

AGENDA AND BUSINESS PAPERS
16 June 2015



NOTICE OF MEETING

AN ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOK will be held at the Lakeland Town Hall, Lakeland on the, 16 June 2015

Tuesday, 16 June 2015

9.00 am. Ordinary Meeting commences – open to the public.

Tim Cronin
Chief Executive Officer

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ATTENDANCE:

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

MEETING OPENED

The Mayor, Cr PH Scott declared the meeting open at

APOLOGIES:

NOTICE OF BEREAVEMENT:

Advice has been received of the passing of Garry Lawton (Endeavour Lodge Units)

As a mark of respect one minute silence was observed.

CONFIRMATION OF MINUTES

	CONFIRMATION OF MINUTES OF ORDINARY MEETING
--	--

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

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

BUSINESS ARISING:

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ENGINEERING SERVICES

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PLANNING AND ENVIRONMENT

PE1	APPLICATION FOR A DEVELOPMENT PERMIT – DA/3398 – RECONFIGURATION OF LOT 3 ON PLAN SP273337, LOT 8 ON PLAN SP262071 AND LOT 5 ON PLAN SP262070 LOCATED AT PENINSULA DEVELOPMENTAL ROAD VIA LAKELAND, INTO SEVEN (7) LOTS	
	<i>Report No.AD15/1302 from John Harrison, Senior Town Planning Officer</i>	

Précis

Applicant:	NB2 Farming Ltd C/- RPS Australia East Pty. Ltd PO Box 1949 Cairns Qld 4870 Attention: Owen Caddick-King
Owner:	NB2 Farming Ltd.
Location:	Peninsula Developmental Road, via Lakeland.
RPD:	Lot 3 on Plan SP273337, Lot 8 on Plan SP 262071, and Lot 5 on Plan SP 262070
Areas:	Lot 3 - 4,249.36 Hectares Lot 5 - 195.10 Hectares Lot 8 - 106.72 Hectares
Zone:	Rural
Proposed Lot Sizes:	Proposed Lot 5 – 137.64 Hectares Proposed Lot 8 – 101.2 Hectares Proposed Lot 16 – 25.02 Hectares Proposed Lot 17 – 25.12 Hectares Proposed Lot 21 – 29.55 Hectares Proposed Lot 22 – 27.88 Hectares Proposed Lot 26 – 4,137 Hectares
Proposed Use:	Reconfiguration three (3) lots into seven (7) lots
Referral Agencies (Concurrence)	State Assessment & Referral Agency (SARA) Dept. State Development & Infrastructure & Planning (Reconfiguring a lot if any part of the land abuts a State -controlled road within 100 metres of of the land.

Report

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

Proposal

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

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

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

The Site

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

Town Planning Considerations

The Development site (Lots 3, 5 and 8) is zoned Rural under the Cook Shire Planning Scheme and the Reconfiguration of the lots is Code Assessable development.

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

- *The Rural Zone incorporates a range of agricultural, animal husbandry, forestry, aquaculture and supporting uses which strengthen the rural economy and service the rural community while preserving the amenity and character of rural land;*
- *Good Quality Agricultural Land is protected and is not alienated or fragmented;*
- *Rural zoned land identified a Future Urban Land provides for the long-term expansion of the township and is protected from inappropriate subdivision or changes of use, which could jeopardise its functionality as Future Urban Land. Subdivision of Future Urban Land for urban purposes only occurs where there is a demonstrated community need;*

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-
- *The rural economy and community is serviced by adequate infrastructure (particularly roads);*
 - *Intensive rural activities are located away from sensitive land uses and do not have a detrimental impact on the amenity of adjoining land;*
 - *Scenic landscape values and the rural character of the land is preserved for enjoyment of residents, visitors and tourists;*
 - *New extractive industry operations utilise significant local resources and are appropriately located and designed to mitigate any significant environmental impacts; and*
 - *Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.*

Code Requirements for Reconfiguring a Lot in the Rural Zone

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

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

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

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

Reconfiguration of a Lot Code

PC 1 States

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

AS 1 States

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

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

Minimum lot size (excluding access handle for hatchet lots) – 100 hectares
Minimum frontage – 100metres
Maximum depth to frontage ratio – 5:1

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

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

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

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

In this case:

- The development should have no potential impact on existing rural industries.
- Under previous planning schemes, subdivisions were allowed down to ten (10) and twenty five (25) hectares (Rural Agriculture and Rural Horticulture). Council has subsequently under the current Planning Scheme, approved lots of similar size in the surrounding location. The latest approval was 22nd October 2014, DA/3255, reconfiguration into seven (7) lots of approximately twenty five (25) hectares.
- The development site is not identified as GQAL, nor is it identified as a viable agricultural unit.
- Mapping submitted with the information request has identified that proposed Lots 16, 17, 21, and 22 are affected to a certain extent by flooding. However each proposed lot contains sufficient area above flood level to allow the development to proceed (proposed Lot 16 – 17.98 hectares, proposed Lot 17 – 12.98 hectares, proposed Lot 21 – 19.6 hectares and Lot 22 – 12.77 hectares). All flood prone areas are located to the rear of the above lots)
- The reconfiguration is not located on the edge of existing settlements such as to constitute a departure from established and planned growth patterns.

In addition:

- There is demand for smaller rural lots in this locality, particularly with attractive attributes such as frontage to a watercourse;

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- The proposal provides opportunities for attractive large residential house sites within easy driving distance of services at Lakeland and not unreasonably distant from Cooktown.

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

Referral Agencies

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

Discussion

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

Recommendation

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

A. Assessment Manager (Council) Conditions

Approved Plan

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

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

Access

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

Effluent Disposal

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

Water Supply

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

Fire Management

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

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

Electricity Supply

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

Public Utilities

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

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

House Sites

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

Compliance

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

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Outstanding Charges

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

Endorsement of Plan of Survey

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

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

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

Appendix “A”

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

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

1 May 2015

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

Att: Lisa Miller

Dear Sir/Madam

Concurrence agency response—with conditions

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

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

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

Applicant details

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

Site details

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

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

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SDA-0415-019816

Local government area: Cook Shire Council

Application details

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

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Reconfiguring a Lot	Development permit	Subdivision of three rural lots into seven lots	Code Assessment

Referral triggers

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

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

Conditions

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

Reasons for decision to impose conditions

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

Further advice

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

Approved plans and specifications

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

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Reconfiguring a lot				
Reconfiguration of a Lot proposed Lots 5, 8, 16, 17, 21, 22, cancelling Lots 3 on SP273337, 8 on SP262071 & 5 on SP262070	RPS	26/02/2015	DWG 62937-9	A
TMR Layout Plan (90B: 23.93km)	TMR	22/04/2015	220/90B (500-248)	A
TMR Layout Plan (90B: 24.89km)	TMR	22/04/2015	220/90B (500-248)	A

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

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

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

Yours sincerely



Angela Foster
A/Manager (Planning)

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

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SDA-0415-019816

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

Attachment 1—Conditions to be imposed

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

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

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SDA-0415-019816

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

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

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

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SDA-0415-019816

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

Attachment 3—Further advice

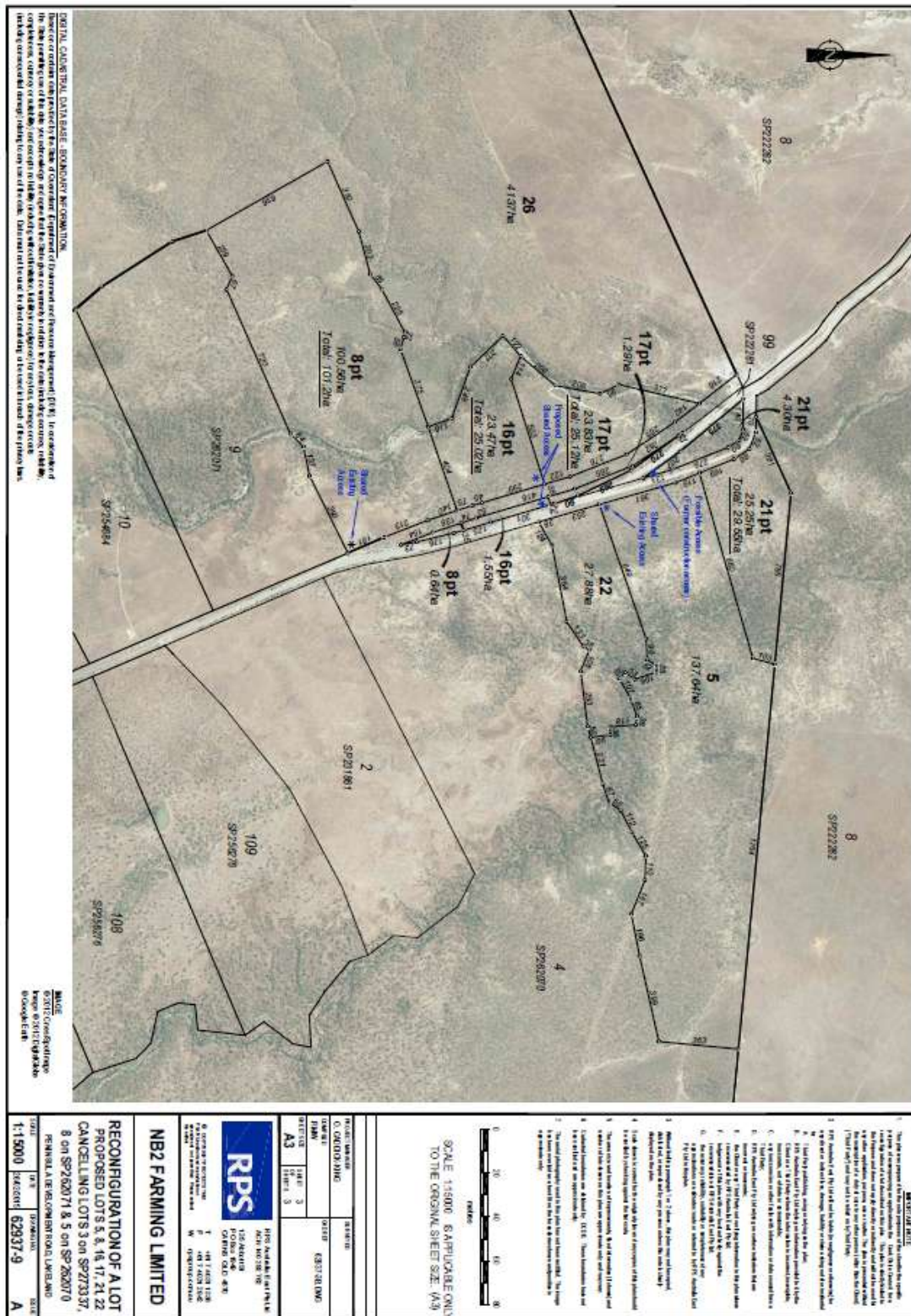
State Planning Policy July 2014 interim development assessment provisions	
1.	Cook Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy July 2014, and in particular the interim development assessment provisions, such as Biodiversity,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

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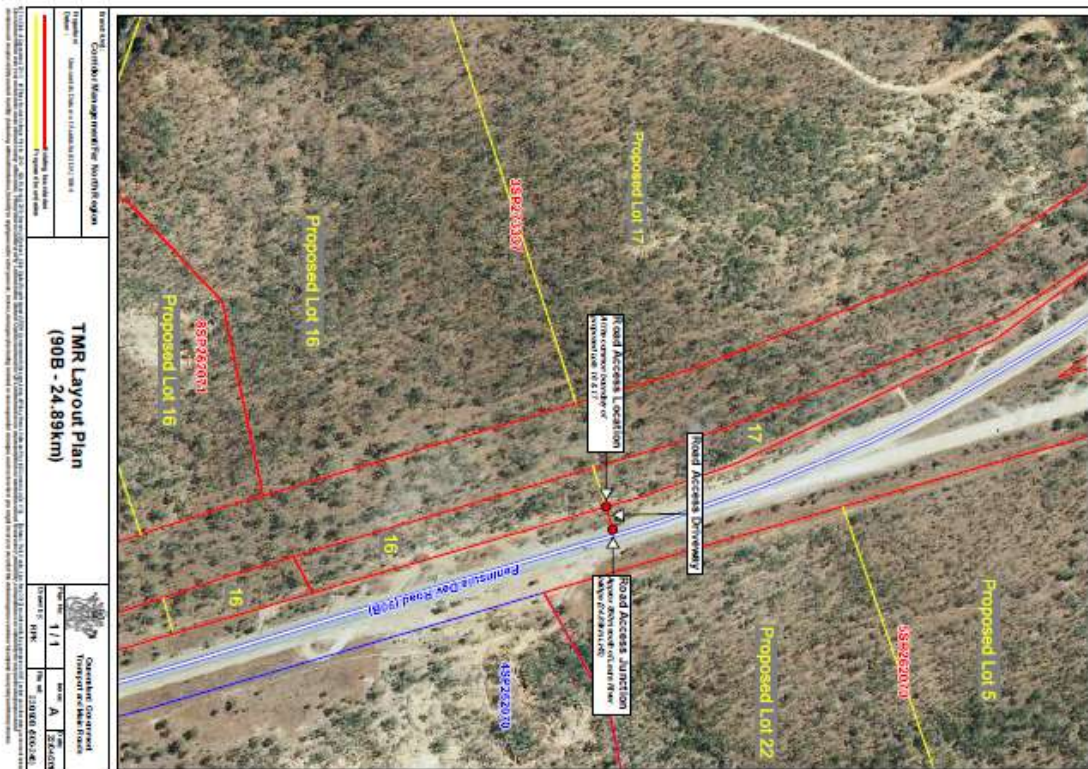
SDA-0415-019816

