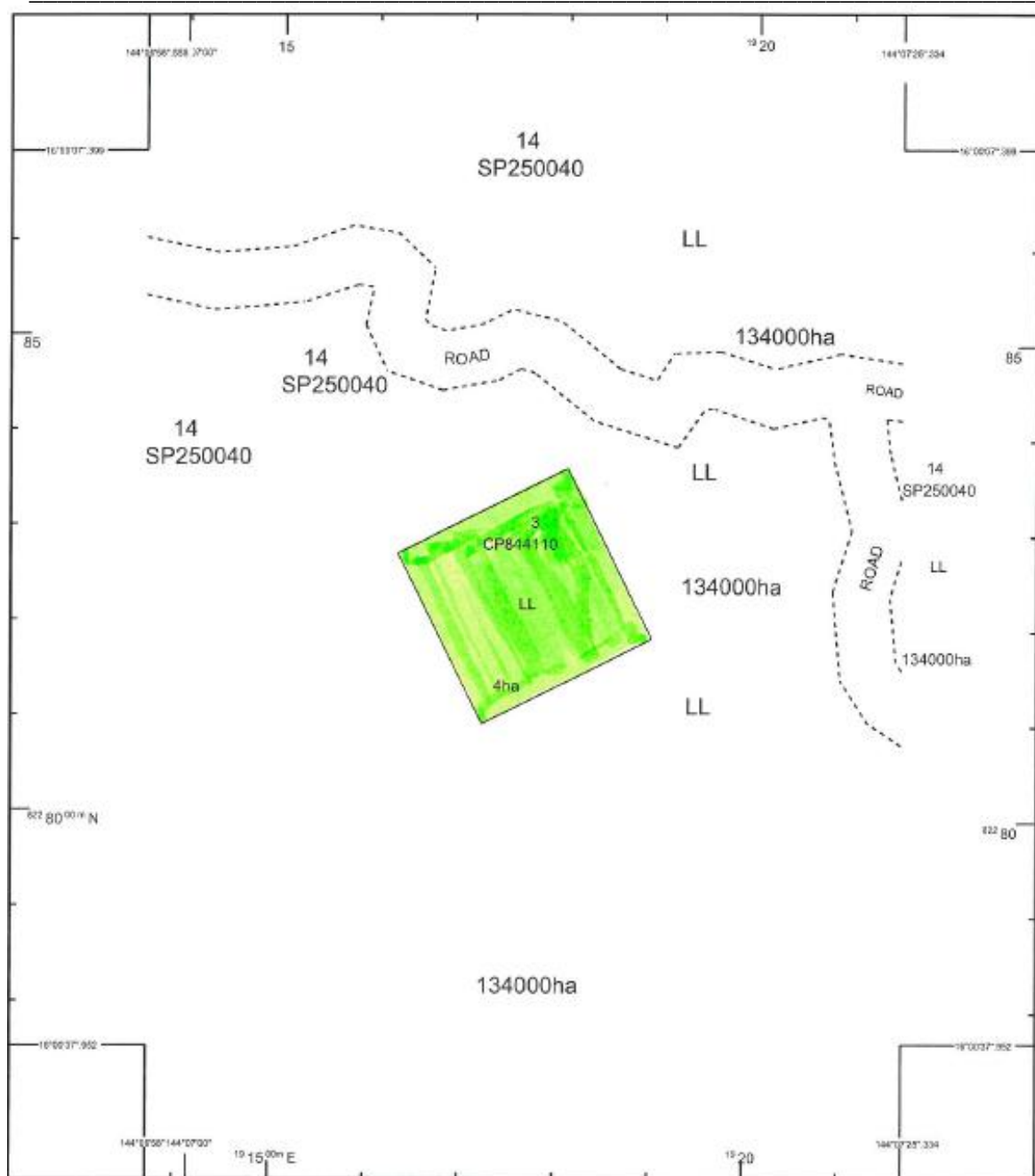
SmartMap

Telstra Tower within Palmerville Station

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
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20-21-22 July 2015**



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
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STANDARD MAP NUMBER  
7765-44111

MAP WINDOW POSITION &  
NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB  
Lot/Plan  
Address/Name  
Tenure  
Local Government  
Locality  
Parish  
County  
Segment/Parcel

3/CP844110  
4ha  
LANDS LEASE  
COOK SHIRE  
PALMER  
PALMERVILLE  
CHELLYSPOND  
028261

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 07/09/2015

DCDB 91/050015

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**Queensland  
Government**  
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(Department of Natural  
Resources and Mines) 2015.



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
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**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
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20-21-22 July 2015**

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**FINANCE**

31035	<b>REVENUE AND EXPENDITURE –JUNE 2015</b>	
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Cr R Bowman moved; seconded Cr P Johnson

That the Revenue and Expenditure Statements for June 2015 be adopted

CARRIED

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
Administration Building, 10 Furneaux Street, Cooktown  
20-21-22 July 2015**

<b>Cook Shire Council Income Statement - (Before EOY Accruals)</b>				
<b>For Period Ended 30th June 2015</b>				
	<b>Actual to</b>		<b>Amended Bgt</b>	<b>Original Budget</b>
<b>% of Year Completed 100.0%</b>	<b>30/06/2015</b>	<b>%</b>	<b>2014-15</b>	<b>2014-15</b>
<b>Income</b>				
<b>Recurrent Revenue</b>				
Rates, Levies & Charges	6,685,530	100%	6,664,750	6,664,750
Sales of Goods & Major Services	3,785,527	119%	3,179,200	3,179,200
Fees & Charges	878,939	88%	1,001,890	1,001,890
Rental Income	280,222	108%	310,000	258,600
Interest Received	264,725	121%	170,000	218,050
Private Works	1,001,234	125%	946,591	800,000
FA G's Grant	8,534,753	100%	8,500,000	8,500,000
Other Operating Grants & Subsidies	762,341	184%	864,500	414,500
Other Income	196,668	224%	160,000	87,700
	<b>22,389,939</b>	<b>106%</b>	<b>21,796,931</b>	<b>21,124,690</b>
<b>Capital Revenue</b>				
Grants & Subsidies	5,637,338	106%	7,400,000	5,300,000
NDRRA Grants	35,452,383	138%	36,490,000	25,700,000
Profit on Asset Sales	268,552		150,000	0
	<b>41,358,273</b>	<b>133%</b>	<b>44,040,000</b>	<b>31,000,000</b>
<b>Total Income</b>	<b>63,748,212</b>	<b>122%</b>	<b>65,836,931</b>	<b>52,124,690</b>
<b>Expenses</b>				
<b>Recurrent Expenses</b>				
Employee Costs (Net of Flood)	9,970,479	108%	9,800,000	9,212,380
Materials & Services	8,517,733	109%	8,200,000	7,839,845
Finance Costs	363,045	118%	307,300	307,300
Depreciation	8,346,959	102%	8,800,000	8,211,025
	<b>27,198,216</b>	<b>106%</b>	<b>27,107,300</b>	<b>25,570,550</b>
<b>Capital Expenses</b>				
NDRRA Expenditure	35,010,416		36,126,000	25,210,000
Loss on Asset Sales	53,688		50,000	0
<b>Total Expenses</b>	<b>62,262,320</b>	<b>123%</b>	<b>63,283,300</b>	<b>50,780,550</b>
<b>Net Result Surplus/(Deficit)</b>	<b>1,485,892</b>		<b>2,553,631</b>	<b>1,344,140</b>
<b>Add Back Capital Transaction</b>	<b>(6,294,169)</b>		<b>(7,864,000)</b>	<b>(5,790,000)</b>
<b>Operating Result (Deficit)</b>	<b>(4,808,277)</b>		<b>(5,310,369)</b>	<b>(4,445,860)</b>



# Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the Administration Building, 10 Furneaux Street, Cooktown 20-21-22 July 2015

Cook Shire Council - Revenue & Expenditure Financial Year to June 2015										
	Revenue			Expenditure			Surplus/(Deficit)			
% of year completed 100.0%	Actual to 30/6/15	Original Budget	% of Budget	Actual to 30/6/15	Original Budget	% of Budget	Actual to 30/6/15	Original Budget	% of Budget	Comment
Executive Management										
CEO's Office	2,619	0		1,262,122	722,310	174.7%	(1,259,503)	(722,310)	174.4%	Retrench Pay, LGAQ \$64k / FNQ \$48k,
Elected Members	947	0		500,252	517,600	96.6%	(499,305)	(517,600)	96.5%	
HR & WH&S	5,172	0		388,638	436,850	89.0%	(383,466)	(436,850)	87.8%	
Land Tenure	52,787	0		230,794	231,600	99.7%	(178,007)	(231,600)	76.9%	Nat Title Grant/Legal 45k
Executive Mgt Total	61,525	0		2,381,806	1,908,360	124.8%	(2,320,281)	(1,908,360)	121.6%	
Corporate Services										
Corporate Services Mgt	229	0		633,431	649,700	97.5%	(633,202)	(649,700)	97.5%	Reval costs, IT Refit costs, Depn \$89k
Rates Operations	3,286,078	3,225,000	101.9%	148,272	149,000	99.5%	3,137,806	3,076,000	102.0%	
Financial Services										
- Grants: FAGs/Operating	7,033,425	6,914,250	101.7%		0		7,033,425	6,914,250	101.7%	FAGs General Portion
- Grants: Capital	5,637,338	5,300,000	0.0%		0		5,637,338	5,300,000	106.4%	Waterfront, - R4R & State/Hydro \$135k
- Interest Income	264,725	218,050	121.4%		0		264,725	218,050	121.4%	
- Profit & Loss-Asset Sales	268,552	0	0.0%	53,688			214,864	0		
- Other Income	184,475	87,700	210.3%		0		184,475	87,700	210.3%	Insurance/Workcover claims
- Insurances		0		280,763	290,000	96.8%	(280,763)	(290,000)	96.8%	Total Ins Pre Allocation \$554k
- Interest on Loans		0		251,248	271,200	92.6%	(251,248)	(271,200)	92.6%	Quarterly payment
- Other Expenses		0		96,439	36,100	267.1%	(96,439)	(36,100)	267.1%	Bank Charges
On cost Recovery	3,556,011	3,287,000	108.2%	3,765,086	3,269,000	115.2%	(209,075)	18,000	-1161.5%	W/Comp \$231 k
IT Services		0	0.0%	559,042	531,600	105.2%	(559,042)	(531,600)	105.2%	Includes Annual Fee, 2013-14 costs
Business Services	20,549	8,000	256.9%	455,888	534,400	85.3%	(435,339)	(526,400)	82.7%	Tenders, Service Fees
Community Buildings	147,118	155,500	94.6%	442,395	497,450	88.9%	(295,277)	(341,950)	86.4%	Ins \$45k
Admin & Financial Services	21,982	14,400	152.7%	393,619	446,300	88.2%	(371,637)	(431,900)	86.0%	Lease/Rent income
Stores Operations	40,827	40,000	102.1%	224,521	200,100	112.2%	(183,694)	(160,100)	114.7%	
Admin Overheads Recovery	1,393,700	1,398,820	99.6%	0	0		1,393,700	1,398,820	99.6%	
Corporate Services Total	21,855,009	20,648,720	105.8%	7,304,392	6,874,850	106.2%	14,550,617	13,773,870	105.6%	
Engineering										
Mgr Engineering Services	24,338	18,500	131.6%	1,302,033	1,216,100	107.1%	(1,277,695)	(1,197,600)	106.7%	Ins \$45k, Qleave \$28k
Parks & Gardens	1,117	0	0.0%	1,549,782	1,567,800	98.9%	(1,548,665)	(1,567,800)	98.8%	
Road Infrastructure	1,501,328	1,500,000	100.1%	5,404,555	5,350,000	101.0%	(3,903,227)	(3,850,000)	101.4%	FAGs **TIDs in Finance, Depn \$4.7m
Water Infrastructure	1,417,123	1,843,250	76.9%	2,807,114	2,954,950	95.0%	(1,389,991)	(1,111,700)	125.0%	Water consumption to be charged
Sewerage Infrastructure	1,145,471	1,161,500	98.6%	1,511,822	1,425,100	106.1%	(366,351)	(263,600)	139.0%	Chem \$45k, SCAD repair \$30k
Airport Operations	734,694	705,000	104.2%	1,102,819	1,070,200	103.0%	(368,125)	(365,200)	100.8%	
Commercial Operations	3,116,174	2,611,000	119.3%	722,116	737,500	97.9%	2,394,058	1,873,500	127.8%	Gravel Sales
Works Depot	0	0	0.0%	204,388	224,160	91.2%	(204,388)	(224,160)	91.2%	Ins \$16k
Plant	3,383,158	3,770,800	89.7%	2,860,559	2,781,710	102.8%	522,599	989,090	52.8%	
Private Works	838,662	800,000	104.8%	1,805,504	1,160,000	155.6%	(966,842)	(360,000)	268.6%	Woobadda Pr Works Loss
Flood Damage	35,336,181	25,700,000	137.5%	35,010,416	25,210,000	138.9%	325,765	490,000	66.5%	
Services Functions	133,674	0		175,865	23,800	0.0%	(42,191)	(23,800)	177.3%	Pre cyclone Clean-up
Engineering Total	47,631,920	38,110,050	125.0%	54,456,973	43,721,320	124.6%	(6,825,053)	(5,611,270)	121.6%	



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the Administration Building, 10 Furneaux Street, Cooktown  
20-21-22 July 2015**