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

Attachment 4—Approved plans and specifications

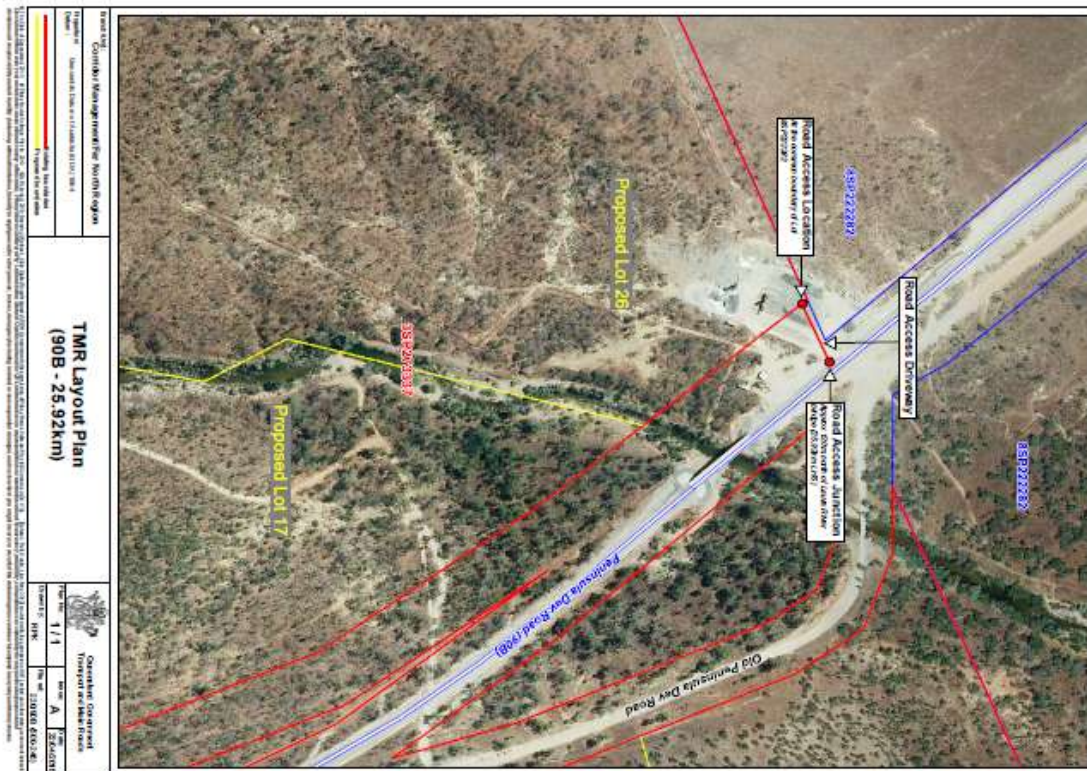


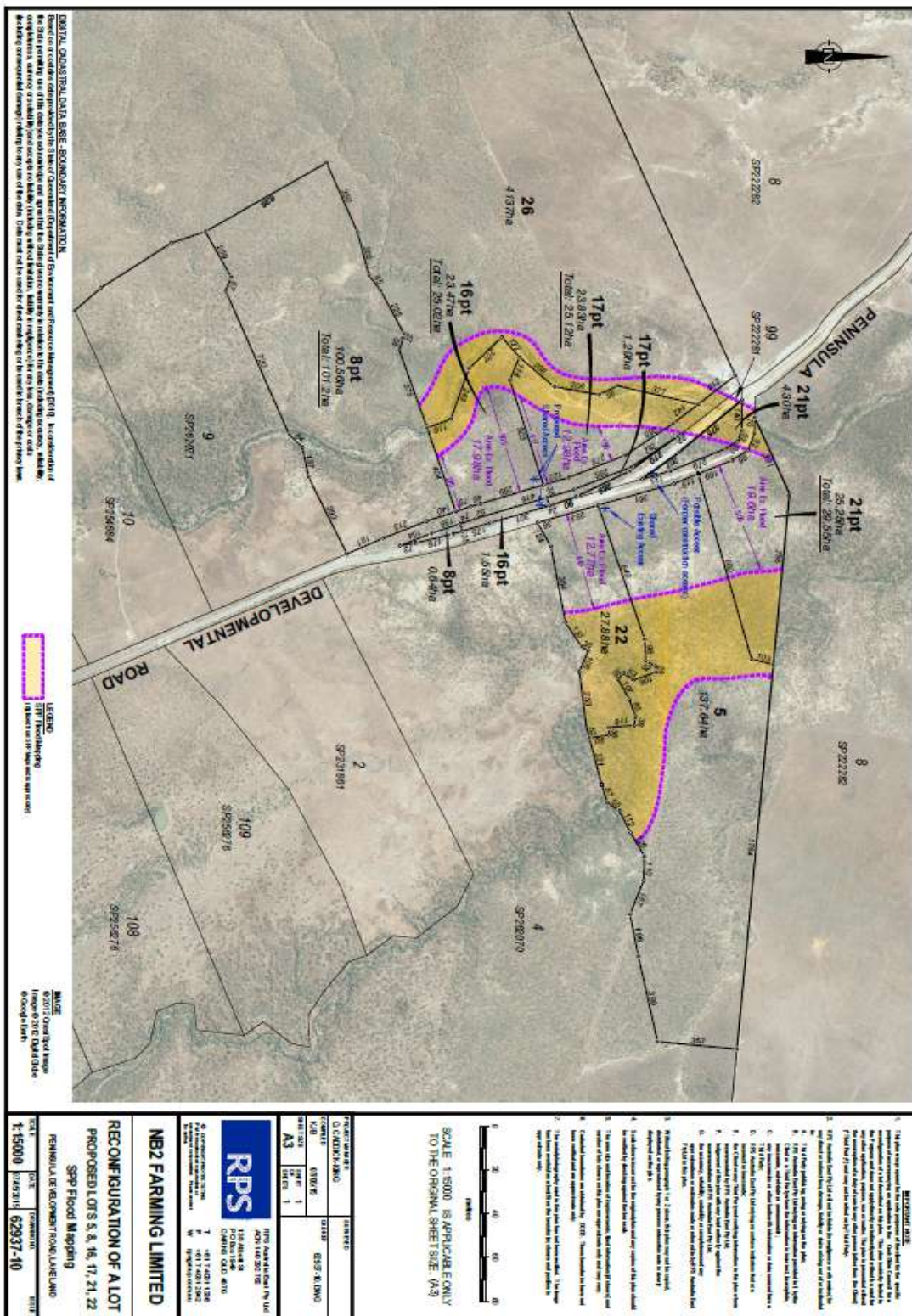
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	RECONFIGURATION OF LOT 1 ON PLAN SP198001 LOCATED AT 2552 MULLIGAN HIGHWAY, ROSSVILLE INTO FIVE (5) LOTS	
	<i>Report No.AD15/1969 from John Harrison, Senior Town Planning Officer</i>	

Précis

Application:	Jamie Edward Sail C/- U&i Town Plan PO Box 426 Cooktown Qld 4895 Attention: Ramon Samanes
Owner:	Jamie E Sail
Location:	2552 Mulligan Highway, Rossville
RPD:	Lot 1 on Plan SP198001
Areas:	553.6 Hectares
Zone:	Rural
Proposed Lot Size:	Proposed Lot 1 – 448.2 Hectares Proposed Lot 2 – 25.1 Hectares Proposed Lot 3 – 25.01 Hectares Proposed Lot 4 – 25.4 Hectares Proposed Lot 5 – 25.1 Hectares
Proposed Use:	Reconfiguration into five (5) lots
Referral Agencies (Concurrence):	State Assessment & Referral Agency (SARA) Dept. State Development, Infrastructure & Planning (Reconfiguring a lot if any part of the land abuts a State – controlled road with 100 metres of the land.

Report

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

Proposal

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

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

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

The Site

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

Town Planning Considerations

The development site is zoned Rural under the Cook Shire Planning Scheme and the Reconfiguration of the lot is Code Assessable development.

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

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

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-
- *New extractive industry operations utilise significant local resources and are appropriately located and designed to mitigate any significant environmental impacts; and*
 - *Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.*

Code Requirements for Reconfiguring a Lot in the Rural Zone

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

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

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

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

Reconfiguration of a Lot Code

PC 1 States:

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

AS 1 States:

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

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

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

Minimum frontage – 100metres

Maximum depth to frontage ratio – 5:1

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

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

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

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

In this case:

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

In addition:

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

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

Referral Agencies

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

Discussion

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

Recommendation

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

A. Assessment Manager (Council) Conditions

Approved Plan

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

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

Access

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

Effluent Disposal

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

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Water Supply

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

Fire Management

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

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

Electricity Supply

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

Building Sites

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

Public Utilities

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

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

Cut and Fill

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

Compliance

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

Outstanding Charges

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

Endorsement of Plan of Survey

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

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

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

Appendix 'A'

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

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

5 May 2015

Chief Executive Officer
Cook Shire Council
PO Box 3
Cooktown QLD4895

Dear Sir/Madam

Concurrence agency response—with conditions

Reconfiguration of a Lot (Subdivision - 1 lot into 5 lots)

2552 Mulligan Highway, Rossville, QLD described as lot 1 on SP198001

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

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

Applicant details

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

Site details

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

Page 1

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

AGENDA AND BUSINESS PAPERS

16 June 2015

SDA-0415-019826

Application details

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

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Reconfiguring a Lot	Development permit	Subdivision – One (1) into Five (5) Rural Lots	Code Assessment

Referral triggers

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

Referral trigger Schedule 7, Table 2, Item 2—State Controlled Road

Conditions

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

Reasons for decision to impose conditions

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

Further advice

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

Approved plans and specifications

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

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Reconfiguring a Lot				
Proposed Reconfiguration – Lots 1 – 5 Cancelling Lot 1 on SP198001	Brazier Motti	25 March 2015	33794/001	B
TMR Layout Plan (34C – 51.65km)	TMR	24/04/2015	220/34C (500-758)	A
TMR Layout Plan (34C – 53.29km)	TMR	24/04/2015	220/34C (500-758)	A
TMR Layout Plan (34C – 53.60km)	TMR	30/04/2015	220/34C (500-758)	B
TMR Layout Plan (34C 51.40km – 54.06km)	TMR	24/04/2015	220/34C (500-758)	A

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

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SDA-0415-019826

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

Yours sincerely



Angela Foster
A/Manager (Planning)

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

enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved Plans and Specifications

AGENDA AND BUSINESS PAPERS

16 June 2015

SDA-0415-019826

Our reference: SDA-0415-019826

Your reference: DA/3404

Attachment 1—Conditions to be imposed

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

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16 June 2015

SDA-0415-019826

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

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SDA-0415-019826

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

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

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

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SDA-0415-019826

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

Attachment 3—Further advice

State Planning Policy December July 2014– interim development assessment provisions	
1.	Cook Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy July 2014 and in particular the interim development assessment provisions, to the extent it is relevant to the proposed development. It is noted that bushfire hazard and matters of state environmental significance are relevant to this application.
Road access works approval	
2.	<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 Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

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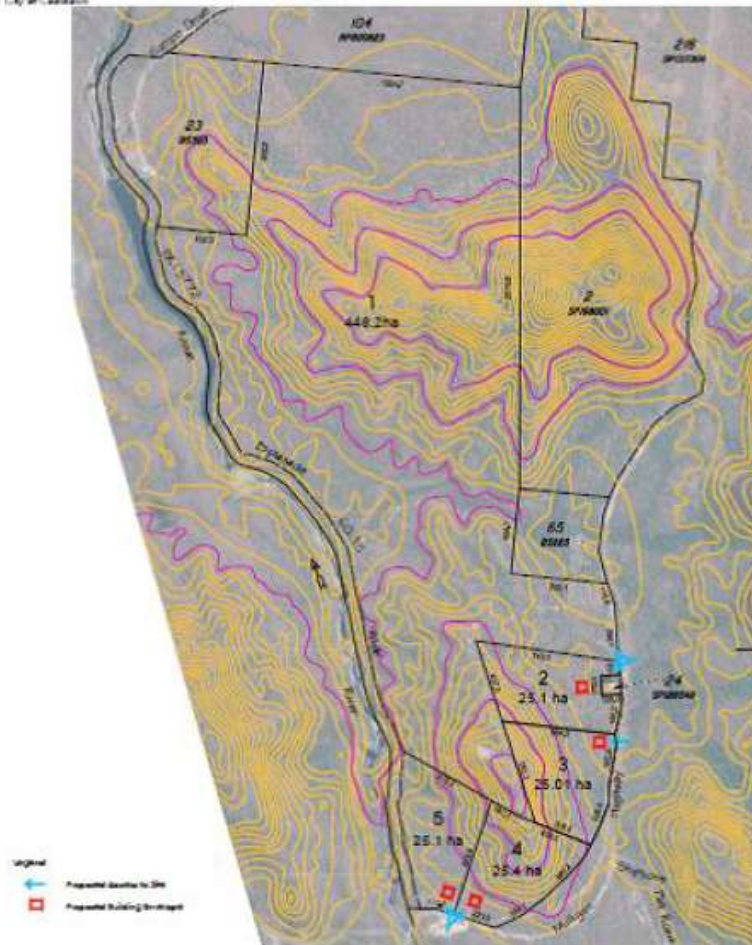
16 June 2015

SDA-0415-019826

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

Attachment 4—Approved plans and specifications

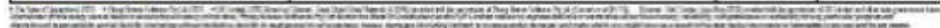
PROPOSED
RECONFIGURATION
Lots 1 - 5
Connecting Lot 1 on SP1000001
Parish of Terrebonne
County of Carbon
City of Carbon



Original
Proposed location for Site
Proposed building footprint

Note: Image generated by Google Earth
Images used: 24/10/2011
© 2011 Google Earth
Distribution: Carbon County, Carbon County, Carbon County
This map is not a legal document and should not be used for legal purposes. It is a map of the land and should not be used for legal purposes. It is a map of the land and should not be used for legal purposes.





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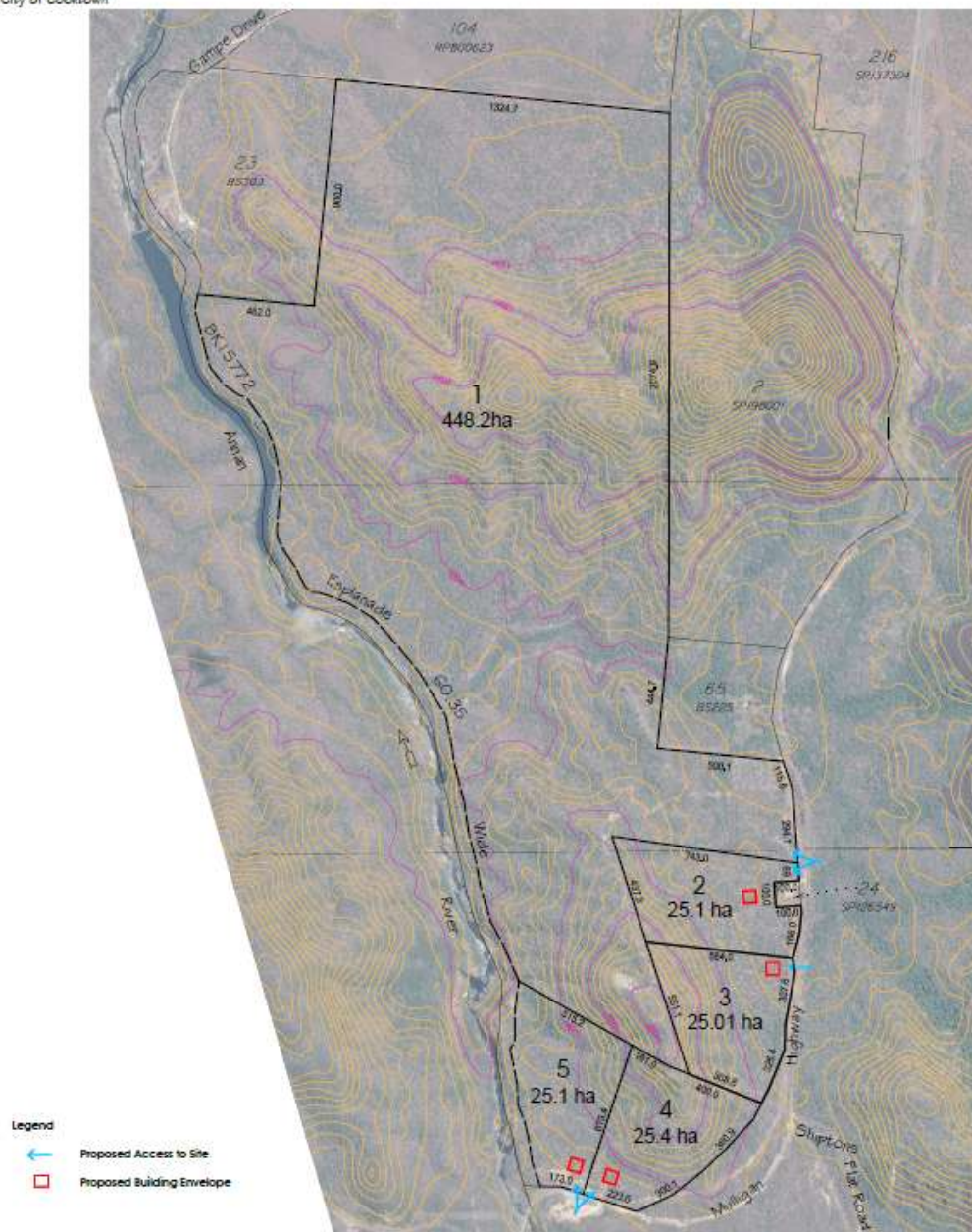
Appendix 'B'

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PROPOSED RECONFIGURATION

Lots 1 - 5
Cancelling Lot 1 on SP190001
Fence of Markhouse
County of Burke
City of Cooktown



Note: Image provided by Google Earth
Imagery date - 06/12/2011
© State of Queensland, © CNES 2010,
Distribution Astrium Services / Spot Image S.A. France
This plan is conceptual and for discussion purposes only. All sizes,
directions and line uses are preliminary, subject to investigation,
survey, engineering, and Local Authority and Agency approvals.

brazier mom
1300 267 878
www.braziermom.com.au
Date: 20th March 2015
Scale: 1:15,000 @ A3
Drawn: ZM
Job No: 33794/001-01
Plan No: 33794/001 B
surveying | town planning | project management | mapping and GIS

PE3

**GREEN WASTE AND CARDBOARD KERBSIDE COLLECTION
SERVICE WITHIN DEFINED COLLECTION AREAS**

AGENDA AND BUSINESS PAPERS
16 June 2015

	<i>Report No.D15/12484 from Waste Management Coordinator</i>	
--	--	--

Précis

Introduction of the new green waste and cardboard kerbside collection service to existing defined collection areas.

Background/History

Currently Council has 7 defined kerbside collection areas with 1985 rateable properties. The sizes of the wheelie bins used throughout the collection areas vary from 120L to 240L. The only kerbside service offered is general waste collection.

In 2011 Council initiated a wheelie bin exchange program which was a part of Council's Waste Management Strategy to encourage recycling initiatives and reduce costs for Council, ratepayers and residents.

The recent waste management survey shows that 60% of the ratepayers utilize a smaller 120L wheelie bin. The rates for a 120L wheelie bin are 2.5 times lesser than of 240L wheelie bin. Only 35% of the respondents utilize this type of the bin because it suits their household needs.

Council provides a number of different recycling options to all of the ratepayers. Majority of the recyclables are collected via recycling skip bins and trailers which are divided into several sections for cardboard, glass, plastics and aluminium (skip bins only). The contaminant level of those collection units is approximately 15%.

Cardboard is the bulkiest of all of the recyclables and therefore is the reason why the recycling skip bins and trailers are serviced as often as 1-2 times per week. It is estimated that the recycling skips and trailers will have to be serviced only once a fortnight if the cardboard section was to be removed.

Until recently only aluminium cans and plastic containers were recycled. Glass has been stockpiled. Cardboard was shredded and offered for sale as mulch. Unfortunately due to the high contamination with plastics it was unsuitable for this purpose.

If the cardboard compartment were to be removed it will be replaced with tin cans (steel cans).

Officially the green waste can be disposed of at waste transfer stations. Unofficially most of the Cooktown is waiting for the annual green waste collection service commonly known as Pre-Cyclone Clean-Up. The waste management team has observed that majority of the waste disposed of during the "Get Ready" campaign is leaf matter and garden clippings. 20% of overall green waste is collected during this event.

With the recent changes to the opening days and hours of the waste transfer stations the green waste disposal has become less convenient. Green waste disposal is virtually impossible for ratepayers with limited or no access to utes and/or trailers. The waste management survey shows that approximately 6% of respondents dispose of the green waste through their

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kerbside rubbish bins. Green waste disposed of in this manner attracts waste disposal and transport fees.

In the past green waste has been shredded and sold back to the community as mulch. Council was liable for shredding fees per/ m³ of the fresh mulch. Mulch continues to decompose and compress under its own weight. Within a month the volume of mulch reduces by 30% and will continue reducing. The expenditure has been by far greater than revenue:

Financial Year	Revenue	Expenditure	Difference
2014/2015	\$21,000	NIL	-\$21,000
2013/2014	\$11,000	\$39,656	\$28,656
2012/2013	\$9,100	\$23,275	\$14,175
2011/2012	2,500	\$24,076	\$21,576
Total	\$43,600	\$87,007	\$43,407
*An additional \$155,000 was spent on the post cyclone green waste.			

In 2013/2014 the following volumes of recyclables were separated from the general waste stream:

Type of Waste	Volume	Tonnage
Green Waste	4064m ³	1004
Paper & Cardboard	2200m ³	173
Total	6264m³	1177t

In March 2015 Council contracted Shark Recyclers Pty Ltd (also known as Swissfarms) to shred and remove the green waste and cardboard (including already shredded material). In total over 7000m³ of organic waste was removed from Cooktown Waste Transfer Station. All of the waste is composted in Lakeland and used in-house as a nutritious soil conditioner. Swissfarms has drastically reduced the usage of artificial fertilizers.

The plastic component is screened out of the end product and disposed of as general waste.

In the past Swissfarms sourced the green waste for their compost fields from Mareeba. The current solution allows them to source the waste within our Shire which boosts the economy.

Shark Recyclers is willing to accept all of the green waste and cardboard on their site in Lakeland. The waste will be shredded and composted. The contractor is also willing to accept any food waste as part of this collection service.

The waste management survey shows that approximately 29% of respondents dispose of their food waste through their kerbside rubbish bins. Food waste disposed of in this manner attracts waste disposal and transport fees.

It is unknown how much paper and cardboard waste ends up in the kerbside and is sent to the landfill. Queensland's Waste Avoidance and Resource Productivity Strategy (2014-2024) estimate that nearly half the content of household rubbish bins is organic waste.

Recent waste management survey shows that 33% of our ratepayers are interested in the kerbside green waste collection if there are no additional fees and additional 4% of ratepayers are prepared to pay extra. 13% of ratepayers remain unsure if they require the service (Appendix 1). It is proposed that in the first six months the service to be voluntary.

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It is estimated that the additional kerbside service will reduce the amount of waste going to landfill. With putrescibles waste removed from the waste stream the kerbside service can be reviewed and adjusted according to the household individual needs. This will reduce the costs to the Council and ratepayers.

It is suggested that the kerbside collection service will be able to replace the pre-cyclone clean-up. The pre-cyclone clean-up will be replaced with a free dumping Sunday as a part of the “Get Ready” campaign. The pre-cyclone clean-up costs Council approximately \$50,000 annually.

Mr Inderbitzin remains concerned over the levels of contamination in the material. Contaminated waste will incur a fee per load.

A waste management team will design a sorting guide which will be issued to all the ratepayers. To avoid disposal fees at Swissfarms, random bin audits will be conducted. Infringement notices will be issued to the ratepayers not complying with sorting requirements.

Link to Corporate Plan

Cook Shire Councils Corporate Plan 2012-2017 - 4.2 Environmental Wellbeing

Consultation

- Peter Inderbitzin, Swissfarms
- Community through the Waste Management Survey 2014/2015
- Mark Marziale, Director of Planning and Environment

Legal Implications (Statutory, basis, legal risks)

- *Waste Reduction and Recycling Act 2011*
- *Environmental Protection Act 1994*
- *Queensland’s Waste Avoidance and Resource Productivity Strategy (2014-2024)*

Policy Implications

NIL

Financial and Resource Implications (Budgetary)/Risk Assessment

- It is estimated that 1,000 additional wheelie bins will cost Council \$45,000.
- It is estimated that additional collection charges will cost Council \$100,000 per annum.

A full cost recovery is expected in 2 years.

RECOMMENDATION

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

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

Attachments

Appendix 1 – Waste Management Survey – Green Waste

**Cook Shire Council - Waste Management Survey - WIN a \$150
IGA Gift Card**

How do you dispose of your green waste?		
Answer Options	Response Percent	Response Count
Use it as mulch in my garden	72.1%	98
Take it to the waste transfer station	27.9%	38
Put it in the bin with my general waste	5.9%	8
I don't have any green waste	9.6%	13
Other (please specify)		13
<i>answered question</i>		136
<i>skipped question</i>		14

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Cook Shire Council - Waste Management Survey - WIN a \$150 IGA Gift Card

Are you interested in a kerbside green waste collection service, and would you be prepared to pay an additional cost on your rate notice?

Answer Options	Response Percent	Response Count
I'm definitely interested and I'm prepared to pay for it	3.7%	5
I'd be interested if it wasn't going to cost me more	33.1%	45
Unsure	13.2%	18
I'm not interested, but I wouldn't have a problem	5.9%	8
I'm not interested at all	44.1%	60
<i>answered question</i>		136
<i>skipped question</i>		14

Cook Shire Council - Waste Management Survey - WIN a \$150 IGA Gift Card

How do you dispose of your food waste?