	Revenue			Expenditure			Surplus/(Deficit)			
% of year completed 100.0%	Actual to 30/6/15	Original Budget	% of Budget	Actual to 30/6/15	Original Budget	% of Budget	Actual to 30/6/15	Original Budget	% of Budget	Comment
<b>Community Services</b>										
Comm Serv Mgt	2,396	0		267,628	295,000	90.7%	(265,232)	(295,000)	89.9%	
Community Events	19,119	27,250	70.2%	60,132	113,500	53.0%	(41,013)	(86,250)	47.6%	
Community Development	0	0		71,773	102,500	70.0%	(71,773)	(102,500)	0.0%	
Grants	23,694	0		169,564	166,000	102.1%	(145,870)	(166,000)	0.0%	Remembers/Graffiti/Base
Economic Dev/Grants	0	0		136,115	155,000	87.8%	(136,115)	(155,000)	87.8%	
Media & Marketing	0	0		222,535	285,000	78.1%	(222,535)	(285,000)	78.1%	
Arts & Culture	105,816	81,500	129.8%	85,682	81,500	105.1%	20,134	0	0.0%	RADF & Council - Unspent 2013-14
Libraries	14,212	7,550	188.2%	232,642	255,900	90.9%	(218,430)	(248,350)	88.0%	
Sports & Recreation	41,520	41,350	100.4%	235,015	229,000	102.6%	(193,495)	(187,650)	103.1%	
Endeavour Lodge	129,320	102,600	126.0%	187,297	145,850	128.4%	(57,977)	(43,250)	134.1%	D.S. 21, Rates-14, R&M-Grnd 11, Bld 42
Events Centre	6,994	10,000	69.9%	474,465	503,600	94.2%	(467,471)	(493,600)	94.7%	Ins \$20k
Tourism & Events	791	4,000	19.8%	124,813	148,500	84.0%	(124,022)	(144,500)	85.8%	
Natures Powerhouse	0	0		250,547	237,250	105.6%	(250,547)	(237,250)	105.6%	
<b>Community Services Total</b>	<b>343,862</b>	<b>274,250</b>	<b>125.4%</b>	<b>2,518,208</b>	<b>2,718,600</b>	<b>92.6%</b>	<b>(2,174,346)</b>	<b>(2,444,350)</b>	<b>89.0%</b>	
<b>Planning &amp; Environment</b>										
Manager Planning & Environ.	506	0		126,500	234,000	54.1%	(125,994)	(234,000)	53.8%	
Planning & Land Tenure	72,517	40,000	181.3%	307,841	450,900	68.3%	(235,324)	(410,900)	57.3%	
Building	119,933	96,000	124.9%	502,426	604,600	83.1%	(382,493)	(508,600)	75.2%	Ins clm \$46
Animal & Pest Mgt	15,307	16,700	91.7%	209,987	187,970	111.7%	(194,680)	(171,270)	113.7%	
Health & Environment	30,436	8,640	352.3%	463,245	530,470	87.3%	(432,809)	(521,830)	82.9%	Annual Fees
Waste Management	806,246	959,800	84.0%	1,674,242	1,801,250	92.9%	(867,996)	(841,450)	103.2%	
Environmental Levy	209,512	206,000	101.7%	0	0		209,512	206,000	101.7%	
Cemeteries	7,045	8,350	84.4%	58,563	44,600	131.3%	(51,518)	(36,250)	142.1%	
SES	19,059	22,000	86.6%	34,068	18,450	184.7%	(15,009)	3,550	-422.8%	Building Dep'n increased
Landcare Facilitator	290,000	150,000	193.3%	136,099	143,150	95.1%	153,901	6,850	0.0%	
Cape York Weeds & Feral	593,002	375,000	158.1%	395,637	332,850	118.9%	197,365	42,150	468.2%	Incl Redundancy Pays
<b>Planning &amp; Environ Total</b>	<b>2,163,563</b>	<b>1,882,490</b>	<b>114.9%</b>	<b>3,908,608</b>	<b>4,348,240</b>	<b>89.9%</b>	<b>(1,745,045)</b>	<b>(2,465,750)</b>	<b>70.8%</b>	
<b>Total Revenue &amp; Exp</b>	<b>72,055,879</b>	<b>60,915,510</b>	<b>118.3%</b>	<b>70,569,987</b>	<b>59,571,370</b>	<b>118.5%</b>	<b>1,485,892</b>	<b>1,344,140</b>	<b>110.5%</b>	
Add Back Capital Trans	(5,905,890)	(5,300,000)	111.4%	(53,688)	0		(5,852,202)	(5,300,000)		
<b>Operating Rev &amp; Exp</b>	<b>66,149,989</b>	<b>55,615,510</b>	<b>118.9%</b>	<b>70,516,299</b>	<b>59,571,370</b>	<b>118.4%</b>	<b>(4,366,310)</b>	<b>(3,955,860)</b>		

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
Administration Building, 10 Furneaux Street, Cooktown  
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<b>Cook Shire Council Balance Sheet</b>					
<b>For Financial Year 2014-15</b>					
		<b>Actual to</b>	<b>%</b>	<b>Amended</b>	<b>Budget</b>
		<b>30/06/2015</b>	<b>Diff</b>	<b>Budget</b>	<b>2014-15</b>
<b>Current Assets</b>					
	Cash & Cash Equivalents	373,962	24%	301,600	301,600
	Investments	6,504,733	63%	4,000,000	6,000,000
	Trade Debtors	1,345,517	124%	600,000	600,000
	Rate Debtors (Net of Advances)	648,245	-35%	990,000	990,000
	Other Receivables	190,143	0%	0	0
	Inventories	585,927	17%	500,000	500,000
	<b>Total Current Assets</b>	<b>9,648,527</b>	<b>51%</b>	<b>6,391,600</b>	<b>8,391,600</b>
<b>Non-Current Assets</b>					
	Property, Plant & Equipment	238,960,563	-6%	252,967,149	274,631,391
	Capital Works in Progress	15,372,184	56%	9,880,000	9,880,000
	<b>Total Non-Current Assets</b>	<b>254,332,748</b>	<b>-3%</b>	<b>262,847,149</b>	<b>284,511,391</b>
	<b>Total Assets</b>	<b>263,981,274</b>	<b>-2%</b>	<b>269,238,749</b>	<b>292,902,991</b>
<b>Current Liabilities</b>					
	Trade Creditors	1,455,098	2%	1,430,360	1,430,360
	Employee Entitlements	1,069,217	-14%	1,250,000	1,250,000
	Other Payables (Incl GST Bal)	0	0%	0	0
	NDRRA Rec'd in Advance	0		0	0
	Borrowings	351,175	19%	296,100	296,100
	Working Capital Facility (\$10mil)	0		0	0
	Provision for LSL	49,114	-39%	80,000	80,000
	<b>Total Current Liabilities</b>	<b>2,924,605</b>	<b>96%</b>	<b>3,056,460</b>	<b>3,056,460</b>
<b>Non-Current Liabilities</b>					
	Trade Creditors	0		0	0
	Employee entitlements	107,535	-46%	200,000	200,000
	Other Payables	97,164	0%	0	0
	Borrowings	5,019,805	2%	4,900,000	5,461,000
	Provision for LSL	1,012,354	27%	800,000	800,000
	Provision for Gravel Pits	1,428,674	-5%	1,500,000	1,500,000
	<b>Total Non-Current Liabilities</b>	<b>7,665,533</b>	<b>4%</b>	<b>7,400,000</b>	<b>7,961,000</b>
	<b>Total Liabilities</b>	<b>10,590,138</b>	<b>1%</b>	<b>10,456,460</b>	<b>11,017,460</b>
	<b>Net Community Assets</b>	<b>253,391,137</b>	<b>-2%</b>	<b>258,782,289</b>	<b>281,885,531</b>
<b>Community Equity</b>					
	Retained Surplus	66,447,765	-7%	71,536,082	69,983,801
	Asset Revaluation Surplus	185,644,477	0%	185,644,477	210,300,000
	Other Reserves	1,298,895	-19%	1,601,730	1,601,730
	<b>Total Community Equity</b>	<b>253,391,137</b>	<b>-2%</b>	<b>258,782,289</b>	<b>281,885,531</b>

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the Administration Building, 10 Furneaux Street, Cooktown  
20-21-22 July 2015**

<b>Cook Shire Capital Budget 2014-15</b>										
WO	Expenditure to 30/06/2015	Purchases	Sales Revenue	Amended Budget	Net cost	Expenditure This Month	Expenditure Year to Date	Balance Remaining	Committed Costs	Comments
	<b>Plant Replacement</b>	\$ 3,811,600	\$ 1,879,500	\$ 3,841,911	\$ 1,962,411	\$ -	\$ 1,083,111	\$ 2,758,800		
	<b>New Plant Purchases</b>									
	1 x Set Portable Traffic Lights	35,000		35,000	35,000	0		35,000		
	Dog/Tag Trailer (Machinery Trailer)	60,000		60,000	60,000	0		60,000		
	New Quad Bike for Survey	13,000		13,000	13,000	0		13,000		
2314	1 x New Hilux 4 x 2 (Plumber) : Extra Cab	24,500		46,680	46,680	0	46,680	0		
2479	Slasher - 1,800 mm for Bobcat (Landfill)	0		7,187	7,187	0	7,187	0	7,840	
	Concrete Pump	100,000		100,000	100,000	0		100,000		
	Landfill Compactor	210,000		210,000	210,000	0		210,000		
		442,500		471,867	471,867	0	53,867	418,000		
	<b>Total New &amp; Replacement Plant</b>	\$ 4,254,100	\$ 1,879,500	\$ 4,313,778	\$ 2,434,278	\$ -	\$ 1,136,978	\$ 3,176,800		
WO	Other Asset Purchases	Budget	Revenue	Amended Budget	Net Cost			Balance Remaining		
2423	Cooktown Sewerage SCADA UpGrade (Urgent)	65,000		58,124	58,124	10,446	68,570	-10,446		
2430	Standby Generator (To operate Plant Sewerage TP)	45,000		20,573	20,573	896	21,469	-896		
2422	Trailer mounted Standby Generator (To operate Pump Stn)	35,000		26,298	26,298	0	26,298	0		
2421	Standby Generator (To operate Annan) 200 Kva	80,000		54,843	54,843	582	55,425	-582		
2576	Installation of HDPE settling tank	0		30,000	30,000	20,915	20,915	9,085		
	Meters , fitting and installation to create Reticulation Zones	50,000		50,000	50,000	0		50,000		
	New Switchboard Bore 10 Electrics Coen	45,000		45,000	45,000	0		45,000		
	Installation of Dual Disinfection Dosing Pumps - Annan	38,000		38,000	38,000	0		38,000		
	Replacement Ground Level Reservoir - Lakeland	98,000		98,000	98,000	0		98,000		
	Installation of Dual Disinfection Dosing Pumps -Coen	10,000		10,000	10,000	0		10,000		
	Installation of Dual Disinfection Dosing Pumps -Laura	20,000		20,000	20,000	0		20,000		
2080	Hydro Turbine at Annan (Rec'd \$150k 2013)	300,000		300,000	300,000	0	22,550	277,450	0	
	Leachate-Upgrade	20,000		20,000	20,000	0		20,000		
	Fence-Green Waste Mt Tully	30,000		30,000	30,000	0		30,000		
	Plastic Baler	14,000		14,000	14,000	0		14,000		
	Dog Pound Drainage	20,000		20,000	20,000	0		20,000		Currently non-compliant
2419	Replace Jet A1 Bowser with Hi Flow	30,000		24,823	24,823	0	24,823	0	44,878	
2617	Heavy Helicopter Landing Pad -At Bowser	12,000		12,000	12,000	7,830	7,830	4,170		
	Fencing-Continue along Boundary	15,000		15,000	15,000	0		15,000		
	IT Hardware - Replace/Upgrades	50,000		50,000	50,000	0		50,000		
2259	Mt Tully Beacon	0		23,056	23,056	0	23,056	0		
2462	CCTV camera installation- W'front/Wharf/Events Ctr	0			0	0		0		See Waterfront Budget
	IT Coordination Centre Fitout - Elect/Desk/	25,000		25,000	25,000	0		25,000		R & M, Elec, Benches, Storage, W/I
	<b>Total Other Assets</b>	\$ 1,002,000	\$ -	\$ 984,717	\$ 984,717	\$ 40,669	\$ 270,936	\$ 713,781	\$ 44,878	