Answer Options	Response Percent	Response Count
Feed to my animals	63.2%	86
Compost	57.4%	78
Worm farm	11.8%	16
It all goes in the bin with my general waste	28.7%	39
Other (please specify)		2
<i>answered question</i>		136
<i>skipped question</i>		14

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PE4	STANDARDIZING KERBSIDE COLLECTION SERVICE WITHIN DEFINED COLLECTION AREAS	
	<i>Report No.D15/12482 from Waste Management Coordinator</i>	

Précis

Currently Council has 7 defined kerbside collection areas with only 55% of ratepayers being charged for refuse disposal. Refuse collection has been made available to residential dwellings only.

This situation has created a precinct where the rest of the community living in unapproved dwellings, sheds, caravans etc have no waste disposal options apart from unmonitored disposal at Waste Management Facilities.

In attempt to not promote living in illegal dwellings, Council has denied refuse service to a number of people who have requested it.

It is also confirmed that some of the residents have purchased their own bins and continue utilising the kerbside service during the collection days. The Contractor is unaware which residents are eligible for the service and therefore collect each bin on the side of the road. This means that people who pay for refuse collection also pay for all of the additional waste collected during the run.

People doing the right thing are also penalized for street bin misuse and illegal dumping through rates and fees applicable for waste disposal.

Council sourced legal opinion through Local Government Association Queensland from King & Company Solicitors. The legal advice was found beneficial to all of the Local Governments and therefore was free.

Planning and Environment is seeking a resolution of Council to standardize the kerbside collection service within defined collection areas for all ratepayers irrespective of their land tenure and give access to the service to other ratepayers outside the collection areas upon request.

Background/History

Under the section 94(1) (b) (ii) of the *Local Government Act 2009* (LGA) Council may levy utility charges.

“Utility charges” are defined in section 92(4) of the LGA as:

“Utility charges are for a service, facility or activity for any of the following utilities –

- (a) Waste management;*
- (b) Gas;*
- (c) Sewerage;*
- (d) Water.”*

Cook Shire Council charges for waste management utility in 7 defined collection areas:

1. Cooktown Township;
2. Lakeland Township;
3. Marton Township;
4. Posion and Oakey Creek;

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-
5. Rossville & Helenvale Townships;
 6. Ayton and Bloomfield Townships;
 7. Coen Township.

Only 55% of rateable land within defined collection areas is rated for refuse collection:

Defined Area	Number of Rateable Properties	Number of refuse Rates	Properties Levied with a Utility Charge
Lakeland	60	25	42%
Coen	102	70	69%
Poison Creek/ Oakey Creek	162	70	43%
Cooktown/ Marton	1320	795	60%
Rossville/Helenvale	76	68	89%
Ayton/Bloomfield	265	70	26%
Total	1985	1098	55%

Council determines which properties are residential from final certificates issued for building approval and from land use codes which are provided by the Department of Natural Resources and Mines (DNRM). At times information provided by DNRM is outdated and incorrect creating circumstances where people living on land with no buildings are rated for residential dwellings and therefore rubbish collection. There are also incidents where the circumstances are the opposite – land is rated as vacant yet there is a dwelling which is going through final building approvals.

This means that Council's resolution to provide waste management services only to ratepayers who live in lawful dwellings, is inconsistent and depends on the data from DNRM. Council has denied the service to people living in houses yet provides a service to caravan owners or people living in sheds.

There is no doubt that some of the properties are truly vacant.

Council has an ongoing battle with littering and illegal dumping even though in 2013/2014 we noticed a 20% reduction in the offence. In Cooktown Council has a dedicated staff member collecting litter and illegal dumping as main part of their work duties. In addition to this, waste management staff cleans up a number of illegal dumping sites throughout the year. It is estimated that littering and illegal dumping costs Council \$80,000 annually.

Council operates and maintains a number of public street bins and waste disposal facilities in Cook Shire. In 2013/2014 financial year 310t of waste was collected through public place bins. This service costs Council approximately \$100,000 per annum to deliver. It is well known that most of the street bins are misused by ratepayers to avoid waste disposal charges at waste management facilities. Street bins in RV park area, Coast Guard lease, Wharf and Cricket Oval are being misused the most.

It is unknown how many people unlawfully (for free) utilise the kerbside collection services.

As of July 1, 2011 Council has ceased providing kerbside collection services to commercial premises. With this decision Council attempted to encourage businesses to take waste management costs in their own hands and was promoting cost efficiency through recycling.

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In the past each business was charged for 1 wheelie bin and had to make separate arrangements for additional waste disposal.

Comparison of kerbside service cost with disposal cost at the waste facilities:

Size of the bin	Annual Rate	Volume of waste disposed through 1 bin	Cost/ m ³ through kerbside	Cost/m ³ at the facility	Savings to businesses
120L	\$179	6.24m ³	\$28.64	\$64	-\$35.36
240L	\$450	12.5m ³	\$36	\$64	-\$28

Council has denied businesses the kerbside collection service which is cheaper and more convenient.

The waste disposed of at Cooktown Waste Management Facility is double handled and creates littering problems. Litter management is a condition of Councils environmental authority. Litter management in Cooktown cost Council approximately \$12,000 annually (Appendix 1).

The businesses in Coen continue putting their bins onto the kerbside and receive a free service which is subsidised by the rest of community.

There are a number of businesses in Cooktown utilising the street bins or free kerbside collection services. Council expected businesses to arrange their own waste management solutions yet it was never followed up.

According to the recent Waste Management Survey 17% of respondents do not receive kerbside collection services (Appendix 2).

The following questions were posed to the people who did not receive the service:

- What is the reason you are not receiving the kerbside collection service?
- Would you be interested in receiving the kerbside service through Council rates?

The answers to those questions are outlined in appendix 3 and 4.

It is expected that people paying for the service are likely to utilise it.

Waste reduction in public street bins is expected to reduce servicing frequency and result in savings.

It is expected that the number of cases of littering and illegal dumping will reduce.

An exemption form will be developed for ratepayers who truly own vacant land and where there is no activity on the land. Each case will be assessed and inspected individually.

Wheelie bins will be provided to all ratepayers living within defined collection areas at cost. If the ratepayers choose to obtain their own bin, they are free to do so.

Wheelie bins to the ratepayers living outside the defined collection areas will be sold as per Council adopted fees and charges.

Link to Corporate Plan

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Cook Shire Council Revenue Statement 2015/2016

Consultation

- LGAQ
- King & Company Solicitors
- Mark Marziale, Director of Planning and Environment
- Kirsten Fletcher, Rates Officer
- Community through Waste Management Survey 2015

Legal Implications (Statutory, basis, legal risks)

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Waste Reduction and Recycling Act 2011*
- *Environmental Protection Act 1994*

Policy Implications

Cook Shire Council Revenue Policy 2015/2016

Financial and Resource Implications (Budgetary)/Risk Assessment

- It is estimated that 900 additional wheelie bins will cost Council \$40,000.
- It is estimated that additional collection charges will cost Council \$60,000.
- It is estimated that Council will generate additional \$132,370.50 revenue through rates if a charge applied by default is equal to a 120L wheelie bin service and that rate for the service remains \$179 for 2015/2016 financial year.

RECOMMENDATION

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

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

Attachments

Appendix 1 – Litter management Costs in Cooktown Waste Management Facility

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- Appendix 2 – Waste Management Survey – Recipients of Kerbside Collection
- Appendix 3 – Waste Management Survey - Reasons for not receiving kerbside collection service
- Appendix 4 – Waste Management Survey – Interest in the kerbside service
- Appendix 5 – Letter from King & Company Solicitors

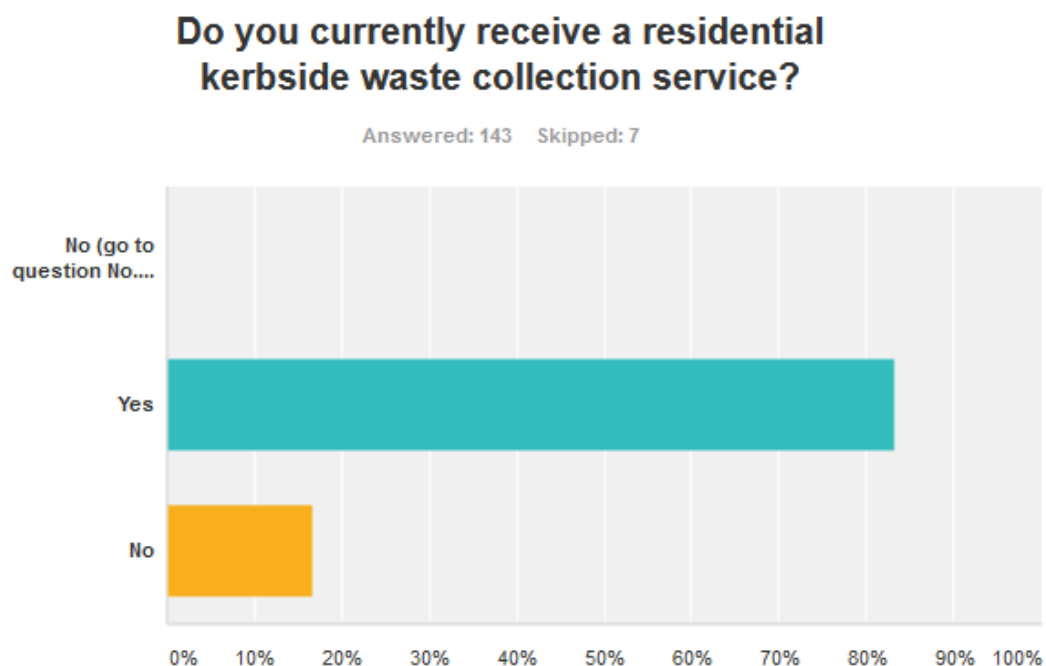
AGENDA AND BUSINESS PAPERS
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Appendix 1 – Litter Management costs in Cooktown Waste Management facility

	Row Labels	Hire Charge Plant	Pay Allowance	Pay Costing	Grand Total
2013	1	\$ 98.00	\$ 14.40	\$ 585.15	\$ 697.55
	2		\$ 1.84	\$ 107.70	\$ 109.54
	3	\$ 63.00	\$ 29.75	\$ 275.47	\$ 368.22
	4	\$ 374.00	\$ 14.71	\$ 754.01	\$ 1,142.72
	5	\$ 693.00	\$ 18.91	\$ 1,177.22	\$ 1,889.13
	6	\$ 119.00	\$ 7.63	\$ 451.69	\$ 578.32
	7	\$ 189.00	\$ 13.95	\$ 823.59	\$ 1,026.54
	8	\$ 525.00	\$ 19.48	\$ 1,153.05	\$ 1,697.53
	9	\$ 133.00	\$ 11.05	\$ 665.44	\$ 809.49
	10		\$ 3.16	\$ 190.74	\$ 193.90
	11	\$ 400.00	\$ 17.82	\$ 1,014.72	\$ 1,432.54
	12	\$ 490.00	\$ 10.81	\$ 633.24	\$ 1,134.05
2014	1	\$ 350.00	\$ 21.60	\$ 495.24	\$ 866.84
	2	\$ 35.00	\$ 4.48	\$ 271.58	\$ 311.06
	3	\$ 429.00	\$ 9.82	\$ 639.01	\$ 1,077.83
	4	\$ 100.00	\$ 5.33	\$ 249.09	\$ 354.42
	5	\$ 198.00	\$ 11.05	\$ 670.95	\$ 880.00
	6	\$ 126.00	\$ 4.73	\$ 287.55	\$ 418.28
	7	\$ 261.00	\$ 8.16	\$ 495.23	\$ 764.39
	8	\$ 431.00	\$ 9.48	\$ 575.11	\$ 1,015.59
	9	\$ 247.50	\$ 8.69	\$ 527.19	\$ 783.38
	10	\$ 2,081.50	\$ 74.19	\$ 3,274.32	\$ 5,430.01
	11	\$ 77.00	\$ 4.07	\$ 246.81	\$ 327.88
	12	\$ 231.00	\$ 3.52	\$ 213.91	\$ 448.43
Grand Total		\$ 7,651.00	\$ 328.63	\$ 15,778.01	\$ 23,757.64
Average/ month		\$ 347.77	\$ 13.69	\$ 657.42	\$ 1,018.88
Average/ year		\$ 4,173.27	\$ 164.32	\$ 7,889.01	\$ 12,226.59

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Appendix 2 – Waste Management Survey – Recipients of Kerbside Collection



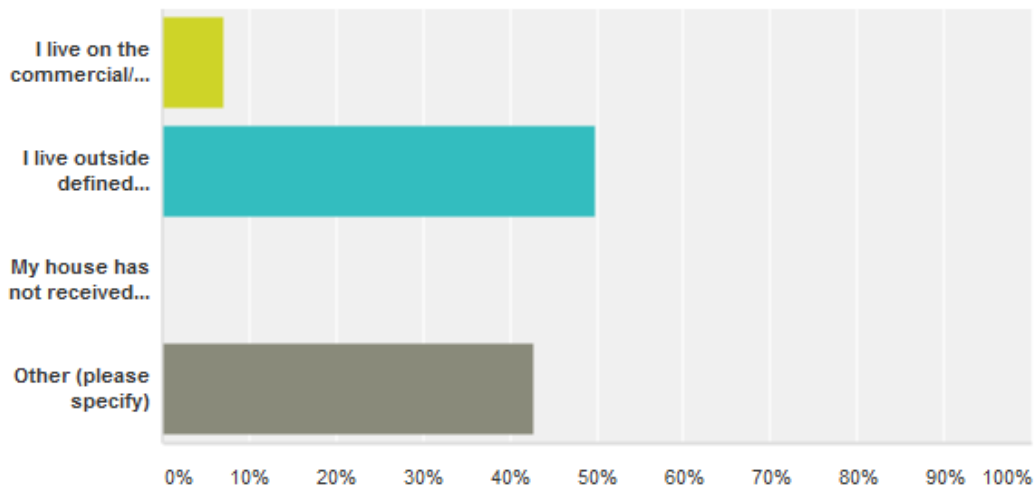
Answer Choices	Responses	
▼ No (go to question No. 13)	0.00%	0
▼ Yes	83.22%	119
▼ No	16.78%	24
Total	143	

Appendix 3 – Waste Management Survey - Reasons for not receiving kerbside collection service

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What is the reason you are not receiving the residential kerbside collection?

Answered: 14 Skipped: 136



Answer Choices	Responses
I live on the commercial/ industrial land	7.14% 1
I live outside defined kerbside collection area	50.00% 7
My house has not received final building approval and I am not eligible for the service	0.00% 0
Other (please specify)	42.86% 6
Total	14

no answer

4/28/2015 11:15 AM [View respondent's answers](#) [Categorize as...](#)

Farm House

4/19/2015 1:19 PM [View respondent's answers](#) [Categorize as...](#)

was not aware you had one

3/25/2015 6:07 PM [View respondent's answers](#) [Categorize as...](#)

i have opt out

3/24/2015 3:36 PM [View respondent's answers](#) [Categorize as...](#)

a reaounding No was for garbage pick up,i was one would said "NO"i still have no found a resolution to omit garbage collection from my rates notice ,my recycling and dumping of garbage was no problem to begin with .

3/5/2015 11:21 AM [View respondent's answers](#) [Categorize as...](#)

????? Yes, why

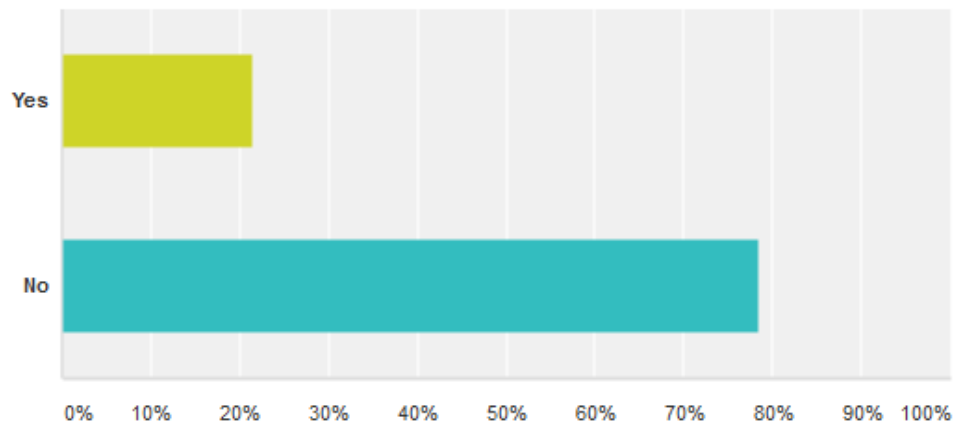
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Appendix 4 – Waste Management Survey – Interest in the kerbside service

**Would you be interested in receiving the
kerbside service through Council rates?**

Answered: 14 Skipped: 136



Answer Choices	Responses	
Yes	21.43%	3
No	78.57%	11
Total		14

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PE5	RETENTION OF THE REGIONAL LAND CARE FACILITATOR POSITION	
	<i>Report No. D15/12495 from Director of Planning & Environment ,</i>	

Précis

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

Background

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

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

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

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

CY NRM have proposed the 40% reduction in funding, leaving only \$95,000 p.a.[compared to \$150,000 p.a. in the previous contract] to fund the RLF position. This amount would initially be available for the financial years 2015-16 and 2016-17 (a two year service agreement), and the arrangement would then need to be reviewed when information about future National Landcare Program funding became available.

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

Following a Meeting between Council's Director P&E and the CEO CYNRM held 3 March there was an agreed undertaking to allow the current service agreement with Council to

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continue until 30 June 2015, to allow time for Council to reach a decision on whether it wished to continue the hosting arrangement.

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

Discussion and Assessment of Options:

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

1. the proposed 40% reduction from Cape York NRM would make the position untenable, and subsequently this would result in reduced outcomes for land holders.
2. The Australian Department of Agriculture have provided 2015-17 funding for a 1 x FTE RLF position for each region, and indicate it should still be close to previous funding allocation of \$150,00 p.a. for each regions. This would indicate that the reduction of funding proposed by CY NRM is discretionary.
3. That FTE funding for the position, at near \$150,000 p.a. will support and align with CY NRM contractual obligations and all strategic and intermediate outcomes and activities of the Sustainable Agriculture Program, as it relates to the role of the Regional Landcare Facilitator for the promotion of the Landcare ethic and sustainable agriculture to farmers and land managers of the Cape York Region

Link to Corporate Plan 2013 - 2017

Strategic Direction:

Consultation

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

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

Communication Strategy

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

Legal Implications (Statutory, basis, legal risks)

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

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

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

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

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

Policy Implications

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

Financial and Resource Implications (Budgetary)

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

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

Recommendations

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

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PE6	CHARGES RESOLUTION (NO. 1) 2015	
	<i>Report No.D15/12488 from Director Planning and Environment</i>	

Précis

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

Background/History

See attached resolution

Link to Corporate Plan

Legislative requirement

Consultation

Legislative requirement

Legal Implications (Statutory, basis, legal risks)

Legislative requirement

Policy Implications

None identified

Financial and Resource Implications (Budgetary)/Risk Assessment

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

RECOMMENDATION

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

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Cook Shire Council
Charges Resolution (No. 1) 2015

1.0 Introduction

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

1.2 This resolution is structured as follows:

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

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

1.4 This resolution seeks to implement the requirements of the *Sustainable*

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Planning Act 2009, State Planning Regulatory Provision (adopted charges) (the “**SPRP**”) and Statutory Guideline 03/14 – Local Government Infrastructure Plans, and has effect on and from 1st July, 2015

It is advised that this Charges Resolution (CR):

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

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

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

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1.9 Interpretation

In this resolution:

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

bedroom means an area of a building or structure which:

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

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

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

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

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

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

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

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

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

planning scheme means the Cook Shire Planning Scheme.

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

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

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

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

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

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

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

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Column 1 Adopted infrastructure charge category	Column 2 Cook Shire Planning Scheme Uses
Commercial (office)	Office
Education facility	Child Care Centre Educational Establishment
Entertainment	Hotel (non-residential component) Indoor Recreation: <ul style="list-style-type: none"> - Cinema - Theatre - Nightclub
Indoor sport and recreational facility	Indoor Recreation: <ul style="list-style-type: none"> - Sports centre - Gymnasium - Amusement and leisure centre
Industry	Equipment and Vehicle Depot Freight Depot Industry Rural Service Industry Storage Facility Vehicle Workshop Warehouse
High impact industry	Hazardous, Noxious or Offensive Industry Waste Facility
Low impact rural	Agriculture Forestry
High impact rural	Aquaculture
Essential services	Community Facilities: <ul style="list-style-type: none"> - Emergency services Hospital Institution Medical Centre Veterinary Facility
Specialised uses	Animal Keeping Carpark Extractive Industry Intensive Animal Keeping Minor Public Utility Outdoor Recreation Park Facilities Public Utility Remote Worker's Accommodation Tourist Facility
Minor uses	Advertising Device Cemetery Home Business Roadside Stall Telecommunication Facility

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Column 1 Adopted infrastructure charge category	Column 2 Cook Shire Planning Scheme Uses

2.0 Adopted Charge

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

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

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

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

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

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

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

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Development for which an adopted infrastructure charge may apply	Maximum adopted charges	Adopted infrastructure charges (\$)					
		Local Government	Proportional split of adopted charge per network				
Accommodation (Long Term): Caravan Park	\$10,000 per 1 or 2 tent/caravan sites (for a tent or caravan site) and per 1 or 2 bedroom cabin (for a cabin) Or \$14,000 per 3 tent/caravan sites (for a tent or caravan site) and per 3 bedroom cabin (for a cabin)	\$933 per tent, caravan or cabin site	\$233	\$233	\$280	\$93	\$94

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

Development for which an adopted infrastructure charge may apply	Maximum adopted charges		Adopted infrastructure charges					
	Maximum adopted charges (\$ per m ² GFA)	Maximum adopted charges for stormwater network (\$ per impervious m ²)	Total Local Government infrastructure charges (\$ per m ² GFA)	Proportional split of adopted charge per network				Stormwater (\$ per impervious m ²)
				Water Supply	Sewerage	Transport	Public Parks & Community Land	
				30%	30%	40%	0%	
Places of Assembly	\$70	\$10	\$21	\$6.30	\$6.30	\$8.40	\$0.00	\$3
Commercial (Bulk Goods)	\$140	\$10	\$42	\$12.60	\$12.60	\$16.80	\$0.00	\$3
Commercial (Retail)	\$180	\$10	\$54	\$16.20	\$16.20	\$21.60	\$0.00	\$3
Commercial (Office)	\$140	\$10	\$42	\$12.60	\$12.60	\$16.80	\$0.00	\$3
Education Facility	\$140	\$10	\$42	\$12.60	\$12.60	\$16.80	\$0.00	\$3
Entertainment	\$200	\$10	\$60	\$18.00	\$18.00	\$24.00	\$0.00	\$3
Indoor Sport and Recreational Facility	\$20 per m ² of court area	\$10	\$6 per m ² of court area	\$1.80	\$1.80	\$2.40	\$0.00	\$3
	\$200 per m ² of GFA	\$10	\$60 per m ² of GFA	\$18.00	\$18.00	\$24.00	\$0.00	\$3
Industry	\$50	\$10	\$15	\$4.50	\$4.50	\$6.00	\$0.00	\$3
High Impact Industry	\$70	\$10	\$21	\$6.30	\$6.30	\$8.40	\$0.00	\$3
Low Impact Rural	Nil	Nil	Nil					Nil
High Impact Rural	\$20	Nil	\$6	\$1.80	\$1.80	\$2.40	\$0.00	Nil
Essential Services	\$140	\$10	\$42	\$12.60	\$12.60	\$16.80	\$0.00	\$3
Minor Uses	Nil	Nil	Nil					Nil
Specialised Uses	Use and demand determined by the local government at time of assessment							

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

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

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

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

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3.0 Discount

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

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

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

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4.0 Calculation of the levied charge

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

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

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

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

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

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

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

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

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

- 4.3 If an adopted charge is intended to be levied pursuant to a building works approval and the building may be used for more than one use under **Tables 2.1 and 2.2**, the levied charge will be the sum of the individual charge for each use calculated in accordance with **Section 4.1**.

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5.0 Payment Triggers

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

5.1 A levied charge is payable at the following time:

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

6.0 Automatic increase provision for levied charges

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

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

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

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development at the time the charge is paid.

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7.0 Conversion applications

7.1 Purpose

7.1.1 This section applies where:

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

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

7.2 Process for making a conversion application

7.2.1 A conversion application must:

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

7.3 Assessing and deciding a conversion application

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

- a) Council will assess the application having regard to its trunk infrastructure criteria (outlined below);
- b) Council must consider and decide the application within the required period being 30 business days after:

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

7.4 Effect of conversion

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

7.5 Trunk infrastructure criteria

- 7.5.1 The identified trunk infrastructure criteria for deciding whether or not to convert non-trunk infrastructure to trunk infrastructure are the following:
- 1. The infrastructure is consistent with Council's Desired Standards of Service (DSS) identified in **Attachment 2**; and
 - 2. The infrastructure is identified in Council's plans for trunk infrastructure (**Attachment 3**) and schedule of works (**Attachment 4**) but is required in a different geographical location; or

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

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8.0 Offsets and Refunds for Trunk Infrastructure

8.1 Application of an offset and refund

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

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

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

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

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

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

8.2 Determining the establishment cost of trunk infrastructure

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

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

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

8.2.4 The establishment cost for trunk infrastructure that is land will be recalculated following confirmation of the land area to be dedicated based on the undeveloped, Englobo value of the land, which has nominally been set at \$15

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per square metre as at June 2014. The land value is to be indexed in line with the 3-yearly PPI Index Average, from the June 2014 to the date the levied charge becomes payable.

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

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

8.3 Reconciliation of an offset or refund

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

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

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

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

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

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

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

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

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

8.4 Infrastructure credits

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

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

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

the refund is to be held as a credit against the land that is the subject of the development applications upon the application(s) being approved.

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

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

8.5 Timing of refund

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

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

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

8.6 Infrastructure Agreements

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- 8.6.1 Council, at its absolute discretion, may enter into an Infrastructure Agreement where alternatives to the above processes are being sought by an applicant or to address other matters including (but not limited to):
- the method for determining the establishment cost of trunk infrastructure;
 - the required charges or trunk infrastructure to be contributed for each component or hierarchy of the network;
 - the timing of payment of levied charges;
 - the nature and timing of offsets and refunds;
 - the nature of any security to be lodged and the details of the use and release of such security;
 - details of the trunk infrastructure to be provided and the provision program;
 - details of the responsible entity for the funding, design and construction of the trunk infrastructure including land acquisition (if applicable);
 - Limited novation, assignment and rescission provisions to allow an alternate party to construct the same trunk infrastructure detailed in the agreement;
 - Provisions for unforeseen delays and redundancy provisions where a development approval and trunk infrastructure construction activities are held in abeyance;
 - Any other details considered appropriate by the Council.