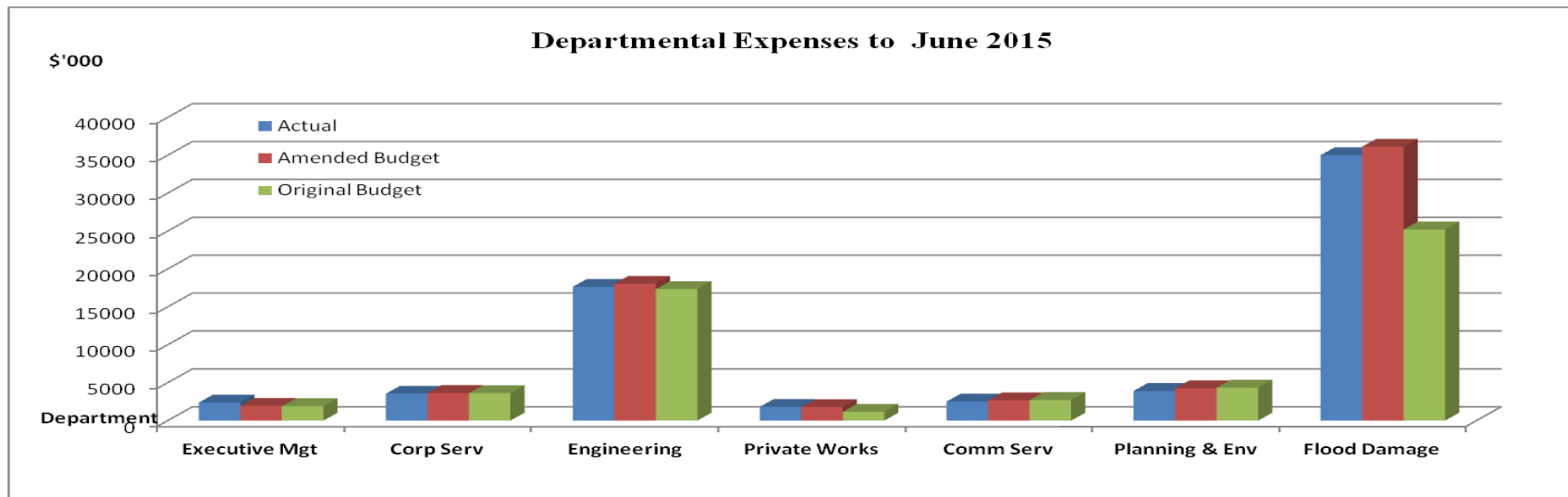
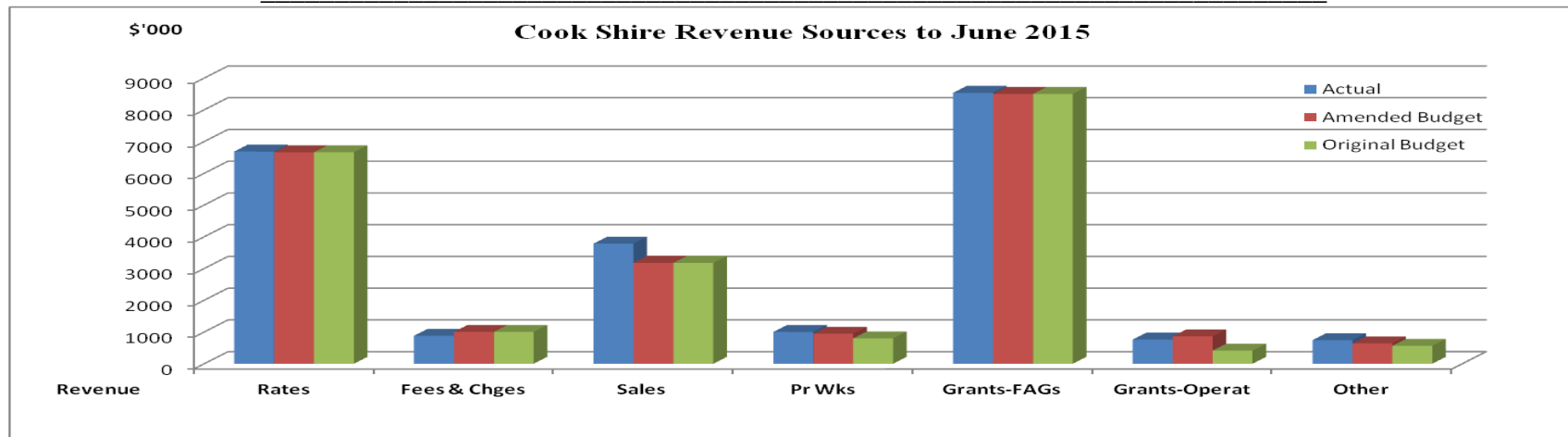
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WO	Waterfront Project	Budget	Grant	Amended Budget	Net Cost	Expenditure This Month	Expenditure Year to Date	Balance Remaining	Committed Costs	Comments
2226	Waterfront-Phase2 (Geofab)	580,000	580,000	580,000	0	0	200,070	379,930		Reclassification of costs across WO
2228	Waterfront-Water Park Design (To Waterpark)	20,000	0	0	0	0	0	0		Council contribution DLG grant
2233	Waterfront-Sewerage	250,000	250,000	521,840	271,840	37,449	548,879	-27,039	30,007	
2234	Waterfront-Roadworks/Stormwater/Earthworks	750,000	750,000	954,522	204,522	0	135,714	818,808	2,983	
2238	Waterfront-Irrigation (To Landscaping)	40,000	0	0	0	0	0	0		
2316	Waterfront-Gazebo, Shade Sails	100,000	0	30,000	30,000	0	23,763	6,237		
2317	Waterfront-BBQ's/Shelters	50,000	50,000	185,253	135,253	0	0	185,253	8,636	
2318	Waterfront-Amenities/Pergola/Eastern Toilet : MTC	850,000	599,124	1,460,008	860,884	38,560	221,821	1,238,187	743,065	Council contribution DLG grant
2319	Waterfront-Amenities Block : Ancilliary (To WO 2318)	100,000	0	0	0	0		0		
2320	Waterfront-Powder Magazine Retro-fit	50,000	20,000	20,000	0	0		20,000		
2321	Waterfront-Landscaping(Pool,Hydromulch,Trees, Soil, Bins)	310,000	365,474	365,474	0	-5,192	54,606	310,868		Incl \$50k for Bins - park & Ships
2322	Waterfront-Lighting	200,000	225,402	225,402	0	46,965	76,328	149,074	109,002	
2323	Waterfront-Mains Power	200,000	150,000	150,000	0	33,223	61,482	88,518	4,910	
2324	Waterfront-Pool Fence	50,000	50,000	56,000	6,000	0		56,000		
2325	Waterfront-Bond Beams & Saltwater Pool Fitout	100,000	100,000	186,154	86,154	60,426	218,154	-32,000		
2327	Waterfront-Fishing Platforms	300,000	300,000	579,412	279,412	0	80,354	499,058	38,520	
2328	Waterfront-Stage Area (TO Landscaping)	20,000	0	0	0	0		0		
2329	Waterfront-Concrete Works: Paths/Slabs	160,000	200,000	610,680	410,680	8,597	9,262	601,418		
2330	Waterfront-Water Park (Grant 40%)	380,000	160,000	492,095	332,095	0	189,333	302,762	268,684	
2331	Waterfront-Gravel Footpaths (To Concrete Works)	40,000	0	0	0	0		0		
2332	Waterfront-Marina Fitout	200,000	200,000	200,000	0	0	14,348	185,652		
2342	Waterfront-Consultancy (Prost, B & M, TPG & Michael)	0	0	519,202	519,202	0	430,077	89,125		
2453	Waterfront-Water Mains	0	0	138,346	138,346	0	3,083	135,263		
2462	Waterfront-CCTV Grafitti Stop	0	0	54,213	54,213	0	31,999	22,214		
2485	Waterfront-General Excavation	0	0	250,000	250,000	23,219	86,431	163,569		
	Waterfront-Retaining Wall	0	0		0	0		0		
	Plaza Concreting	0	0		0			0		
	<b>Sub-total Waterfront (1.25 mil + 3.5 mil = 4.75 mil)</b>	<b>\$ 4,750,000</b>	<b>\$ 4,000,000</b>	<b>\$ 7,578,601</b>	<b>\$ 3,578,601</b>	<b>\$ 243,247</b>	<b>\$ 2,385,704</b>	<b>\$ 5,192,897</b>	<b>\$ 1,205,807</b>	

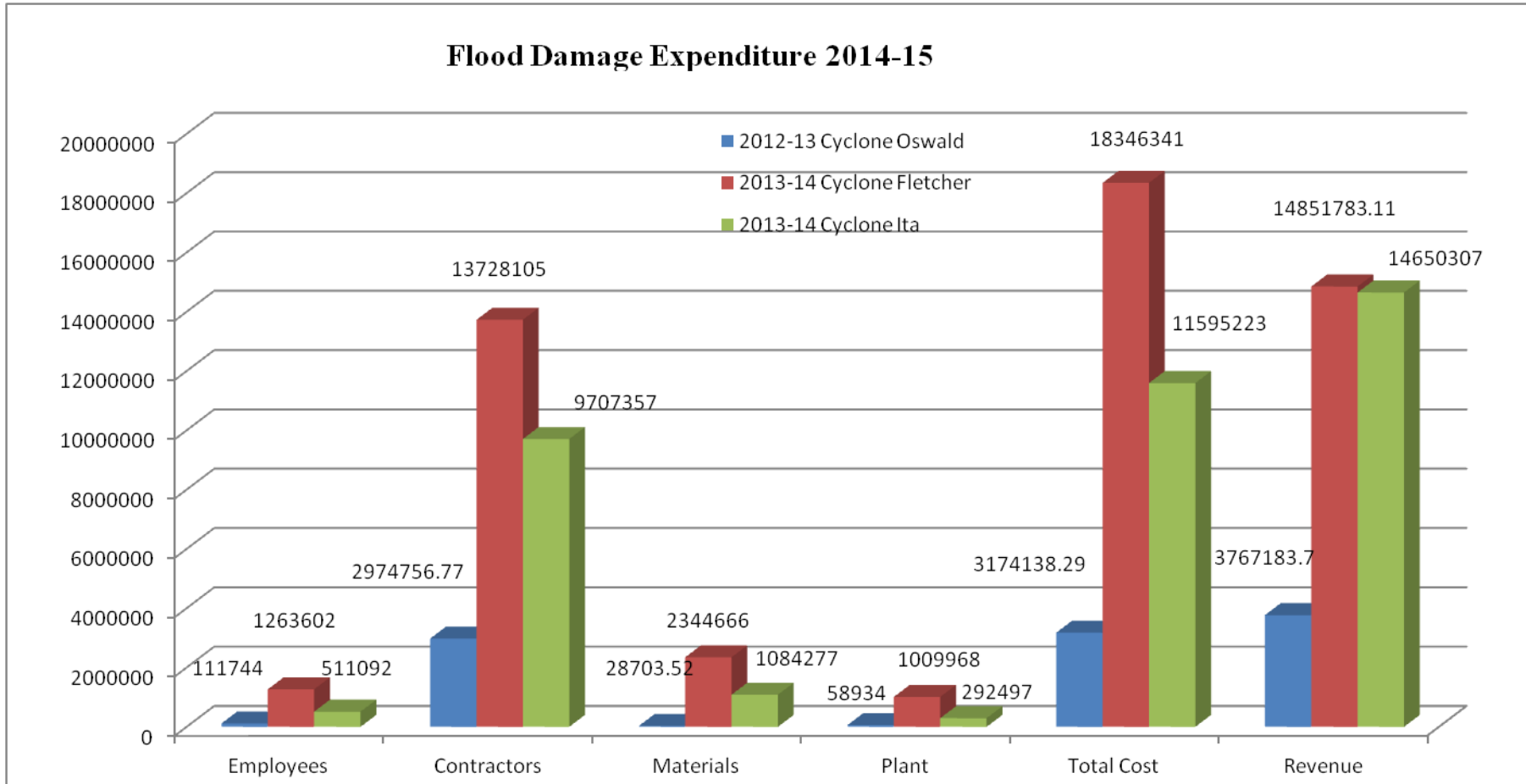
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	<b>Road infrastructure</b>	<b>Budget</b>	<b>Grant</b>	<b>Amended Budget</b>	<b>Net Cost</b>	<b>Expenditure This Month</b>	<b>Expenditure Year to Date</b>	<b>Balance Remaining</b>	<b>Committed Costs</b>	<b>Comments</b>
2339	Footpath - Hope St (TIDs & R2R)	600,000	600,000	600,000	0	52,186	396,844	203,156	65,444	
2467	Lockhart River Access (3.8 km) -Bgt \$94,325	0	0	59,166	59,166	0	59,166	0		
	Aurukun Road Betterment	0	0	0	0	0		0		
2575	Musgrave/Strathgordon 145 km to 150.5 km (\$1,036,393)	0	0	440,730	440,730	567,701	1,008,431	-567,701	0	ATSI TIDs
	Rossville Bloomfield Road (Bal of 2013-14)	2,400,000	0					0		TID's 2014/ Rec'd 2014 \$1,166k
2257	- Ch 19.322 to Ch 21.872 (\$811,800)		563,214	563,214	0	0	563,214	0		2014 Costs - \$297k
2307	- Ch 6.505 to Ch 9.771 (\$1,180,000)		1,185,389	1,185,389	0	0	1,185,389	0	0	2014 Costs - \$299k
2308	- Ch 14.472 to Ch 17.472 (\$1,107,000)		183,709	525,127	341,418	0	525,127	0	0	2014 Costs - \$570k
2458	- Ch 17.45 to 19.3 (\$1,072,047)	1,072,047	1,072,047	1,240,420	168,373	0	1,240,420	0		
		\$ 4,072,047	\$ 3,604,359	\$ 4,614,046	\$ 1,009,687	\$ 619,887	\$ 4,978,591	\$ (364,545)	\$ 65,444	
	<b>Other Infrastructure Assets</b>	<b>Budget</b>	<b>Grant</b>	<b>Amended Budget</b>	<b>Net Cost</b>	<b>Expenditure This Month</b>	<b>Expenditure Year to Date</b>	<b>Balance Remaining</b>	<b>Committed Costs</b>	<b>Comments</b>
2066	Wharf Refurbishment (\$614k rec'd May 2014)	800,000		800,958	800,958	4,791	805,749	-4,791		Contribution rec'd May 2014
2070	Store at depot (Loan rec'd May 2014)	1,000,000		1,000,000	1,000,000	0	10,094	989,906		Loan received June 2014
2442	Staff Accommodation	1,300,000		1,300,000	1,300,000	0	8,332	1,291,668		Loan Rec'd June 2015
305	Airport Subdivision-Cooktown			29,519	29,519	0	29,519	0		
313	Coen 4 Bay Shed	0		24,819	24,819	0	24,819	0		Carry over works 2013-14
314	Charlotte st White Post & Rail	0		14,591	14,591	1,644	16,235	-1,644		Carry over works 2013-14
	Reuse Water Project	70,000		70,000	70,000	0		70,000		\$63,000 Grant received 2013-14
2478	Vessel Mooring & Walkway Development - \$45,000			2,953	2,953	0	2,953	0		
2466	Coen Toilet & Change Room at oval	120,000	100,000	120,000	20,000	2,444	22,172	97,828		Get Playing Sport & Rec Grant
		\$ 3,290,000	\$ 100,000	\$ 3,362,840	\$ 3,262,840	\$ 8,879	\$ 919,873	\$ 2,442,967	\$ -	
	<b>Total Infrastructure Assets</b>	<b>\$ 12,112,047</b>	<b>\$ 7,704,359</b>	<b>\$ 15,555,487</b>	<b>\$ 7,851,128</b>	<b>\$ 872,013</b>	<b>\$ 8,284,168</b>	<b>\$ 7,271,319</b>	<b>\$ 1,271,251</b>	
	<b>Total Capex Budget 2014-15</b>	<b>\$ 17,368,147</b>	<b>\$ 9,583,859</b>	<b>\$ 20,853,982</b>	<b>\$ 11,270,123</b>	<b>\$ 912,682</b>	<b>\$ 9,692,082</b>	<b>\$ 11,161,900</b>	<b>\$ 1,316,129</b>	

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31036	<b>DEBTORS WRITE OFF</b>	
	<i>Report No.D15/14774 from Accounts Receivable</i>	

Cr P Johnson moved; seconded Cr K Price

That Council write off the outstanding amount of \$ 8524.63

CARRIED

**Précis**

Request to write off outstanding debts where Debtors are in Liquidation.

**Background/History**

The first account is for \$7682.97 and the other is for \$841.66. Both debts are for the purchase of aviation fuel.

The accounts are in Liquidation and Administrators have been appointed.

A Report of Misconduct was sent by Council to ASIC on the 5/3/2015 relating to the first account.

An email was sent to both Administrators on the 25/6/2015 to request the current status of these accounts. A reply was received by McLaren Knight relating to the \$841.66 debt on the 6/7/2015 and from Pilot Partners relating to the \$7682.97 debt on 9/7/2015. Both responses stated that no funds were available for distribution to creditors.

Consequently the outstanding balances which remain owing to Council will not be recovered and therefore request to write off these amounts.

**Link to Corporate Plan**

Long term financial sustainability.

**Consultation**

Nil

**Legal Implications (Statutory, basis, legal risks)**

Nil

**Policy Implications**

Nil



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**Financial and Resource Implications (Budgetary)**

Nil

RECOMMENDATION: - That Council write off the outstanding amount of \$ 8524.63

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9/7/2015

Dear Anne

As discussed on 6 July 2015, the liquidation is without funds and there will be no return to any class of creditor.  
We will be finalising this matter shortly.

Feel free to contact me should you have any further queries.

Regards,

**Demi Hatchman**

Accountant

Performance & Recovery



Chartered Accountants

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9/7/2015

Hi Anne

In relation to Barrier Aviation Pty Ltd (In Liquidation) there will not be sufficient assets realised in the Liquidation to pay anything to any class of creditors.

Should you require any further information please feel free to contact me.

Regards

David Avery

For **MCLAREN KNIGHT**

***mclaren knight***

MCLARENKNIGHT.COM [david@mclarenknight.com.au](mailto:david@mclarenknight.com.au) TEL +61740517878 FAX +61740517898

MCLARENKNIGHT.COM

LIABILITY LIMITED BY A SCHEME APPROVED UNDER PROFESSIONAL STANDARDS LEGISLATION

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31037	<b>REQUEST TO WRITE OFF RATES DEBT 10000164</b>	
	<i>Report No. D15/13715 from Rates Officer</i>	

Cr R Bowman moved; seconded Cr S Clark

That Council resolves to write off the balance of \$8562.94 in outstanding rates and charges in accordance with the provisions of Chapter 4 Part 12 of the *Local Government Regulation 2012*.  
CARRIED

### **Précis**

Request to write off outstanding debt.

### **Background/History**

The registered proprietors of Lot 102 on Plan A3021 situated at 56 Broadway Street, Ayton are Yvonne Donnan and Wolfgang Hammann as tenants in common in equal shares. It is understood that Wolfgang Hammann is deceased. The land is subject to inundation by tidal waters and is regularly under salt water at high tides.

In February 2014 the Council resolved to acquire the land described as Lot 102 on Plan A3021 and situated at 56 Broadway Street, Ayton under the provisions of Chapter 4 Part 12 of the *Local Government Regulation 2012*.

This process has now been completed and the property has been transferred. As per the above Act the Local Government must discharge the amount of overdue rates and charges payable for the land.

The balance as at 14 July 2015 is \$8,562.94.

### **Link to Corporate Plan**

Legislation

### **Consultation**

### **Legal Implications (Statutory, basis, legal risks)**

Legislation

### **Policy Implications**

NIL

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**Financial and Resource Implications (Budgetary)**

Council will suffer a loss of \$8562.94 being the overdue rates and charges. However, Council will acquire a block of land that may be used in off-sets with the Department at some later time.

**RECOMMENDATION**

That Council resolves to write off the balance of \$8562.94 in outstanding rates and charges in accordance with the provisions of Chapter 4 Part 12 of the *Local Government Regulation 2012*.

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## **ADMINISTRATION**

31038	<b>TRANSFER OF SOCIAL HOUSING UNITS</b>	
	<i>Report No. D15/14862 from Director Corporate Services</i>	

Cr A Wilson moved; seconded Cr P Johnson

That Council advise the Department of Housing and Public Works that it intends to transfer the new six aged care units in Howard Street (May Street entrance) to a local housing provider.

**CARRIED**

### **Précis**

Council has six community housing aged care units that constitute a funding relationship with the Department of Housing and Public Works (DHPW).

With the National Regulatory System for Community Housing underway the funding relationship has ended as of 30/6/2015, Council has the option to transfer the assets to a local provider.

### **Background/History**

Cook Shire Council obtained funding from the DHPW in 2009 to build three duplex units in Howard St for aged care residents, ownership of these units remain with the Department as a contingent liability the percentage of ownership adjusted annually.

Organisations that have a shared interest in housing assets with the Department and did not apply for registration had their funding relationship with the Department end as of June 30 2015.

### **Link to Corporate Plan**

Legal requirement

### **Consultation**

Meetings with Department of Housing representatives have been ongoing.

### **Legal Implications (Statutory, basis, legal risks)**

Nil, ownership of assets is with Department of Housing.

### **Policy Implications**

None identified

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**Financial and Resource Implications (Budgetary)/Risk Assessment**

A valuation of the Aged Care units in Howard St is required in accordance with DHPW guidelines.

**RECOMMENDATION**

That Council advise the Department of Housing and Public Works that it intends to transfer the new six aged care units in Howard Street (May Street entrance) to a local housing provider.

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31039	<b>SOLE SUPPLIER REGISTER 2015 – JULY REGISTER UPDATE</b>	
	<i>Report No.D15/14880 from Council's Business Services Manager</i>	

Cr Penny Johnson moved; seconded Cr S Clark

That Council:

1. Notes this quarterly report on sole supplier expenditure; and
2. Resolves in accordance with section 235(a) of the Local Government Regulation 2012 that it is satisfied the suppliers listed in Attachment 1 are sole suppliers and that the sole supplier register be amended to incorporate new additions to the register as itemised in bold); and
3. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to these sole suppliers

CARRIED

**Précis**

This report identifies 'sole suppliers' for endorsement where Council cannot reasonably find alternative sources of supply for goods and services that are specialised or confidential in nature, compatible with existing products and/or services, or available within the region and supply from outside the region would be cost prohibitive.

**Background/History**

It is a requirement of the Local Government Regulation 2012 to invite written quotations or tenders where the carrying out of works or the supply of goods or services involves a cost greater than \$15,000 or \$200,000 respectively. Additionally, Council's Procurement Policy contains provisions regarding obtaining quotes for amounts less than \$15,000

The Regulation acknowledges that there are instances when it will not always be possible to meet this requirement and provides a number of exceptions to manage these instances.

To meet operational requirements it has been identified that there are a number of suppliers who are the only reasonable source of supply for various products and services required by Council.

Section 235(a) of the Queensland *Local Government Regulation 2012* reads as follows:

A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if—

- (b) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or



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To apply this exemption a specific resolution of Council is required on the basis of the facts or circumstances relevant to the particular contract.

Any of evaluative decisions made under section (a) (as outlined above) are matters for subjective consideration and determination by the Council. They do not involve an objective test such that a Court can substitute its own view of the facts if a decision were challenged.

The legislative requirement for a sole supplier requires a Council to prove that the supplier is the only supplier that can reasonably provide that good or service. The emphasis is on the word “reasonably” and advice from the Department of Infrastructure, Local Government and Planning is that this can be interpreted on a regional and operational basis. This means if there is only one supplier in the rate-paying region of Council and they are considered to be providing a competitive service then they can be deemed a sole supplier.

LGAQ and the Department state that the purchase of goods and services from a sole source to support existing assets in an original equipment manufacturer (OEM) situation can also be deemed a sole supplier arrangement.

LGAQ supplied commentary to section 235(a) of the Local Government Regulation 2012 also states that this section might be applied where Council wishes to upgrade a proprietary computer software program to add functionality and/or where there is generally only one possible supplier and the calling of tenders or quotes “would be a manifest waste of time and resources”. This interpretation of the legislation has been used to support and validate the inclusion of a number of sole supplier recommendations in regard to software and other like products and services

This report provides an overview of the necessary sole supply arrangements required for Council’s standard and project based operations premised on:

- the availability of products and services that are difficult to source due to their nature or Council’s remote location;
- genuine failed attempts to find multiple suppliers (by quote or tender) who can reasonably supply Council with the required products and services you;
- products and services that are specialised in nature (unique one-off providers);
- arrangements that are linked to specialty products or brands that we already have i.e. an agent that services a product under warranty and to have that service done by another company would void the warranty;
- the supplier is local and can meet immediate emergent needs i.e. local business that can supply for purchases that have not been planned for and are time critical; or
- the supplier captures the market for maintenance and replacement parts for a specific piece of specialised equipment.

In the 2013/2014 Financial Year \$3,982,296.60 was spent working with sole suppliers (approximately 8% of purchasing) and in the 2014/2015 the amount to date totals \$2,802,824.24

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(approximately 4.5% of purchasing)\*. Appendix 1 provides a breakdown of these figures by supplier and rational.

\* This report excludes Council and Government preferred supplier and pre-qualified supplier arrangements.

**Legal Implications (Statutory, basis, legal risks)**

Nil.

**Link to Corporate Plan**

**4.1 Leadership and Governance**

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

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

In terms of Delivering Sound Governance and Economic Management, the ongoing review of who is a sole supplier will ensure that responsible financial and professional practises are utilised to maintain a sustainable framework within procurement across Council. It also ensures that Council provides sound governance and economic management in monitoring these suppliers and the market place.

**Consultation**

All Council staff were consulted and asked to nominate suppliers for the report. Suppliers that have been deemed not to meet the requirements as per the definition of sole supplier in the Regulation have been excluded from this report and alternate procurement practices will be put in place to ensure legislative and policy compliance.

Council's Business Services function has researched each recommended sole supplier and has sourced the expenditure information for this report.

**Policy Implications**

Nil

**Financial and Resource Implications (Budgetary)/Risk Assessment**

No risk to Council has been identified. Any financial risk to Council is mitigated by Council officers having assessed these products as being suitable products and the suppliers as being the only reasonable option from which Council can obtain the relevant goods and services. Pricing

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has also (where available) been benchmarked against comparable products or suppliers to ensure commercial competitiveness factoring in transport and availability.

**RECOMMENDATION**

It is recommended that Council:

1. Notes this quarterly report on sole supplier expenditure; and
2. Resolves in accordance with section 235(a) of the Local Government Regulation 2012 that it is satisfied the suppliers listed in Attachment 1 are sole suppliers and that the sole supplier register be amended to incorporate new additions to the register as itemised in bold); and
3. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters in relation to these sole suppliers.

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**APPENDIX 1. AMENDED SOLE SUPPLIER REGISTER**

<b>Product</b>	<b>Supplier</b>	<b>Rational</b>	<b>Expenditure 2013/2014</b>	<b>Expenditure 2014/2015</b>
Local Print Advertising	Cooktown Local News	Only dedicated regular local print publication. Legislative requirements require that notices be broadcast locally.	\$42,884.90	\$31,222.01
Regional print advertising	The Cairns Post	Daily regional print publication, dedicated advertising features (eg. tenders, careers), used for advertising to the broader business/industrial/commercial/professional community. Legislative requirements require that notices be broadcast locally.	\$14,574.92	\$14,005.48
Aerial 1080 baiting	Atherton Creek Air Charters - Matthew Jennings *	Aerial baiting is a niche operation and Atherton Creek Air Charters is the only company/pilot to have made the necessary modifications that enable an aircraft to effectively drop bait. The aircraft is a Piper-Cherokee which has a chute engineered in to the underside of the cabin. A stainless steel tray can be inserted and fitted to the interior of the cabin that connects to the chute which is used to hold the baits prior to dropping. No known replacement exists. This determination supported by research undertaken within the pest management industry in the Far North Queensland region.	\$13,355.94	Pending Future Need
Coen Flights	West Wing PTY LTD pending Successor	Only airline flying into Coen *	\$6,854.88	\$5,540.47
Memcor Plant Servicing (Laura & Coen)	Aqua Manage	Goods or services purchased from the 'Original Equipment Manufacturer' (OEM)	\$14,850.00	\$17,385.50

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<b>Product</b>	<b>Supplier</b>	<b>Rational</b>	<b>Expenditure 2013/2014</b>	<b>Expenditure 2014/2015</b>
Parts - Belt Filter Press - Sewerage Treatment Plant	Ovivo Australia PTY LTD	OEM	\$8,944.87	\$3,996.30
Spirac Step Screen Maintenance - Sewerage Treatment Plant	Spirac PTY LTD	OEM	\$0.00	\$20,845.00
HACH Reagents	HACH Pacific PTY LTD	OEM	\$18,997.02	\$30,551.82
Ecoli & Coliforms Testing Products - Colisure, Antifoam, Quanti Trays, Sample Bottles -Industry Self Testing Equipment and Chemicals.	IDEXX Laboratories	OEM	\$9,464.63	\$12,078.00
Accommodation	Bramwell Station Tourist Park	Location Specific	\$2,480.00	\$0.00
Local Electronics Servicing	Cape York Electronics	Only suitably qualified available	\$8,980.61	\$2,933.41
Accommodation	Hann River Roadhouse	Location Specific	\$445.44	\$0.00
Accommodation	Quinkan Hotel	Location Specific	Does Not Run Accounts	
Accommodation / Fuel / Meals	Archer River Roadhouse	Location Specific	\$40,838.17	\$25,896.19
Accommodation / Fuel /	Bramwell Junction	Location Specific	\$17,956.98	\$11,282.19