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

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9.0 Plans for Trunk Infrastructure

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

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

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10.0 Desired Standard of Service

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

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

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

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

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

⁶ In accordance section 78 (2) of SPA.

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11.0 Schedule of infrastructure unit rates

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

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

Water Supply

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

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

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

Water Mains Adjustment Factors

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

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Sewerage

Manhole Unit Rates as at 30/6/14

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

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

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

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

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

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

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

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

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Transport

Road Upgrade Unit Rates as at 30/6/14

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

*Unit rates includes 15% contingency allowance.

Structure Upgrade Cost as at 30/6/14

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

Intersection Cost as at 30/6/14

Item	Average Cost
Medium Roundabout	\$75,000

Off-Road Pathways as at 30/6/14

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

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Attachment 1 – Definitions of Trunk Infrastructure

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

Trunk Infrastructure Item	Systems	Elements
Water Supply	Bulk Supply Treatment Distribution	Water sources (dams, groundwater) Bulk supply mains Reservoirs Telemetry and instrumentation systems Water Treatment Plants Pump stations Re-chlorination facilities Distribution mains generally ≥ 100 mm diameter
Sewerage	Collection Treatment Disposal/Reuse	Gravity sewers generally ≥ 150 mm diameter Manholes Pump stations Rising mains generally ≥ 100 mm diameter Odour and corrosion control systems Telemetry and instrumentation systems Sewerage treatment plants Storage facilities Effluent disposal and reuse systems
Transport	Local government and State controlled roads	Arterial, sub-arterial and major collector roads including associated intersections, local road drainage, kerb and channel, swales, culverts, bridges, and pathways within the road reserve.
	Off-road pathways	Cycleways and pedestrian pathways not within the road reserve.
Stormwater	Stormwater Quantity	Natural waterways Overland flow paths/channels (natural and constructed) Piped drainage (including pipes, culverts, manholes, inlets and outlets) excluding items that have been included in the road network. Detention and retention facilities Trunk infrastructure excludes development infrastructure internal to a development or to connect a development to the external infrastructure network.
	Stormwater Quality	Stormwater Quality Infrastructure Devices (SQIDs) Gross Pollutant Traps (GPTs) Wetlands Riparian corridors Bio-retention facilities Bank stabilisation, erosion protection and revegetation Trunk infrastructure excludes development infrastructure internal to a development or to connect a development to the external infrastructure network.
Public Parks and Community Land	Public Parks	Land, works and embellishments for local, district and local government-wide parks.
	Land for community facilities	Land and basic works associated with the clearing of land and connections to service only.

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Attachment 2 – Desired Standards of Service

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

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

Water Supply

Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)	
Reliability / continuity of supply	All development receives a reliable supply of potable water with minimal interruptions to their service.	<ul style="list-style-type: none">Water Supply Code of Australia (Water Service Association of Australia)FNQROC Development Manual Design Guidelines - D6 Water Reticulation	
		Performance Indicator	Target
		<ul style="list-style-type: none">The number of unplanned interruptions per 100 km/year	<10
		<ul style="list-style-type: none">Restoration of services – unplanned interruptions	95% restored within 5 hours
		Connections experiencing more than <ul style="list-style-type: none">interruption per yearinterruptions per yearinterruptions per yearinterruptions per year5 or more interruptions per year	Connections: <ul style="list-style-type: none"><12%<2%<1%<0.5%<0.25%
		Planned interruptions with > 24 hours notice	80%
		Response time to all events for 95% of customers	< 2hours
		Water leaks / breaks per 1,000 connections / year	<5
		Water leaks / breaks per 100 km mains / year	<20
		Service leaks / breaks per 1,000 connections / year	<30
		Rate of system water loss	<10%
		Adequacy of supply	All development is provided with a water supply that is adequate for the intended use. The Queensland Fire and Rescue Service (QFRS) support the use of the Planning Guidelines for Water Supply and Sewerage/ Chapter 6 Network
Performance Indicator	Target		

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Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)	
	Modelling developed by the Department of Natural Resources and Mines	Minimum flow expectation at the property boundary	30L/minute
		Minimum service pressure expectation at the property boundary	22 metres head
		Maximum service pressure	60 metres head
		Fire Flow requirement - residential	1 hydrant at 15 L/s for 2 hours
		Fire Flow requirement - commercial	1 hydrant at 30 L/s for 4 hours
		Fire Flow network pressure	12 metres head in the water supply network
		Design Criteria – flow parameters <ul style="list-style-type: none"> Average Daily Consumption (AD) Mean Day Max Month (MDMM) Peak Day (PD) Peak Hour (PH) 	Design flow parameters: <ul style="list-style-type: none"> 500 litre/person/day 1.5 x AD 2.25 x AD 1.5 x PD
Quality of supply	Provide a uniform water quality in accordance with recognised standards that safeguards community health. Drinking water should be clear, colourless, adequately aerated and have no discernible taste or odour. It should be free from suspended matter or turbidity, pathogenic organisms and harmful chemical substances.	<i>The Australian Drinking Water Guidelines (ADWG)</i> For water supplied from non-conventional sources refer to: <ul style="list-style-type: none"> Effluent Reuse under the Sewerage DSS Stormwater Reuse under the Stormwater DSS 	
		Performance Indicator	Target
		Compliance with ADWG – Microbiological / Physical / Chemical	>95%
		The number of substantiated drinking water complaints per 1,000 connections / year	<10
		Drinking water quality incidents / year	<5
Environmental impacts	The environmental impacts of the water supply network are minimised in accordance with community expectations.	<ul style="list-style-type: none"> Compliance with the requirements of the Environmental Protection Act 1994 and associated Environmental Protection Policies and the Water Act 2000. Compliance with all environmental licenses and environmental management plans under the Water Act 2000 and the Environmental Protection (Water) Policy 1997. 	
Pressure and leakage management	The water supply network is monitored and managed to maintain the reliability and adequacy of supply and to minimise environmental impacts.	<ul style="list-style-type: none"> Cook Shire System Leakage Management Plan Cook Shire Drought Management Plan System Leakage Management Plan (Chapter 3, Part 3, Division 1A Water Act 2000) 	

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Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)
Infrastructure design / planning standards	Design of water supply infrastructure will comply with established codes and standards.	<ul style="list-style-type: none"> Water Supply Code of Australia WSA 03-2002 (Water Services Association of Australia) FNQROC Development Manual Design Guidelines - D6 Water Reticulation The Australian Drinking Water Guidelines (ADWG) developed by the National Health and Medical Research Council Planning Guidelines for Water Supply and Sewerage (Department of Energy and Water Supply)

Sewerage

Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)																
Reliability	All development has access to a reliable sewerage collection, conveyance, treatment and disposal system that meets the desired public and environmental requirements for the community.	<ul style="list-style-type: none">• Cook Shire Council Total Management Plan for Water Supply and Sewage Services.• Sewerage Code of Australia (Water Service Association of Australia).• Sewerage Pumping Station Code of Australia (Water Service Association of Australia).• FNQROC Development Manual Design Guidelines - D7 Sewerage System.																
		<table><tr><th>Performance Indicator</th><th>Target</th></tr><tr><td>Sewage overflows per 100 km main / year</td><td><5</td></tr><tr><td>Sewage overflows to customer property per 1,000 connections / year</td><td><1</td></tr><tr><td>Odour complaints per 1,000 connections / year</td><td><5</td></tr><tr><td>Response time to all events for 95% of customers</td><td>< 2 hours</td></tr><tr><td>Response time to Priority 1 events for 95% of customers</td><td>< 1 hour</td></tr><tr><td>Sewer main breaks and chokes per 100km main / year</td><td><10</td></tr><tr><td>Rising main breaks per 100 km mains / year</td><td><1</td></tr></table>	Performance Indicator	Target	Sewage overflows per 100 km main / year	<5	Sewage overflows to customer property per 1,000 connections / year	<1	Odour complaints per 1,000 connections / year	<5	Response time to all events for 95% of customers	< 2 hours	Response time to Priority 1 events for 95% of customers	< 1 hour	Sewer main breaks and chokes per 100km main / year	<10	Rising main breaks per 100 km mains / year	<1
		Performance Indicator	Target															
		Sewage overflows per 100 km main / year	<5															
		Sewage overflows to customer property per 1,000 connections / year	<1															
		Odour complaints per 1,000 connections / year	<5															
		Response time to all events for 95% of customers	< 2 hours															
		Response time to Priority 1 events for 95% of customers	< 1 hour															
		Sewer main breaks and chokes per 100km main / year	<10															
		Rising main breaks per 100 km mains / year	<1															

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Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)
Quality of treatment	Ensures the health of the community and the safe and appropriate level of treatment and disposal of treated effluent. Customers are provided with a reliable reticulated sewage scheme that is designed to minimise risks to public health and the environment. Treatment processes adopt appropriate technology to minimise energy and chemical use, reduce operating costs and achieve a minimum life cycle cost.	Compliance with all environmental licenses and environmental management plans administered under the Water Act 2000 and the Environmental Protection (Water) Policy 1997. Treatment processes are designed to achieve the effluent quality standards defined by the Queensland Environmental Protection Agency (EPA) in accordance with current discharge licences.
Environmental impacts	The environmental impacts of the sewerage network are minimised in accordance with community expectations. Minimise the impact of sewage infrastructure on air, water and land resources.	Compliance with all environmental licenses and environmental management plans under the Water Act 2000 and the Environmental Protection (Water) Policy 1997. Reduce contaminant loading on the natural environment.
Effluent reuse	Provide opportunities for the beneficial reuse of recycled water to reduce the amount of nutrients discharged into waterways. Reduce potable water consumption by using recycled water for non-potable demands (i.e. construction, irrigation). Where possible biosolids generated by the sewage scheme will be recycled.	Effluent reuse schemes are designed in accordance with relevant legislation and guidelines including: <ul style="list-style-type: none"> • Public Health Amendment Regulation (No.1) 2008 • Recycled Water Management Plan and Validation Guideline, 2008 (Department of Energy and Water Supply) • Recycled Water Management Plan Exemption Guidelines, 2008 (Department of Energy and Water Supply) • Water Quality Guidelines for Recycled Water Schemes, 2008 (Department of Energy and Water Supply) • Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1), 2006 (EPHC, NRMMC, AHMC) • Australian Guidelines for Water Recycling: Augmentation of Drinking Water Supplies (Phase 2), 2008 (EPHC, NRMMC, AHMC)
Infrastructure design / planning standards	The design of the sewerage infrastructure will comply with established codes and standards. Sewerage infrastructure is required to : <ul style="list-style-type: none"> • Convey sewage at adequate velocity to limit blockages and detention times • Minimise odour generation • Limit surcharging of the system • Reduce whole of life costs • Appropriately treat all sewage 	<ul style="list-style-type: none"> • Sewerage Code of Australia WSA 02-2002 (Water Services Association of Australia) • Sewerage Pumping Station Code of Australia WSA 04-2005 (Water Services Association of Australia) • FNQROC Development Manual Design Guidelines - D7 Sewerage System • Planning Guidelines for Water Supply and Sewerage (Department of Energy and Water Supply)

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Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)	
		Design Element	Value
	<ul style="list-style-type: none"> Sustainably manage treated water discharge Reflect community expectations 	Sewage Loading <ul style="list-style-type: none"> Average Dry Weather Flow (ADWF) Peak Wet Weather Flow (PWWF) Peak Dry Weather Flow (PDWF) 	<ul style="list-style-type: none"> 270 L/EP/day 5 x ADWF 4 x ADWF
		Property Connections <ul style="list-style-type: none"> Residential (Single Dwelling) Other (Commercial, Industrial, Multi Residential) 	<ul style="list-style-type: none"> 100mm dia 150mm dia
		Gravity Mains <ul style="list-style-type: none"> Mannings 'n' Minimum Velocity @ PWWF Minimum Velocity @ PDWF Depth of Flow @ PWWF 	<ul style="list-style-type: none"> 0.013 0.6 m/s 0.3 m/s Maximum flow depth shall not exceed 75% of pipe full.
		Pumping Stations <ul style="list-style-type: none"> Total Pump Station Capacity Emergency Storage 	<ul style="list-style-type: none"> Not less than 5 x ADWF 6 hours at ADWF
		Rising Mains <ul style="list-style-type: none"> Minimum Velocity (average daily) Minimum Velocity (preferred) Maximum Velocity 	<ul style="list-style-type: none"> 0.75 m/s 1.5 m/s 2.5 m/s