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<b>Product</b>	<b>Supplier</b>	<b>Rational</b>	<b>Expenditure 2013/2014</b>	<b>Expenditure 2014/2015</b>
Meals	Roadhouse			
Accommodation	Exchange Hotel Coen	Location Specific	\$6,767.00	\$3,646.00
Accommodation / Fuel / Meals	Musgrave Roadhouse	Location Specific	\$58,304.30	\$99,357.79
Windscreen Repair/Replacement	Pete's Auto	Only Windscreen supplier in Cooktown	\$21,792.91	\$11,889.50
Air Fares	Hinterland	Sole Supplier	\$19,265.61	\$12,378.50
Bulk Shredding	ShredX ( Australian Document Management)	Location Specific	\$0.00	\$5,823.66
Electricity	Ergon	Sole Supplier	\$649,153.96	\$402,257.79
Photocopier and Printer Servicing - Cannon	Brilliant Technologies	OEM	\$4,354.40	\$2,354.82
Photocopier and Printer Servicing - Kyocera	Evolve Equipment Management	OEM	\$25,546.13	\$25,324.58
Photocopier and Printer Servicing - Fuji Xerox	Fuji Xerox Business Centres	OEM	\$12,438.60	\$441.72
Enterprise Management System and Associated Functions and Hardware	Civica, Authority, TRIM & Ezescan	OEM	\$287,786.63	\$250,416.87
Plant Parts and Service	Komatsu Australia	OEM	\$242,431.16	\$37,411.08

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<b>Product</b>	<b>Supplier</b>	<b>Rational</b>	<b>Expenditure 2013/2014</b>	<b>Expenditure 2014/2015</b>
Plant Parts and Service	Hastings Deering	OEM	\$223,047.77	\$5,209.35
Plant Parts and Service	Conplant Amman Aust	OEM	\$4,696.91	\$1,247.01
Plant Parts and Service	New Holland - AKC Mechanical	OEM	\$2,926.54	\$4,845.31
Plant Parts and Service	JCB	OEM	\$3,031.40	\$1,191.94
Plant Parts and Service	Bobcat/Clarke Equipment	OEM	\$83,564.79	\$9,425.99
Plant Parts and Service	Toyota/Hino - Pacific	OEM	\$1,225,643.6 4	\$1,171,224.92
Plant Parts and Service	Isuzu - FR Ireland	OEM	\$286,940.34	\$78,532.49
Hardware items unable to be sourced as needed through Council's Stores Function	Cooktown Hardware	Sole Regional Supplier	\$348,590.00	\$177,150.00
Survey Hardware & Consumables Leica Geosystems	C.R. Kennedy	OEM - Exclusive Australian Distributor	\$47,793.00	\$11,935.74
GIS Software - Upgrades and Maintenance.	ESRI	OEM	Licence Current.	
Sole Supplier Retail Batched Concrete	HTFU TA Cooktown Concrete	Sole Supplier - Location Specific	\$213,538.67	\$299,352.12

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<b>Product</b>	<b>Supplier</b>	<b>Rational</b>	<b>Expenditure 2013/2014</b>	<b>Expenditure 2014/2015</b>
Waste Management Software	Mandalay Technologies Pty Ltd	OEM	\$14,054.48	\$14,897.69
Tyre Shredding for Reduced Transport Costs	Shark Recyclers Pty Ltd	Regional Consultation indicates Sole Supplier of On Site Shredding	\$0.00	\$770.00
Adobe InDesign graphic design layout software	Adobe Systems Software	Sole Supplier	\$0.00	\$740.00
<b>Playground Equipment - Replacement Items - Cooktown</b>	<b>Urbanplay</b>	<b>OEM</b>	<b>\$4,463.75</b>	<b>\$2,128.41</b>
<b>Playground Equipment - Replacement Items - Coen</b>	<b>Sureplay</b>	<b>OEM</b>	<b>\$1,908.61</b>	<b>\$0.00</b>
<b>Playground Equipment - Replacement Items - Ayton</b>	<b>Imaginationplay</b>	<b>OEM</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Mobile Batching Plant</b>	<b>Brackenhurst Contracting Pty Ltd</b>	<b>Sole Supplier in Region - Location Specific - Able to Work in Remote Areas of the Shire. Permit based works only. Name change to existing entry.</b>	<b>\$0.00</b>	<b>\$29,419.50</b>
<b>TOTAL</b>			<b>\$3,989,438.96</b>	<b>\$2,834,339.15</b>
* Not used since 2012 - Future use scheduled.				
** Specific supplier to change when handover finalised.				



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31040	<b>REVISED REPORT</b>	
	<b>CHRISTIAN COMMUNITY MINISTRIES – ADDITIONAL LAND BY SALE AND TRANSFER OF OWNERSHIP OF LOT 27 ON PLAN C17945</b>	
	<i>Report No. D14/14902 from Business Services Manager</i>	

Cr K Price moved; seconded Cr A Wilson

That Council sell to Christian Community Ministries (for the purpose of extending the facilities the school offers) Lot 1 on RP703341, Lot 2 on RP703341, Lot 3 on RP703341, Lot 4 on RP703341, Lot 7 on RP703341, Lot 9 on RP703341, Lot 10 on RP703341, Lot 11 on RP703341, Lot 12 on RP703341 and Lot 34 on C17945 for \$500,000.00; and Council transfer to the Christian Community Ministries Lot 27 on C17945 for \$1.00; with All legal, stamp duty and administrative costs for the above transactions to be met by Christian Community Ministries.

**CARRIED**

### **Précis**

In June 2015 Council was asked to endorse the release of land by sale and transfer to the Endeavour Christian College c/o the Christian Community Ministries. The report was deferred for further information and investigation and negotiations with the proponent.

### **Background/History**

Concerns were raised by Council's elected members and senior management that the sale of individual lots for a low value would have an adverse effect on property values and the ability for potential to source mortgages. As such, it has been established that the sale of multiple lots on a single transfer would not allocate any single dollar value to individual lots. This would more accurately reflect Council's intent and would (based on consultation at the executive level) not impact upon the property market.

### **Link to Corporate Plan**

#### **4.1 Corporate Governance, Special Projects:**

##### **Activities that enable council to progress long term community planning**

##### **4.1.3 Special Projects**

- a) Comprehensive review of all land and structural assets in light of municipal and community requirement, possible revenue raising capability, and sustainable use and maintenance obligations.

#### **4.3 Active, Creative and Connected.**

##### **Sports and play, cultural vitality and our clubs and organisations**

##### **4.3.2 Where resources and capacity allow:**

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

##### **4.3.3 Special Projects**

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
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- a) Work to fund improvements that support common Shire goals, inclusive of sport and recreation facilities and open spaces.
- b) Incorporate into land use strategy a review of standardised and equitable facilities on, and access to, public spaces, parkland and ovals.
- c) Actively encourage and promote community engagement in all relevant Council activities.

**4.7 Economic Wellbeing**

**Activities that bring improvements in financial status across the whole shire.**

**4.7.1 Advocate and support:**

- a) Economic development.

**Consultation**

Interdepartmental. Executive level. Elected members.

**Legal Implications (Statutory, basis, legal risks)**

Pending.

**Policy Implications**

Nil

**Financial and Resource Implications (Budgetary)**

- Sales revenue of \$500,000.00
- Land no longer available to Council to use as an Asset.
- Revenue from development approvals.
- Extended infrastructure surrounding the site.

**RECOMMENDATION**

Council sell to Christian Community Ministries (for the purpose of extending the facilities the school offers) Lot 1 on RP703341, Lot 2 on RP703341, Lot 3 on RP703341, Lot 4 on RP703341, Lot 7 on RP703341, Lot 9 on RP703341, Lot 10 on RP703341, Lot 11 on RP703341, Lot 12 on RP703341 and Lot 34 on C17945 for \$500,000.00; and

Council transfer to the Christian Community Ministries Lot 27 on C17945 for \$1.00; with

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

***APPENDIX 1: June Report.***

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

**Précis**

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Endeavour Christian College c/o the Christian Community Ministries requests that additional land be made available for sport and recreational purposes.

**Background/History**

In 2010 Council resolved to lease Lot 27 on C17945 to the Christian Community Ministries (CCM). Endeavour Christian College was subsequently built on the lot and runs as a school for grades prep to grade 9, with the first lot of students to enter grade 10 (if appropriate facilities can be made available) in 2016.

CCM originally requested that Council transfer the freehold to CCM; however certain reservations were raised at the time and the site was granted by way of lease until such time as it could be confirmed that the proposed land use was compatible with Council's strategic direction.

In October 2014 CCM requested that Council consider transferring freehold title to Lot 27 (detailed in red), and that Council make available additional land for sport and recreational purposes, namely lots 1 through 12 on RP703341 (detailed in blue).

Council resolved to negotiate terms for the transfer of Lot 27 on C17945 *and* to support the release of Lots 1 to 12 to CCM with terms and agreement types to be negotiated and returned to Council for further endorsement (resolution #30868).

Negotiations between Council and CCM have resulted in:

- a) An additional lot being added to CCM's request (Lot 34 on C17945) so that a full sized oval can be created (indicated in yellow);
- b) The proposal that title to Lot 27 be transferred to CCM (the value of the land stemming from the improvements as constructed by CCM) with all costs to be absorbed by CCM; and
- c) The proposal that CCM pay market value for lots 1, 2, 3, 4, 7, 9, 10, 11 and 12 on RP703341 and Lot 34 on C17945) with all costs to be absorbed by CCM.

As indicated in green on the map below, three lots on RP703341 are reserves for Parks and Recreation (Lots 6, 5 and 8). Historically the State Land Management Office have indicated that they are reluctant to offer sole possession of a reserve to any one party as reserves are allocated for the public at large and sole possession implies the right to exclude the public. This said, the purpose of the Lots is compatible with an oval and CCM is prepared to work with Council to come to a solution acceptable to both the State and Council: the intention being that eventually ownership of the lots will pass into the hands of CCM. CCM has had several successes with land swaps and State negotiated agreements. It is proposed Council support or facilitate these negotiations, with all costs to be absorbed by CCM.

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*Image 1. Subject Lots*

### **CCM Proposal**

The following was supplied by CCM in October for consideration:

*"I request that Council consider granting freehold title to the existing land that we are leasing from Council, and I also request a grant of additional land (Lots 1-12 RP703341). Freehold title gives us security of tenure and enables us to use the land and buildings as equity for borrowings against future development costs.*

*The additional land would accommodate an oval with a 400m track and would also enable us to provide a Sports Store, Change Rooms, Sports Office, Canteen, Covered Area(s) and car parking to make it not only very functional for the sporting needs of Endeavour but also for sporting clubs in the broader community.*

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*The major benefit to the community of the school expanding is the educational option it provides to many families in the Shire, but a significant secondary benefit is to upgrade Parkinson Street from the Charles Street intersection through to Milman Street.*

*Preliminary capital estimates for these projects as well as the proposed works on the current site are:*

**Works on Lots 1-12 RP703341**

<b>Project</b>	<b>Amount (ex GST)</b>
Oval – design and documentation, clearing, drainage, earthworks, irrigation, landscaping, line marking, erection of sports goal posts	\$600,000
Sports Facilities – Store, Change Rooms, Office, Canteen, Covered Area(s) and car parking (30 spaces)	\$600,000
Maintenance Shed & Compound	\$100,000

**External Road Works**

<b>Project</b>	<b>Amount (ex GST)</b>
Road upgrade of Parkinson Street from Charles Street intersection to Milman Street intersection	\$1,500,000

**Works on Current Site**

<b>Project</b>	<b>Amount (ex GST)</b>
Stage 2 – Art Room, Home Economics Kitchen and Library, Covered Ball Court	\$2,300,000
Stage 3 – Design and Technology Workshop and Science Laboratory	\$1,800,000
Stage 4 – 3 General Learning Areas and Staff Room	\$1,800,000
Stage 5 – Specialist Building	\$2,000,000

*This is almost \$11M of capital investment. I have attached the 2014 BGA plans, which are the latest plans I have. If there was a Stage 5 building it would go over the existing mini-Oval.*

*The advent of Endeavour Christian College has already impacted positively on the Cooktown community and will continue to do so. There are many stories, both anecdotal and factual, of families now staying in Cooktown because of the educational choice which is now available, and of families coming to Cooktown for the same reason. This includes professionals such as police, doctors, a veterinarian, and council staff.*

*The current annual budget of Endeavour Christian College is \$1.8M and is increasing rapidly. The majority of that income is spent on wages and is therefore spent in the local community.*

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*The social benefit to Cooktown is significant. Not only is there additional infrastructure being provided, but our presence is growing in the community, numerically, academically and socially. There is a very high satisfaction rate within our own school community. The high standards that Endeavour Christian College uphold, have contributed to improved educational outcomes by other service providers, making wider education in the community the winner.*

*Our expectation is that the school turnover will continue to grow at a rate of 15 to 20% per annum for at least the next four years as we move through into Year 12, giving an annual budget in 2018 of somewhere between \$3.1M and \$3.8M in real terms, the bulk of which will be spent in the local community. Growth in the years beyond 2018 will be more modest, but we anticipate that we will input positively into the Cooktown community for many decades to come. Ours is a long term investment and we believe we have already demonstrated our bona fides to Council and we have honoured the trust that Council invested in us when land was first made available to the school.*

*I look forward to Council taking that further step in partnership with us by providing freehold title to the existing land occupied by the school and providing a further grant of land to facilitate the continued growth of Endeavour Christian College."*

Council's Land and Asset Donation, Sale or Release Policy sets out guidelines for the donation, sale or release of land assets (with and without improvements) where it can be established that the donation, sale or release provides maximum return to the community either by realising the strongest financial return, or by fulfilling a community service as endorsed by the Cook Shire Council Corporate Plan. The Cook Shire Corporate Plan highlights the following objectives for the period 2012 to 2017:

**4.1 Corporate Governance, Special Projects:**

**Activities that enable council to progress long term community planning**

**4.1.3 Special Projects**

- a) Comprehensive review of all land and structural assets in light of municipal and community requirement, possible revenue raising capability, and sustainable use and maintenance obligations.

**4.3 Active, Creative and Connected.**

**Sports and play, cultural vitality and our clubs and organisations**

**4.3.2 Where resources and capacity allow:**

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

**4.3.3 Special Projects**

- a) Work to fund improvements that support common Shire goals, inclusive of sport and recreation facilities and open spaces.
- b) Incorporate into land use strategy a review of standardised and equitable facilities on, and access to, public spaces, parkland and ovals.
- c) Actively encourage and promote community engagement in all relevant Council activities.



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**4.7 Economic Wellbeing**

**Activities that bring improvements in financial status across the whole shire.**

4.7.1 Advocate and support:

- a) Economic development.

The objectives itemised above correlate with the proposal as put forth by CCM. Based on Council's Land and Asset Donation, Sale or Release Policy, in the absence of any other plans for the lots, it would be reasonable and in the Shire's interest to release the land to CCM.

Section 227 of the *Local Government Regulation 2012* prohibits a local government from entering into a valuable non-current asset contract unless it first invites tenders or offers the asset for sale by auction.

However, section 236 of the Regulation sets out exemptions allowing the local government to dispose of such an asset if, inter alia, the valuable non-current asset is disposed of to a community organisation or if the land will not be rateable land after the disposal.

The disposal of the land meets both of these requirements in that CCM is a "Community Organisation" as defined in Schedule 8 of the Regulation – another entity whose primary object is not directed at making a profit and the land, after disposal, will be exempt from rating under the provisions of section 73(a)(ii) in that the land will be owned by a religious entity and will be used for the provision of education.

***Valuation***

A valuation of the aforementioned lots (see Appendix A) has been undertaken by Council with the following amounts deemed to represent the market value of the unimproved Lots (the improvements on Lot 27, including the installation of headworks and road infrastructure, having been built by the School):

Lot 1 on RP703341	\$35,000.00
Lot 2 on RP703341	\$35,000.00
Lot 3 on RP703341	\$35,000.00
Lot 4 on RP703341	\$35,000.00
Lot 7 on RP703341	\$45,000.00
Lot 9 on RP703341	\$45,000.00
Lot 10 on RP703341	\$45,000.00
Lot 11 on RP703341	\$45,000.00
Lot 12 on RP703341	\$45,000.00
Lot 27 on C17945	\$175,000.00*
Lot 34 on C17945	\$135,000.00
<b>TOTAL</b>	<b>\$675,000.00</b>

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\* Lot 27 to be transferred for a consideration of \$1.00 to CCM, except for administrative and legal costs, totalling **\$500,000 in sales to Council**.

The release of the land will be subject to caveat to ensure the land is put to the use for which it is intended. The contract will incorporate a scope of works and appropriate timelines within which the works must be completed.

**Link to Corporate Plan**

As above.

**Consultation**

Interdepartmental.

**Legal Implications (Statutory, basis, legal risks)**

Pending.

**Policy Implications**

Nil

**Financial and Resource Implications (Budgetary)**

- Sales revenue of \$500,000.00
- Land no longer available to Council to use as an Asset.
- Revenue from development approvals.
- Extended infrastructure surrounding the site.

**RECOMMENDATION**

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;



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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.

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**APPENDIX A**

## *Cooktown Paradise Realty*

Barbara L Hay, Agency Principal, ABN: 33 067 293 353

116 Charlotte Street, Cooktown  
P.O. Box 610, Cooktown. Qld. 4895

Email; [barb@cooktownparadise.com.au](mailto:barb@cooktownparadise.com.au)

Email; [johnhay@cooktownparadise.com.au](mailto:johnhay@cooktownparadise.com.au)

Phone: (07) 4069 5922    Mobile; 0417 786 922    Fax: (07) 4069 5499

20<sup>th</sup> May 2015

The CEO  
Cook Shire Council  
P.O. Box 3  
Cooktown Qld 4895

Attn.; Lana Habermann

Re: Appraisal on Unimproved Value of Lots 27 & 34 on C17945,  
Lots 1, 2, 3, 4, 7, 9, 10, 11 & 12 on RP703341  
Power St, Parkinson St and Keable St, Cooktown Qld 4895

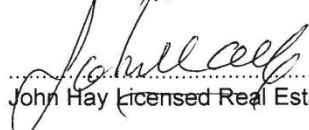
Dear Sir,

I am in receipt of your request to supply appraisal of the current market value for the above properties.

The properties do not have recent comparisons to any similar properties sold in this area. The subject lots generally are uncleared, are not connected to electricity, town water or sewerage and the adjacent roadways are generally unformed and in poor condition.

- (1) However through research I have undertaken, including visiting the properties and locating them in reality, in my opinion, the Power Street lots 1, 2, 3, & 4 on RP703341, areas of 1012m<sup>2</sup> each, would have a market value of \$35,000 each.
- (2) The Parkinson Street properties, lot 7 of 900m<sup>2</sup> and lots 9, 10, 11, & 12 each 1012m<sup>2</sup> on RP703341, situated on a rough road in poor condition, I would value at \$45,000 each.
- (3) Lot 27 on Plan C17945. This lot would have access to town water and power connection being the location of the Endeavour Christian School. I would appraise lot 27 at \$175,000
- (4) Lot 34 on Plan C17945, an area of 1.01ha, I would appraise on this market at \$135,000

Please call this office if further information is required.  
Yours faithfully,



John Hay Licensed Real Estate Agent and Auctioneer, Licence Number; 3005698

Note: Whilst the above estimation of sales value is based on local knowledge of the property and the Cooktown area, I wish to declare that I am not a Licensed Valuer and therefore no liability can be accepted for any loss or otherwise that may ensue from this estimation of value.

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**PROPERTY REPORT**

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## Sales Search Report - Semi Detailed Report

### Search Criteria

**Locality:** COOKTOWN  
**Postcode:** 4895

**Sale Date:** 01/07/2014 to 21/05/2015  
**Sale Price:** Any  
**Land Size:** Any  
**Bedrooms:** Any  
**Property Type:** Vacant Land

### Search Summary

**Records** 3

	Price	Days	Area
<b>Lowest</b>	\$ 60,000		1,012 m <sup>2</sup>
<b>Highest</b>	\$ 150,000		4,007 m <sup>2</sup>
<b>Average</b>	\$ 99,000		2,180 m <sup>2</sup>
<b>Median</b>	\$ 87,000		1,521 m <sup>2</sup>

### 102 BOUNDARY ST, COOKTOWN



**Sale Price:** \$150,000 (Normal Sale)  
**RPD:** L5 SP162468:PAR COOK  
**Property Type:** Vacant Land  
**Valuation:** \$100,000 (01/10/2013)  
**Features:**

**Sale Date:** 25/09/2014

**Land Use:** VACANT - LARGE HOUSESITE  
**Council:** COOK

**Parties Related:**

**Zoning:**  
**Area:** 4,007 m<sup>2</sup>  
**Area \$/m2:** \$37

### 0 HELEN ST, COOKTOWN



**Sale Price:** \$87,000 (Normal Sale)  
**RPD:** L519 SP241633:PAR COOK  
**Property Type:** Vacant Land  
**Valuation:** \$94,000 (01/10/2013)  
**Features:**

**Sale Date:** 08/11/2014

**Land Use:** VACANT URBAN LAND  
**Council:** COOK

**Parties Related:** No

**Zoning:**  
**Area:** 1,521 m<sup>2</sup>  
**Area \$/m2:** \$57

### 79 HOPE ST, COOKTOWN



**Sale Price:** \$60,000 (Normal Sale)  
**RPD:** L916 C17912:PAR COOK  
**Property Type:** Vacant Land  
**Valuation:** \$84,000 (01/10/2013)  
**Features:**

**Sale Date:** 11/11/2014

**Land Use:** VACANT URBAN LAND  
**Council:** COOK

**Parties Related:** No

**Zoning:**  
**Area:** 1,012 m<sup>2</sup>  
**Area \$/m2:** \$59

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**2 POWER ST, COOKTOWN, QLD 4895**



**Property Details**

UBD Ref: - - -

RPD: L27,30,34-36 C17945 & L1-4,7,9-12 RP703341:PAR COOK

Valuation Amount:

Type:

Date:

Property Type: Vacant Land - Freehold [Non-

Valuation Amount:

Type:

Date:

Area: 6.93 ha

Land Use (1): VACANT URBAN LAND

Land Use (2): LOCAL AUTHORITY

Area \$/m2:

Council: COOK

Water/Sewerage:

Features:

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1234 Power St 79101112  
Parker

Property Details				UBD Ref:
RPD: L27,30,34-36 C17945 & L1-4,7,9-12 RP703341:PAR COOK				
Valuation Amount:	Type:	Date:	Property Type:	Vacant Land - Freehold (Non-
Valuation Amount:	Type:	Date:	Area:	6.93 ha
Land Use (1): VACANT URBAN LAND	Land Use (2): LOCAL AUTHORITY		Area \$/m2:	
Council: COOK			Water/Sewerage:	
Features:				

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**2 POWER ST, COOKTOWN, QLD 4895**



Lot 27 1.19h  
Lot 34 1.01h

#### Owner Details

Owner Name(s): COOK SHIRE COUNCIL

Owner Address: N/A

Phone(s):

Owner Occupied:

Owner Type:

#### Property Details

UBD Ref: - - -

RPD: L27,30,34-36 C17945 & L1-4,7,9-12 RP703341:PAR COOK

Valuation Amount:

Type:

Date:

Property Type: Vacant Land - Freehold [Non-

Valuation Amount:

Type:

Date:

Area: 6.93 ha

Land Use (1): VACANT URBAN LAND

Land Use (2): LOCAL AUTHORITY

Area \$/m2:

Council: COOK

Water/Sewerage:

Features:

#### Zoning

Plan #: Zoning:

Parish:

C17945

COOK

RP703341

#### Sales History



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A4	<b>ALCOHOL AND OTHER DRUG POLICY &amp; PROCEDURE</b>	
	<i>Report No.D15/14654 from Workplace Health and Safety Officer</i>	

Cr G Shephard moved; seconded Cr R Bowman

That the amended Alcohol and other Drugs Policy and Procedure be adopted.

**Consideration of the report deferred for further information and investigation.**



**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
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31041	<b>REVENUE POLICY 2015/2016</b>	
	<i>Report No D15/14773 from Director Corporate Services</i>	

Cr A Wilson moved; seconded Cr R Bowman

That in accordance with the provisions of Section 104 of the *Local Government Act 2009* and Section 193 of the *Local Government Regulation 2012* the following be adopted as Council's Revenue Policy for the year 2015/2016.

CARRIED

### **Précis**

Attached is Council's Revenue Policy 2015/2016 for adoption.

### **Background/History**

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

### **Link to Corporate Plan**

Finance

### **Consultation**

Within Finance Section

### **Legal Implications (Statutory, basis, legal risks)**

None

### **Policy Implications**

None

### **Financial and Resource Implications (Budgetary)**

None

### **RECOMMENDATION**

That in accordance with the provisions of Section 104 of the *Local Government Act 2009* and Section 193 of the *Local Government Regulation 2012* the following be adopted as Council's Revenue Policy for the year 2015/2016.

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31042	<b>REVENUE STATEMENT FOR 2015-16 FINANCIAL YEAR</b>	
	<i>Report No D15/144993 from Director Corporate Services</i>	

Cr S Clark moved; seconded Cr K Price

That Council resolve to adopt the attached Revenue Statement for the 2015-16 financial year.

CARRIED

### **Précis**

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

### **Background/History**

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

### **Link to Corporate Plan**

Finance

### **Consultation**

Within Finance Section

### **Legal Implications (Statutory, basis, legal risks)**

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

### **Policy Implications**

None

### **Financial and Resource Implications (Budgetary)**

None

### **RECOMMENDATION**

That Council resolve to adopt the attached Revenue Statement for the 2015-16 financial year.

**Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the  
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31043	<b>DEBT POLICY 2015/2016</b>	
	<i>Report NoD15/14772 from Director Corporate Services</i>	

Cr P Johnson moved; seconded Cr K Price

That Council resolve to adopt the attached Debt Policy for the 2015-16 financial year.

CARRIED

### **Précis**

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

### **Background/History**

The Debt Policy is based on the following principals:

1. Council will not use long term debt to fund operating activities or re-current expenditure of Council.
2. The interest coverage ratio should remain less than 5% (at 30/6/15 3.27%)
3. Council should continually evaluate its financing options to ensure it assesses the relative risks and benefits.
4. Detailed capital works and asset acquisition programs for the next 10 years will provide the basis for the determination of funding options.

### **Link to Corporate Plan**

Finance

### **Consultation**

Within Finance Section

### **Legal Implications (Statutory, basis, legal risks)**

In accordance with Sec 192 of the Local Government Regulation 2012

### **Policy Implications**

None

### **Financial and Resource Implications (Budgetary)**

As per (3) above.

### **RECOMMENDATION**

That Council resolve to adopt the attached Debt Policy for the 2015-16 financial year.

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31044	<b>INVESTMENT POLICY FOR 2015-16 FINANCIAL YEAR</b>	
	<i>Report NoD15/14919 from Director Corporate Services</i>	

Cr S Clark moved; Cr A Wilson

That Council resolve to adopt the revised Investment Policy.