Transport

Measure	Planning Criteria (Qualitative Standards)	Design Criteria (Quantitative Standards)
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Road network design / planning standards	<p>The road network provides a functional urban and rural hierarchy that supports settlement patterns, commercial and economic activities, and freight movement. It should be noted that in Cook Shire the road hierarchy consist of state controlled roads or council trunk roads.</p> <p>Promote safety by separating different travel functions having different and conflicting operating characteristics and requirements.</p> <p>Minimise peak congestion and safety problems.</p> <p>Minimise fuel consumption, emissions and congestion by maintaining optimal operating speeds across the hierarchical network.</p> <p>Provide for the volume/capacity ratio.</p> <p>Protect residential amenity and efficient freight routes.</p>	<p>Design of the road system will comply with established codes and standards including:</p> <ul style="list-style-type: none"> • Local government road design and development manual/standards/codes in planning scheme and planning scheme policy • FNQROC Development Manual Design Guidelines - D1 Road Geometry • FNQROC Development Manual Design Guidelines - D3 Road Pavements • Road Planning and Design Manual (Department of Transport and Main Roads) • AUSTROADS Guides • Australian Standards • The Institute of Public Works Engineering Australia, QLD Division. (IPWEA). <p>Ensure traffic on access streets does not exceed 750 vehicles per day with less than 3.0% heavy goods vehicles.</p> <p>Maximum degree of saturation and average delay intersections 0.95 and 25 seconds respectively.</p>
Cycleway and pathway design / planning standards	<p>Cycleways and pathways provide a safe and convenient network that encourages walking and cycling as acceptable alternatives.</p> <p>Design of the network will comply with established codes and standards.</p>	<ul style="list-style-type: none"> • Local government road design and development manual/standards/codes in planning scheme and planning scheme policy • Australian Standards • AUSTROADS Guide to Traffic Engineering Practice—Part 14 (Chapter 10) • Queensland Streets Manual

Stormwater

Planning Standard	Community Outcome
Provide a system of shared stormwater infrastructure allowing for safe drainage of urban land while maintaining or improving the quality of run-off.	<ul style="list-style-type: none"> • Minimises inundation of habitable areas • Minimises the damage and risk associated with flooding • Minimises the impact of development on the ecological health and water quality within waterway corridor
Ensure the use of Water Sensitive Urban Design	<ul style="list-style-type: none"> • Provides waterways infrastructure at the lowest life cycle cost

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and other types of on-site infrastructure to minimise impact on the natural environment	<ul style="list-style-type: none"> Reduces the scale of built infrastructure by optimising on site solutions Improves water quality at the point of discharge to benefit the natural waterway corridor's health
Ensure sufficient buffers from urban development are along waterway corridors for ecological links (including the rehabilitation of degraded waterway corridor banks, where required).	<ul style="list-style-type: none"> Maintain or improves environment amenity such as scenic values and natural construction Erosion and sedimentation run off is minimised Negative impacts on adjoining and downstream properties are minimised Protects environmentally sensitive areas from development
Ensure natural stream processes are maintained within waterway corridors.	<ul style="list-style-type: none"> Reduces the need for costly structural treatments of waterway corridor banks Provides for natural processes of accretion, erosion and sedimentation and reduces environmental effects from pollution Increases regional water quality
Design Standard	Community Outcome
Design stormwater infrastructure to comply with: <ul style="list-style-type: none"> Far North Queensland Regional Organisation of Councils (FNQROC) Design Manual; Queensland Urban Drainage Manual (QUDM); and EPA requirements and guidelines. 	<ul style="list-style-type: none"> Free and safe drainage of urban land Maintain or improve water quality and ecological health
Implement Water Sensitive Urban Design principles to achieve maximum on site quantity and quality treatment and minimise offsite discharge.	<ul style="list-style-type: none"> Maximise the water quality on site Negative impacts on adjoining and downstream properties are minimised
<p>Implement regional and on-site detention facilities to minimise the impact of peak run-off for the full range of Annual Exceedance Probability (AEP) events (100% AEP to 1% AEP) from developments, taking into account safety and risk.</p> <p>Design detention basins to maintain pre-development peak flow levels from the development site for all flood events (100% AEP to 1% AEP).</p> <p>Design Detention Basins in the same catchment to ensure that the coincident peak discharge at downstream control points is not increased.</p>	<ul style="list-style-type: none"> Reduces the cumulative impact from existing and future developments on peak flow levels Reduces the need to increase the size of waterway corridors and underground drainage Increases active and passive recreation opportunities Minimises the impact on the environmental values of downstream waterway corridors by maintaining pre-development flows and velocities Reduces downstream sedimentation by slowing flow velocities
<p>Design bridges and culverts with appropriate flood immunity and capacity to convey floodwater, taking into account the Council's road hierarchy.</p> <p>Construction of bridges and culverts must not adversely impact on the natural environment, such as through the loss of vegetation and undesirable impacts on bio-diversity.</p> <p>Design bridges and culverts to maintain fauna and recreational links.</p>	<ul style="list-style-type: none"> Ensures road crossings operate safely in times of inundation Reduces the risk of flooding for surrounding properties Provides opportunities for extended pedestrian and bicycle links Enhances ecological links

Public Parks and Community Land

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

- a) A Preferred Level of Supply (PLS) of various types of land for parks and facilities which caters for informal and formal public recreation and community facilities. This can be described as the "planned provision" of raw land supply that will be embellished (or developed) to provide for a range of public recreation and community facilities

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opportunities.

- b) A preferred Level of Development or embellishment for each type of park. This describes what facilities and features should be developed as a minimum for different types of parks and is termed the "Preferred Level of Development" (PLD).

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

Table 1a – Rate of Land Provision – Public Parks

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

Table 1b – Rate of Land Provision – Community Facilities

Infrastructure Type	Rate of Provision (1 x per population) – Community Facilities					
	Local		District		Shire/Regional	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Community Centre	6,000	10,000				
Youth Centre	10,000	20,000				
Library			15,000	30,000		
Multi-purpose community centre			20,000	30,000		
Performing Arts Space			30,000	50,000		
Art Gallery					30,000	150,000
Central Library					30,000	150,000
Civic/Cultural Centre					30,000	120,000

Table 2 – Accessibility Standard

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

Table 3a – Size of Parks and Community Land

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

Table 3b – Size of Community Facilities

Infrastructure	Minimum Size (m ²) – Community Facilities
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Type	Local		District		Shire/Regional	
	Site Area	GFA	Site Area	GFA	Site Area	GFA
Community Centre	5,000m ²	600-800m ²				
Youth Centre	Requirements vary significantly in size from facility to facility. A minimum floor area of 600-1,000m ² should be considered for a district level facility. The site may be large enough to contain recreational uses (5,000-10,000 m ²) or adjoin open space. Local facilities can be as small as a house (e.g. 200 m ² on a small site). Office space or shop fronts are other models.					
Library			For a branch Library, the minimum amount of public floor space provided should be 150m ² , with requirements between 37 and 43m ² per 1 000 population.			
Multi-purpose community centre			10,000m ²	1,000m ²		
Performing Arts Space	Guidance might be sought from Arts Queensland on requirements for arts and cultural facilities. Minimum site area requirements may be around 3,000m ² but will depend on the type of facility and its capacity for performances.					
Art Gallery	As opportunity arises					
Central Library*					Between 37 m ² and 49 m ² per 1,000 population, with higher floor space to people ratios for smaller populations. Additional to this are areas for staff training, and meeting rooms. Area requirements for processing and storage of items required for additional sites include 50m ² per mobile library (does not include housing and parking requirements of the vehicle)	
Civic/Cultural Centre					15,000m ²	2,000-5,000m ²

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

Table 4 – Maximum Desired Grade

Infrastructure Type	Maximum Gradient			
	Local	Village	Township	Shire/Regional
Recreation Park	1:20 for main use area	1:20 for main use area	1:20 for main use area	1:20 for main use area (e.g. picnic facility)
	1:6 for remainder	1:50 for kick about	1:50 for kick about	

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		area Variable topography for remainder	area Variable topography for remainder	1:50 for playing surface
Sport Park	NA	1:50 for all playing surface Must be accessible slopes if for facility.	1:50 for all playing surface	1:20 for main use area (e.g. picnic facility) 1:50 for playing surface
Community Land	As required for building purposes			

Table 5 – Minimum Desired Flood Immunity

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

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

Table 6 – Standard Facilities/Embellishments for Parks

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

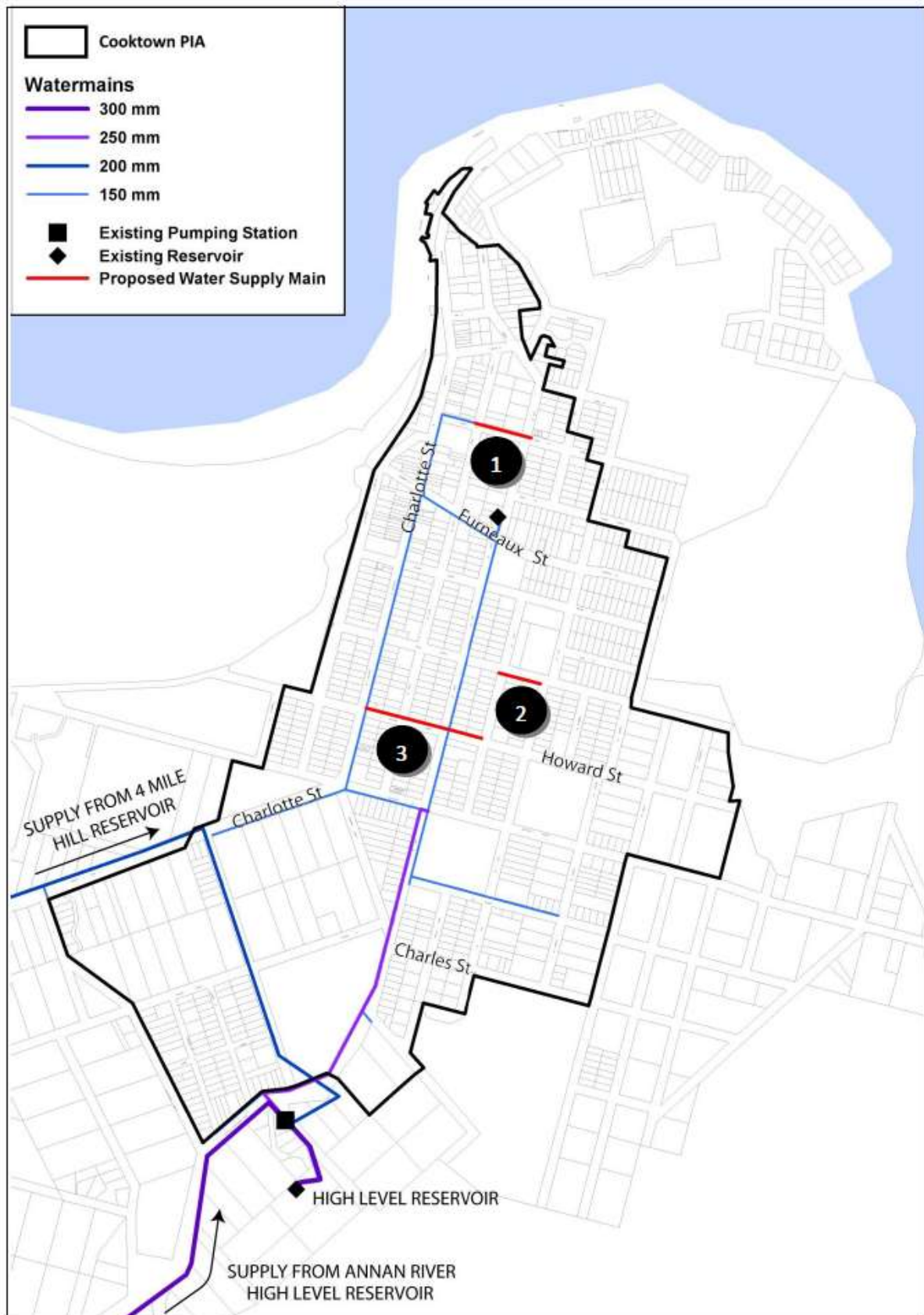
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Toilets	✓	✓	✓	✓	✓	✓
Paths (pedestrian/ cycle)	✓	✓	✓	✓	✓	✓
Shade structures	✓	✓	✓	✓	✓	✓
Tap/bubbler	✓	✓	✓	✓	✓	✓
Picnic tables, Seats, BBQ	✓	✓	✓	✓	✓	✓
Landscaping (including earthworks, irrigation and revegetation)	✓	✓	✓	✓	✓	✓
Youth Facilities - Informal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