CARRIED

**Précis**

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

**Background/History**

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

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

**Link to Corporate Plan**

Finance

**Consultation**

Within Finance Section

**Legal Implications (Statutory, basis, legal risks)**

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

**Policy Implications**

None

**Financial and Resource Implications (Budgetary)**

None

**RECOMMENDATION**

That Council resolve to adopt the revised Investment Policy.

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31045	<b>ANNUAL BUDGET 2015-2016</b>	
	<i>Report NoD15/14917 from Director Corporate Services</i>	

Cr P Scott moved; seconded Cr K Price

That Council resolve to adopt the Annual Budget 2015-16 and supporting documents as presented.

CARRIED

### **Précis**

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

### **Background/History**

The Annual Budget 2015-16 has been prepared on an accrual basis and includes the required statements for budget year 2015-16 and the next two years.

The Budget papers include the following documents:

- Financial Position
- Cash Flow
- Income and Expenditure
- Changes in Equity
- Summary of Reserves
- Financial Ratios
- Long Term Financial Forecast
- Revenue Statement
- Revenue Policy
- Fees and Charges 2015-16
- Debt Policy

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

- Corporate Plan 2012-17
- Operational Plan 2015-16
- Community Plan

### **RECOMMENDATION**

That Council resolve to adopt the Annual Budget 2015-16 and supporting documents as presented.

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## **DEBT POLICY**

### ***INTENT:***

A debt policy must be prepared each financial year.

### ***SCOPE:***

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

### ***LEGISLATIVE FRAMEWORK:***

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

### ***PROVISIONS:***

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

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

<b>Existing Borrowings</b>	<b>Term of Loan (Years)</b>	<b>Due Date</b>	<b>Balance Owing at 30/6/15</b>
<b>Consolidated Loans</b>	<b>12 years</b>	21/12/2025	4,195,488
<b>Staff Accommodation</b>	<b>15 years</b>	30/06/2035	1,303,710
<b>Totals</b>			<b>5,499,198</b>

No new borrowings are budgeted for 2015-16, Council will apply for a working capital facility through the Queensland Treasury Corporation to fund flood restoration works while submissions are being reviewed by the Queensland Treasury Corporation.

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

### ***RESPONSIBILITIES***

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Officer responsible for review:	<b>Director Corporate Services</b>
Originally adopted:	<b>July 2014</b>
Current adoption:	<b>July 2015</b>
Date for review:	<b>Annually</b>



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## INVESTMENT POLICY

### **INTENT:**

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

### **SCOPE:**

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

### **DEFINITIONS:**

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

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

### **PROVISIONS:**

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#### **1. LEGISLATION**

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

- *Local Government Regulation 2012 Sec 191*

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

**2. RESPONSIBILITIES**

*Responsibilities* As per below procedures.

**3. GENERAL POLICY**

**3.1. Investment Objectives**

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

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

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

**3.1.1. Preservation of Capital**

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



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*a) Credit Risk*

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

*b) Interest Rate Risk*

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

**3.1.2. Maintenance of Liquidity**

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

**3.1.3. Return on Investments**

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

**3.2. Ethics & Conflicts of Interest**

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

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

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**4. REQUIREMENTS**

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

**4.1. Portfolio Investment Parameters**

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

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

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

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

**4.2. Prohibited Investments**

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

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

**4.3. Placement of Investment Funds**

Overall the amount invested with institutions should not exceed the following percentage ranges of overall annual funds invested and appropriate documentation must be maintained. Also when placing

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investments, consideration should be given to the relationship between credit rating and interest rate.

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

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

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

**4.4. Maturity**

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

**4.5. Liquidity Requirement**

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

**5. IMPLEMENTATION**

**5.1. Internal Controls**

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

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

**5.2. Delegation of Authority**

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

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

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

Officer responsible for review:	Director, Corporate Services
Current adoption:	July 2015
Version No:	V4
Date for review:	July 2016



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## REVENUE POLICY 2015/2016

### ***INTENT:***

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The purpose of this revenue policy is to state: -

- the principles that Council intends to apply in the 2015/2016 financial year for –
  - (i) making of rates and charges; and
  - (ii) levying rates and charges; and
  - (iii) granting concessions for rates and charges; and
  - (iv) recovering overdue rates and charges; and
  - (v) cost-recovery fees;
- the purpose of concessions granted under (ii) above;
- the extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development; and
- the amount of each reserve to be kept in the operating fund and the way in which Council intends to ensure funding is available to support the purpose of each reserve.

### ***SCOPE:***

---

This revenue policy is effective from the date of Council's resolution and will apply to the financial year from 1 July 2015 to 30 June 2016.

The revenue policy contains principles to be used in preparing the budget. It will also be used when reviewing, preparing and applying related policies, procedures and guidelines effective in 2015/2016.

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

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***LEGISLATIVE FRAMEWORK:***

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

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

---

***PROVISIONS:***

---

The following principles apply:-

**1. Making of rates and charges**

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

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

Council will also have regard to the principles of:

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

**2. Levying of rates and charges**

In levying rates Council may apply the principles of:

- clarity in terms of responsibilities (Council's and ratepayers) in regard to the rating process;
- making the levying system simple and inexpensive to administer;
- timing the levy or rates to take into account the financial cycle of local economic activity, in order to assist smooth running of the local economy

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- fairness – through flexible payment arrangements for ratepayers with a demonstrated lower capacity to pay.

**2.1 Frequency of Charging Rates:**

**Half Yearly Notices**

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

**Supplementary Notices**

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

**2.2 Discount**

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

**2.3 Interest on Arrears**

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

**3. Granting Concessions for Rates and Charges**

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

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

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Council provides rates and charges concessions for:

**Pensioners**

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

**Charitable and Non-Profit Organisations**

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

**Ratepayers suffering from Financial Hardship**

**4. Recovering Overdue Rates and Charges**

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



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

It will be guided by the principles of:

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

**5. Cost-Recovery Fees**

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

Council will be guided by the principles of:

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

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

**6. Infrastructure Cost Recovery**

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

**7. Funding Reserves**

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

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

Reserves are backed by cash and repay and redraw facilities.

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**8. Development Incentives**

Council will make available to developers and builders concessions, subsidies and/or deferrals in accordance with the Development Incentive Policy.

**Policy Owner:**

Director Corporate Services

**Related Information:**

This policy is Council's strategic revenue policy.

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

**Review Date:**

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

This policy will be review as required.

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**REVENUE STATEMENT AND RATES AND CHARGES  
FOR THE 2015/2016 FINANCIAL YEAR**

**RECOMMENDATION:**

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

To adopt the attached General Policy Revenue Statement for the 2015/2016 financial year.

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

To adopt the recommendations contained in the attached Rates and Charges for the 2015/2016 financial year.

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**ATTACHMENTS:**

- General Policy Revenue Statement for the 2015/2016 financial year
- Rates and Charges for the 2015/2016 financial year

Martin Cookson  
**Director Corporate Services**

Timothy Cronin  
**Chief Executive Officer**

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**General Policy**

**REVENUE STATEMENT FOR THE 2015/2016 FINANCIAL YEAR**

## **1. INTRODUCTION**

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

The purpose of the revenue statement is to set out the revenue measures adopted by Council to frame the 2015/2016 Budget.

## **2. DEFINITIONS**

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

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

- For the purposes of calculating water charges refer to 2015/2016 Water Tariff Charges in accordance with the adopted schedule (Rates & Charges).
- For the purposes of calculating sewerage charges refer to 2015/2016 Sewerage Unit Table in accordance with the adopted schedule (Rates & Charges).
- For the purpose of calculating Waste Management charges refer to 2015/2016 Waste Management Unit Table in accordance with the adopted schedule (Rates & Charges).
- For the purposes of calculating utility charges, the term “Strata title unit” is deemed to be “each lot created pursuant to the provisions of the *Body Corporate and Community Management Act 1997*”.

## **3. DIFFERENTIAL GENERAL RATING**

### **Differential General Rating – General Comments**

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

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land, than would be the case under a standard rating system where rates were levied at a single rate in the dollar on all rateable land.

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

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

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

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## **2.2 DIFFERENTIAL RATING CATEGORIES**

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

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

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

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		Public Hospital; <b>97</b> Welfare Homes/Institutions; <b>99</b> Community Protection Centre.
41	Land that is used for Extractive purposes – Other Mining Activities	The criteria for these categories shall have the following land use codes  <b>40</b> Extractive
42	Land that is used for Extractive purposes – Mining Claims	
51	All properties which are used predominately for primary production with Land use codes defined by the Department of Natural Resource and Mines as Rural or Agricultural.	The criteria for these categories shall have the following land use codes  <b>60</b> Sheep Grazing - Dry; <b>61</b> Sheep Breeding; <b>64</b> Cattle Grazing - Breeding; <b>65</b> Cattle Breeding and Fattening; <b>66</b> Cattle Fattening; <b>67</b> Goats; <b>68</b> Milk - Quota; <b>69</b> Milk - No Quota; <b>70</b> Cream; <b>71</b> Oil Seeds; <b>73</b> Grains; <b>74</b> Turf Farms; <b>75</b> Sugar Cane; <b>76</b> Tobacco; <b>77</b> Cotton; <b>78</b> Rice; <b>79</b> Orchards; <b>80</b> Tropical Fruits; <b>81</b> Pineapples; <b>82</b> Vineyards; <b>83</b> Small Crops and Fodder Irrigated; <b>84</b> Small Crops Fodder Non-irrigated; <b>85</b> Pigs; <b>86</b> Horses; <b>87</b> Poultry <b>88</b> Forestry and Logs; <b>89</b> Animals Special; <b>93</b> Peanuts
62	Properties not included in any other category	The criteria for these categories shall have the following land use codes  <b>18</b> Special Tourist Facilities; <b>29</b> Transport Terminal – Airports; <b>39</b> Harbour Industries
71	Land that is used for residential purposes and is located in the defined area of Cooktown and Environs with a valuation from \$1 to \$113,000	The criteria for these categories shall have the following land use codes  <b>01</b> Vacant urban land; <b>02</b> Residential, single unit dwelling; <b>03</b> Multiple Dwelling (Flats); <b>04</b> Large vacant urban land; <b>05</b> Large homesites – dwelling; <b>06</b> Outbuildings; <b>08</b> Building Units; (Residential purposes only); <b>09</b> Group Titles; (Residential purposes only) <b>21</b> Residential Institution (non-medical care) Aged; <b>57</b> Parks and Gardens; <b>72</b> Refer to Section 25 of Valuation of Land Act 1944; <b>94</b> Vacant Rural Land
74	Land that is used for residential purposes and is located in the defined area of Cooktown and Environs with a valuation from \$113,001 to \$248,000	
75	Land that is used for residential purposes and is located in the defined area of Cooktown and Environs with a valuation from \$248,001 to \$496,000	



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

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		<b>97</b> Welfare Homes/Institutions; <b>99</b> Community Protection Centre
91	Properties that are used for the purpose of a permanent pump site for private residential supply only.	The criteria for these categories shall have the following land use codes  <b>95</b> Reservoir, Dam, Bores (used for the purpose of a permanent pump site being for private residential supply only.)

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

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

- The land use codes as adopted by the Department of Natural Resources and Mines for formulating Local Authority valuations;
- Other such criteria as outlined within this statement and existing as at 1 July 2015.

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

### **Limiting the increase in rates and charges**

For the 2015/2016 financial year, Council will not be passing any resolution (pursuant to section 116 of the *Local Government Regulation 2012* limiting the increase in rates or charges.

## **4. CALCULATION OF LEVIES**

### **PROVISIONS**

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

## **5. MINIMUM GENERAL RATES**

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

The minimum general rate is levied to:

- Provide a minimum contribution from all properties situated within the Region;

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

## **6. UTILITY CHARGES**

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

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

### **Water**

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

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

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

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

### **Concessions**

Council resolved, by Resolution 29566 in September 2010

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

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<b>Assessment Number</b>	<b>Property Description and Property Owner</b>	<b>Type of Remission</b>
10002442	Lot 99 on C17924	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10005577	Lot 22 on C17953	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10006229	Lot 807 on C1791	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10006454	Lot 519 on C17932	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10007250	Lot 141 on C17949	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10009181	Lot 11 on C17922	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10010049	Lot 24 on C17953	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10010445	Lot 2 on SP119091	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10011484	Lot 11 on C17978	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10011591	Lot 203 on C17915	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10011831	Lot 2 on SP126746	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10026532	Lot 7 on SP136525	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10030260	Lot 518 on C17932	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10030831	Lot 10 on SP171556	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10031342	Lot 44 on SP172663	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10031698	Lot 11 on SP171556	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10033405	Lot 7 on SP219110	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)
10033504	Lot 1 on SP188502	25mm Residential Water Service charged at 20mm Residential Water Service (Tariff 11)

Council resolved by Resolution 30277 in July 2012:

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

**List of Properties that Receive Water Service Concessions Charges**

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

Council resolved by Resolution 29604 in October 2010:

1. That the owners of all residential single dwelling parcels and vacant land within the Cooktown Water Area that are supplied with water by a 32mm service be given the

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opportunity to opt to be deemed to be supplied by a 20mm service and any such owners that accept this option be allowed water usage only at the 20mm rate.

2. That the Rate Accounts of those properties in recommendation (1) who opt to be deemed to be supplied by a 20mm service be noted accordingly and that no further changes to the method of supply be allowed without payment of the appropriate fees or charges.

<b>Assessment Number</b>	<b>Property Description and Property Owner</b>	<b>Type of Remission</b>
10005791	Lot 15 on C17930	32mm Residential Water Service charged at 20mm Residential Water Service
10006419	Lot 409 on C17932	32mm Residential Water Service charged at 20mm Residential Water Service
10031748	Lot 59 on C17914	32mm Residential Water Service charged at 20mm Residential Water Service
10012334	Lot 11 on SP171571	32mm Residential Water Service charged at 20mm Residential Water Service
10032621	Lot 5 on SP188501	32mm Residential Water Service charged at 20mm Residential Water Service
10012367	Lot 25 on SP263743	32mm Residential Water Service charged at 20mm Residential Water Service
10032076	Lot 18 on SP171571	32mm Residential Water Service charged at 20mm Residential Water Service
10032613	Lot 6 on SP188501	32mm Residential Water Service charged at 20mm Residential Water Service
10027975	Lot 3 on SP148765	32mm Residential Water Service charged at 20mm Residential Water Service

Other concessions (allowed by Chief Executive Officer August 2010)

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

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

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**Sewerage**

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

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

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

**Waste Management**

The Council levies utility charges for the provision of waste management services, which are calculated to recover the costs for providing the services. Waste management utility charges incorporate the cost of providing and maintaining transfer stations and the cost of implementing waste management and environment protection strategies.

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

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

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

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## **7. SPECIAL CHARGES**

### **Cameron Creek Rural Electrification**

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

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

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

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

### **Rural Fire Brigades**

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

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

The quantum of the special charge is:

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

## **8. SEPARATE CHARGES**

### **Environmental Levy**

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



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

**LIST OF PROPERTIES THAT RECEIVE EXEMPTION**

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

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

**9. STATE FIRE LEVY**

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

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

**10. FEES AND CHARGES**

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

**11. ISSUE OF NOTICES**

Notices for the 2015/2016 financial year will be issued half yearly. The first rates notice will be levied as soon as possible after the annual Budget has been approved by Council. The second levy will be issued in the second half of the financial year after the 1 January.

**12. DUE DATE**

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

**13. INTEREST ON OVERDUE RATES**

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

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**14. DISCOUNT ON RATES**

In accordance with Section 130 of the *Local Government Regulations 2012* a discount of ten (10) percent of the current year's Council General Rates only when full payment of all rates and charges, including any arrears, is received by the due date shown on the notice

**15. REMISSIONS AND CONCESSIONS**

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

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

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

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

3. That, as the Council in exercising its power under the *Local Government Act 2009*, is of the opinion, in the case of land owners scheduled in the Table below, there is justification in exercising the power of granting remission at the level indicated as each case is of a kind which has been accepted previously by resolution of Council, such remissions be hereby granted in respect of the general rates and charges payable in respect of the 2015/2016 financial year.

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**LIST OF PROPERTIES THAT RECEIVE REMISSION**

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

**RATES AND CHARGES FOR THE 2015/2016 FINANCIAL YEAR**

**1. DEFINITIONS**

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

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

**2. MINIMUM GENERAL RATE**

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

**3. DIFFERENTIAL RATE**

That by virtue of the provisions of section 94 of the *Local Government Act 2009* and sections 80 and 81 of the *Local Government (Finance, Plans & Reporting) Regulation 2012*, that the Differential General Rate and **Differential Rate Table 2015/2016**

<b>Differential Rate Table 2015/2016</b>				
<b>Residential</b>				
Rural Townships 21	0.72160	cents in the dollar	Minimum	875.00
Rural Townships 23	0.65860	cents in the dollar	Minimum	920.00

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Rural Townships 24	0.53396	cents in the dollar	Minimum	1,260.00
Outside Townships 31	0.95653	cents in the dollar	Minimum	880.00
Outside Townships 33	0.89380	cents in the dollar	Minimum	1,100.00
Outside Townships 34	0.83968	cents in the dollar	Minimum	1,710.00
Cooktown & Environs 71	1.12437	cents in the dollar	Minimum	920.00
Cooktown & Environs 74	1.10912	cents in the dollar	Minimum	1,300.00
Cooktown & Environs 75	1.05087	cents in the dollar	Minimum	2,830.00
Cooktown & Environs 77	1.01200	cents in the dollar	Minimum	7,800.00
<b>Rural</b>				
Rural Productive 51	0.82456	cents in the dollar	Minimum	885.00
<b>Commercial &amp; Industrial</b>				
Other 62	1.34240	cents in the dollar	Minimum	878.00
Cooktown & Environs 81	1.22584	cents in the dollar	Minimum	920.00
Permanent Pump Site 91	1.23290	cents in the dollar	Minimum	380.00
<b>Other Intensive Business &amp; Industries</b>				
Extractive 41	3.98000	cents in the dollar	Minimum	390.00
Extractive 42	3.61400	cents in the dollar	Minimum	390.00

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

- (a) If you consider that as at the date of the issue of the Notice, your Land should, having regard to the criteria adopted by Council, have been included in another of the Categories listed in the information sheet accompanying this Rates Notice you may object against the categorisation of your land by posting to or lodging with the Cook Shire Council, PO Box 3, Cooktown, 4895, a Notice of Objection in the prescribed form within thirty (30) days of the date of issue of the Rates Notice; (the Form is available at Council's Offices at 10 Furneaux Street, Cooktown.
- (b) The only ground on which you may so object is that your land should, having regard to the criteria adopted by Council, have been included in some other Category.
- (c) The posting to or lodging of a Notice of Objection with Council shall not in the meantime interfere with or affect the levy and recovery of the Rates referred to in this Rates Notice.
- (d) If, because of your Notice of Objection, the land is included in another Category, an adjustment of the amount of Rates levied or, as the case may be, the amount of Rates paid shall be made.
- (e) The Category in which your land is included was identified by Cook Shire Council.
- (f) The Categories of rateable land and the criteria by which your land is categorised is contained in Council's Revenue Statement and is also contained in the information sheet which accompanies your Rates Notice.

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**4. SPECIAL CHARGES**

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

**Cameron Creek Electrification**

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

**Rural Fire Brigade**

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

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

**5. SEPARATE CHARGES**

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

**Environmental Levy**

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

**6. UTILITY CHARGES**

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

**Water Charges**

Water Charges shall be made for the purpose of supplying water for the 2015/2016 financial year on the following basis.

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

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**Consumption Charges**

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

<b>Water Access Charge Description</b>	<b>Water Access Charge</b>	<b>Cost per Kilolitre</b>
Vacant Water	\$720.00	\$ 0.00
20mm meter connection	\$462.00	\$ 1.75
25mm meter connection	\$718.00	\$ 1.75
32mm meter connection	\$1,180.00	\$ 1.75
40mm meter connection	\$1,854.00	\$ 1.75
50mm meter connection	\$2,896.00	\$ 1.75
80mm meter connection	\$7,416.00	\$ 1.75
100mm meter connection	\$11,586.00	\$ 1.75

**All benefited water areas**

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

**Sewerage**

Sewerage charges shall be made for the cost of supplying a service for the removal of sewerage, for the 2015/2016 financial year on the following basis:

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

**All benefited sewerage areas**

- (i) Shopping Complex is defined as consisting of a minimum of three shops/businesses (that is eligible to be registered as a business premises) on the same title, excluding all dwelling and accommodation uses.

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- (ii) Tourist Accommodation includes motels, holiday cabins, B&B's, taverns, resorts, guest houses, camping grounds and caravan park sites.
- (iii) In respect of newly subdivided vacant land, sewerage charges shall be levied proportionately for the unexpired part of the year from the date the plan of subdivision is registered at the Titles Office or from the date of connection of sewerage to the subject land, whichever date shall be the earlier.
- (iv) In respect of improvements erected during the year, sewerage charges shall be levied proportionately for the unexpired part of the year from the date the improvement is ready for occupation, or from the date of connection of sewerage to the subject land, whichever date shall be the earlier.

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<b>Cook Shire Council 2015/2016 Cooktown Sewerage Unit Table</b>	<b>Units</b>	<b>\$137.00</b>
Ambulance, Fire Station	8	\$1,096.00
Business/Shopping Complex : 1st shop/business	12	\$1,644.00
Business/Shopping Complex :each additional shop/business	4	\$548.00
Butchery, Bakery	12	\$1,644.00
Café or Takeaways	10	\$1,370.00
Caravan Parks : kiosk	3	\$411.00
Churches/Unlicensed Clubs/Meeting Rooms/Hall	4	\$548.00
Commercial laundry, Concrete Works/Brick Works	20	\$2,740.00
Court House, Police Station, Post Office	12	\$1,644.00
Doctor or Dental Surgery or similar: 0 - 2 rooms	8	\$1,096.00
Doctor or Dental Surgery or similar: more than 2 rooms	10	\$1,370.00
Dwelling/Self Contained Units	6	\$822.00
Dwelling/Flat attached to a Commercial Premises	5	\$685.00
Event Centres	20	\$2,740.00
Flats or Strata Title : each flat	6	\$822.00
Garage or Service Station	14	\$1,918.00
Home Occupation	4	\$548.00
Hospital	64	\$8,768.00
Ice Works	16	\$2,192.00
Industry	8	\$1,096.00
Kindergarten and Day Care Centres	10	\$1,370.00
Library	10	\$1,370.00
Licensed Clubs, Racecourse	8	\$1,096.00
Licensed Hotels/Resorts/Taverns:	40	\$5,480.00
Museum/Gallery; Nursery, Tourist Attraction; Storage Shed, Fuel Depot	6	\$822.00
Office, Shop	10	\$1,370.00
Professional Office/Room in an existing dwelling	8	\$1,096.00
Racecourse	8	\$1,096.00
Restaurant, Licensed Club with Restaurant	18	\$2,466.00
Schools – Boarding	54	\$7398.00
Schools up to 2 rooms	12	\$3,288.00
Schools 3 - 5 rooms	24	\$1,644.00
Schools 6 - 10 rooms	48	\$3,288.00
Schools 11 - 20 rooms	64	\$6,576.00
Schools over 20 rooms	128	\$8,768.00
Storage Shed, Fuel Depot	6	\$17,536.00
Tourist Accommodation: per room/site without facilities	2	\$274.00
Tourist Accommodation: per room with facilities	3	\$411.00
Vacant Allotment	6	\$822.00
Welfare Home : per unit	8	\$1,096.00
Works Depot	10	\$1,370.00
<b>Planning approved Relatives Apartment</b>	<b>0</b>	<b>\$0.00</b>



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<b>Cook Shire Council 2015/2016 Coen Sewerage Unit Table</b>	<b>Units</b>	<b>\$120.00</b>
Ambulance, Fire Station	8	\$960.00
Business/Shopping Complex : 1st shop/business	12	\$1,440.00
Business/Shopping Complex :each additional shop/business	5	\$600.00
Butchery, Bakery	12	\$1,440.00
Café or Takeaways	12	\$1,440.00
Caravan Parks : kiosk	4	\$480.00
Churches/Unlicensed Clubs/Meeting Rooms/Hall	4	\$480.00
Commercial laundry, Concrete Works/Brick Works	20	\$2,400.00
Court House, Police Station, Post Office	12	\$1,440.00
Doctor or Dental Surgery or similar: 0 - 2 rooms	8	\$960.00
Doctor or Dental Surgery or similar: more than 2 rooms	12	\$1,440.00
Dwelling/Barracks/Goal/Self Contained Units	8	\$960.00
Flats or Strata Title	8	\$960.00
Garage or Service Station	12	\$1,440.00
Home Occupation	4	\$480.00
Hospital	64	\$7,680.00
Ice Works	18	\$2,160.00
Industry	10	\$1,200.00
Kindergarten and Day Care Centres	8	\$960.00
Library	10	\$1,200.00
Licensed Clubs, Racecourse	8	\$960.00
Licensed Hotels/Resorts/Taverns:	40	\$4,800.00
Museum/Gallery; Nursery, Tourist Attraction Storage Shed, Fuel Depot	8	\$960.00
Office, shop	12	\$1,440.00
Professional Office/Room in an existing dwelling	8	\$960.00
Racecourse	8	\$960.00
Restaurant, Licensed Club with Restaurant	16	\$1,920.00
Schools up to 2 rooms	12	\$1,440.00
Schools 3 - 5 rooms	24	\$2,880.00
Schools 6 - 10 rooms	48	\$5,760.00
Schools 11 - 20 rooms	64	\$7,680.00
Schools over 20 rooms	128	\$15,360.00
Tourist Accommodation: per room with facilities	3	\$360.00
Tourist Accommodation: per room/site without facilities	2	\$240.00
Vacant Allotment	6	\$720.00
Welfare Home : per unit	8	\$960.00

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Works Depot	10	\$1,200.00
Planning approved Relatives Apartment	0	\$0.00

## **WASTE MANAGEMENT**

### **a) Residential Kerbside Collection - Coen**

An annual residential kerbside collection charge, for the purpose of removal and disposal of perishable waste only for the year 2015/2016 be set at an amount of \$460.00 for a weekly service and applied with the following schedule.

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

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

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

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

### **b) Residential Kerbside Collection – Cooktown, Marton & Lakeland**

An annual residential kerbside collection, for the purpose of removal and disposal of perishable waste only for the 2015/2016 financial year is set at \$185.00 for a 120 litre Wheelie Bin and at \$460.00 for a 240 litre Wheelie Bin for a weekly collection service and applied with the following schedule.

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

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

**(c) Residential Kerbside Collection – Rossville, Helenvale, Oaky Creek, Poison Creek & Endeavour Valley Road and Ayton**

An annual residential kerbside collection, for the purpose of removal and disposal of perishable waste only for the 2015/2016 financial year is set at \$98.00 for a 120 litre Wheelie Bin and at \$230.00 for a 240 litre Wheelie Bin for a fortnightly collection service and applied with the following schedule.

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

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

## **7. ISSUE OF RATE NOTICES**

- (a) That all Rates and Charges made, levied and imposed for the 2015/2016 financial year will be issued twice a year for the periods ending 31<sup>st</sup> December 2015 and 30<sup>th</sup> June 2016 respectively.
- (b) The due date for payment is defined as being thirty one (31) days from the date of issue of the rate notice.

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**8. INTEREST**

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

**9. DISCOUNT**

In accordance with Section 130 of the *Local Government Regulations 2012*, a discount of ten (10) percent of the current year's Council General Rates only when full payment of all rates and charges, including any arrears, is received by the due date shown on the notice.

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The meeting of the Council closed at 3:00pm on 21 July 2015.

P Scott  
Mayor