Attachment 3 – Plans for Trunk Infrastructure

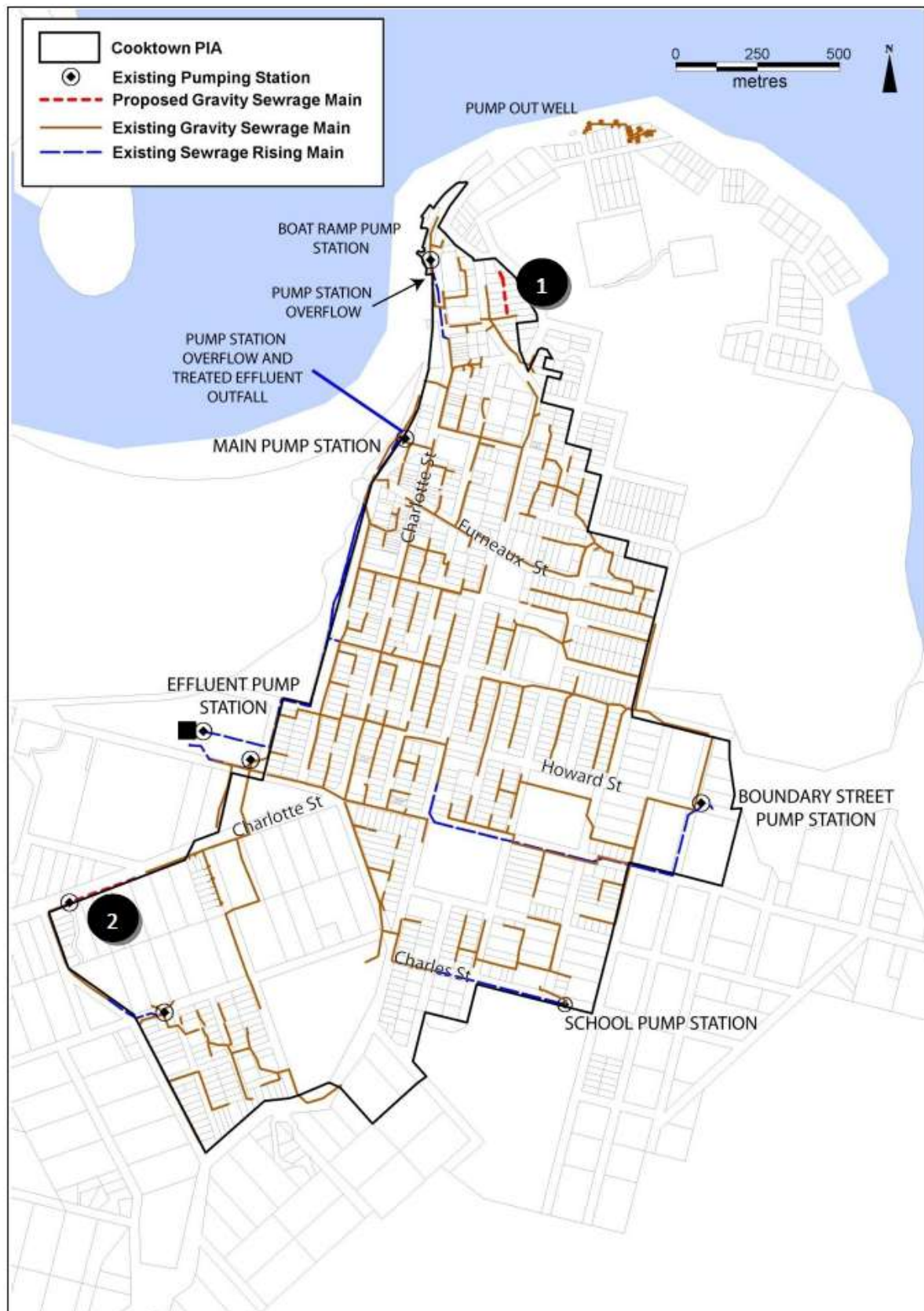
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Map 1 – Water Supply Network Plans for Trunk Infrastructure



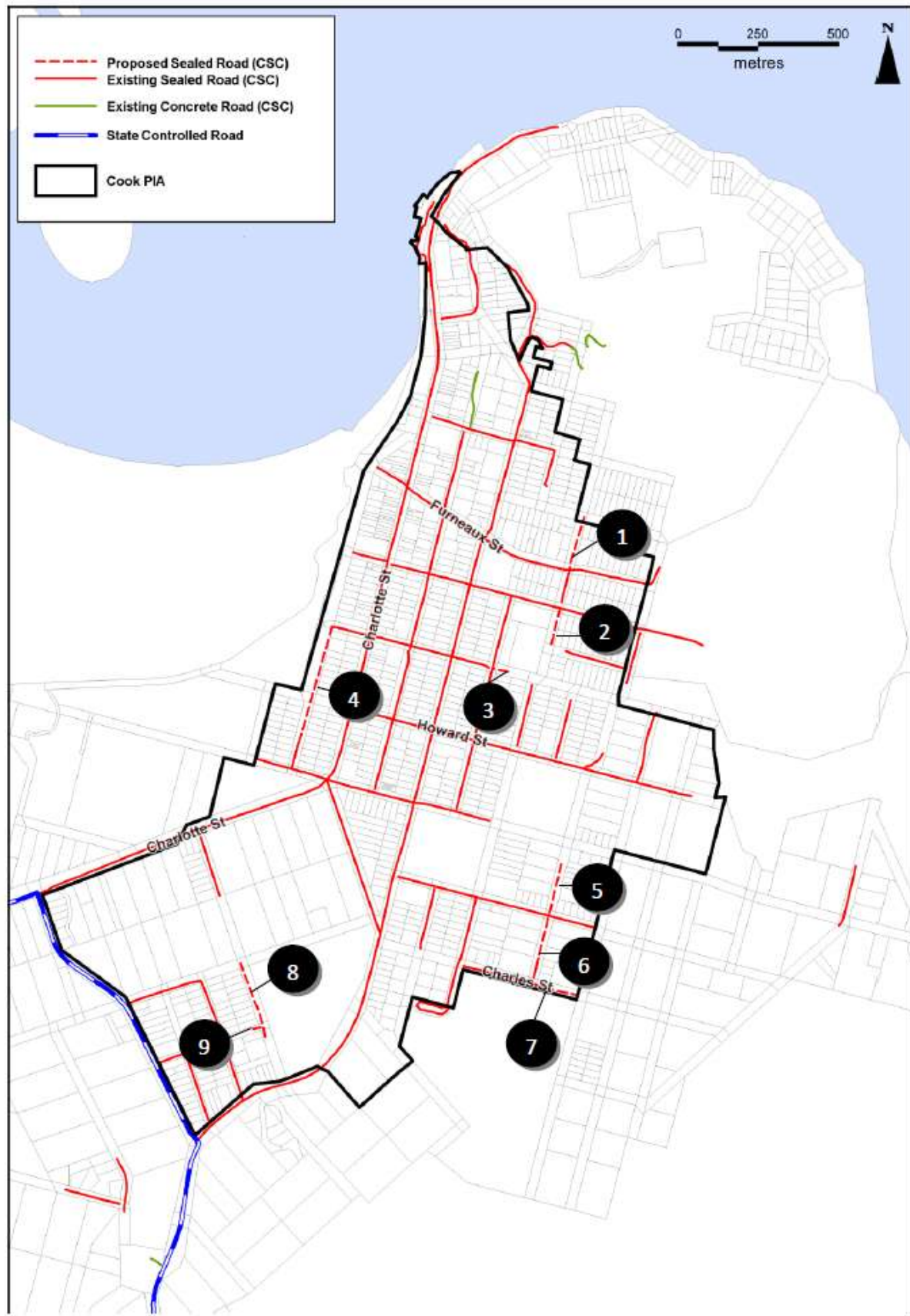
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Map 2—Sewerage Network Plans for Trunk Infrastructure



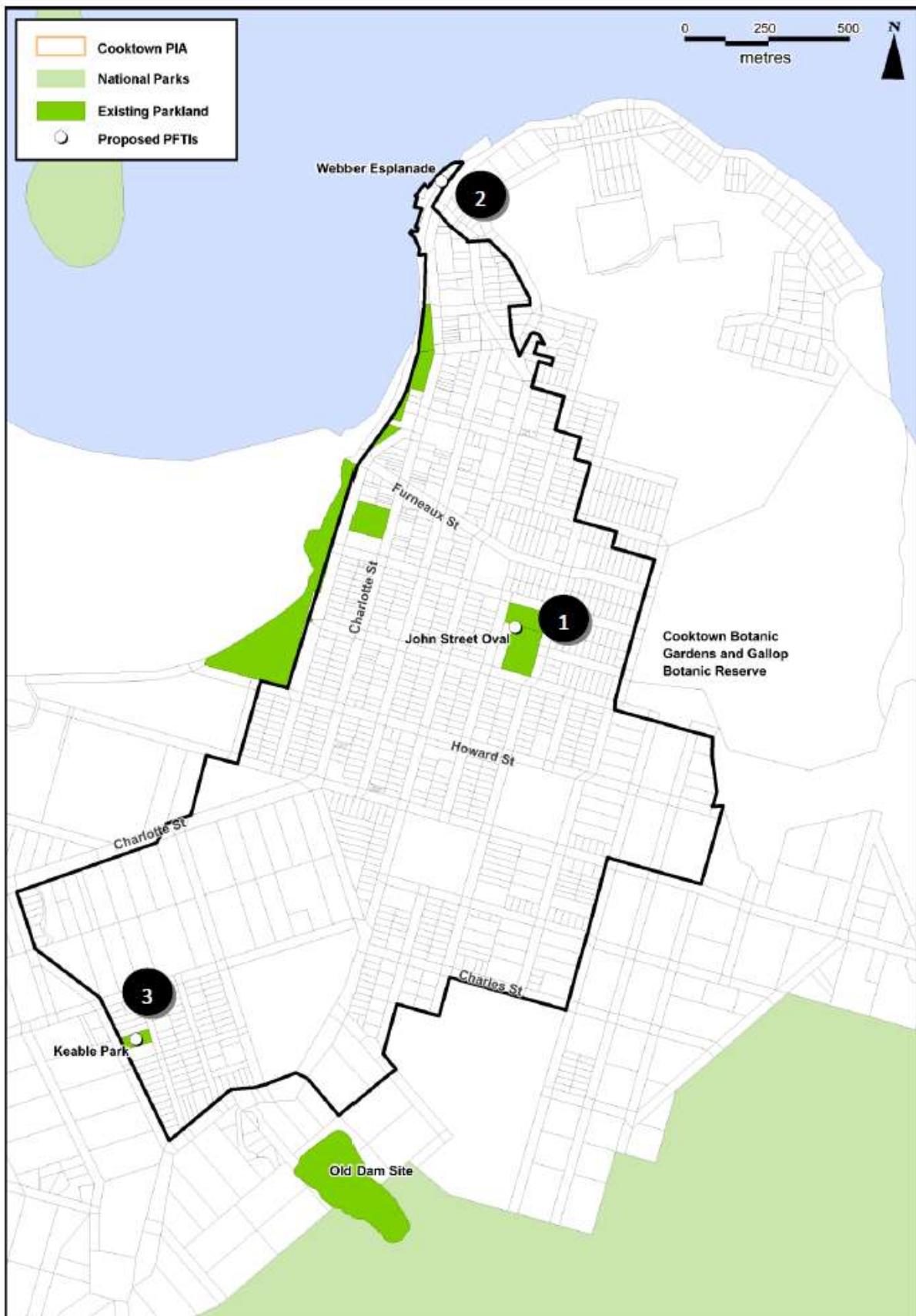
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Map 3 – Transport Network Plans for Trunk Infrastructure



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



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Attachment 4 – Schedule of Works

Water Supply

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

Sewerage

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

Transport

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

Public Parks and Community Land

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

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

1. Notice of Design with Operational Works

- a) Upon lodgement of the development application for Operational Works, the applicant is to provide Council a formal Notice of Trunk Infrastructure Design (the **Notice of Design**), including a plan which clearly depicts the trunk infrastructure items that is the subject of the necessary trunk infrastructure condition. The plan may be in the same format as the operational works plan; however it must clearly distinguish the trunk infrastructure from any non-trunk infrastructure.

Note: The intent of the Notice of Design process is to attain early agreement as to the scope and nature of the trunk works generally described in the Development Approval.

- b) Council will assess the Notice of Design in conjunction with the Operational Works application and will advise the applicant if Council:
- (i) agrees; or
 - (ii) agrees with conditions, or
 - (iii) disagrees with the Applicant's Notice of Design.
- c) Once a Design Approval is given which forms part of the Operational Works Approval and Permit, the applicant may then seek to tender the construction of the trunk works.

2. Call for Tender Notification

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

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

3. Tender Assessment of Trunk Works

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

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

4. Reconciliation of Final Contract Value

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

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

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

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

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

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

the Council is to confirm the Final Contract Value.

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

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

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

Within 5 business days of Council's satisfaction that:

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

the Council is to confirm the Final Contract Value.

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LAND TENURE

LT1	APPLICATION TO ADD ADDITIONAL PURPOSE OF LOW KEY TOURISM TO ROLLING TERM LEASE PH 14/242 OVER LOT 242 ON PLAN SP154003 – SPRINGVALE STATION, MULLIGAN HIGHWAY, LAKELAND; PARISH OF KINGS DALE; LOCALITY OF LAKELAND.	
	<i>Report No.D15/12448 from Land Tenure Officer File No. 2.650.73.</i>	

Précis

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

Background/History

2. By letter dated 13 May 2015, the Department of Natural Resources and Mines advised that an application had been received to add additional purpose to Rolling Term Lease PH14/2424, over Lot 242 on Plan SP154003, being Springvale Station Pastoral Holding. See attached SmartMaps.
3. The proposed application is to add an additional condition on the lease to include the additional purpose of Low Key Tourism – current use of land is for Grazing purposes.
4. Planning and Environment advised that there are no outstanding planning requirements although planning approvals may be required prior to the low key tourism use commencing.
5. Although there does not appear to be any outstanding building matters, the lessee must ensure that all structures and/or buildings have obtained compliance with the requirements of the Queensland building legislation, the Building Act 1975 and referenced legislation.
6. Engineering have no issues or requirements.
7. There are no known local non-indigenous cultural heritage values within the lease area.
8. The following recommendation is submitted for consideration.

Link to Corporate Plan

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

Consultation

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10. Internal

Legal Implications (Statutory, basis, legal risks)

11. Nil

Policy Implications

12. Nil

Financial and Resource Implications (Budgetary)

13. Nil

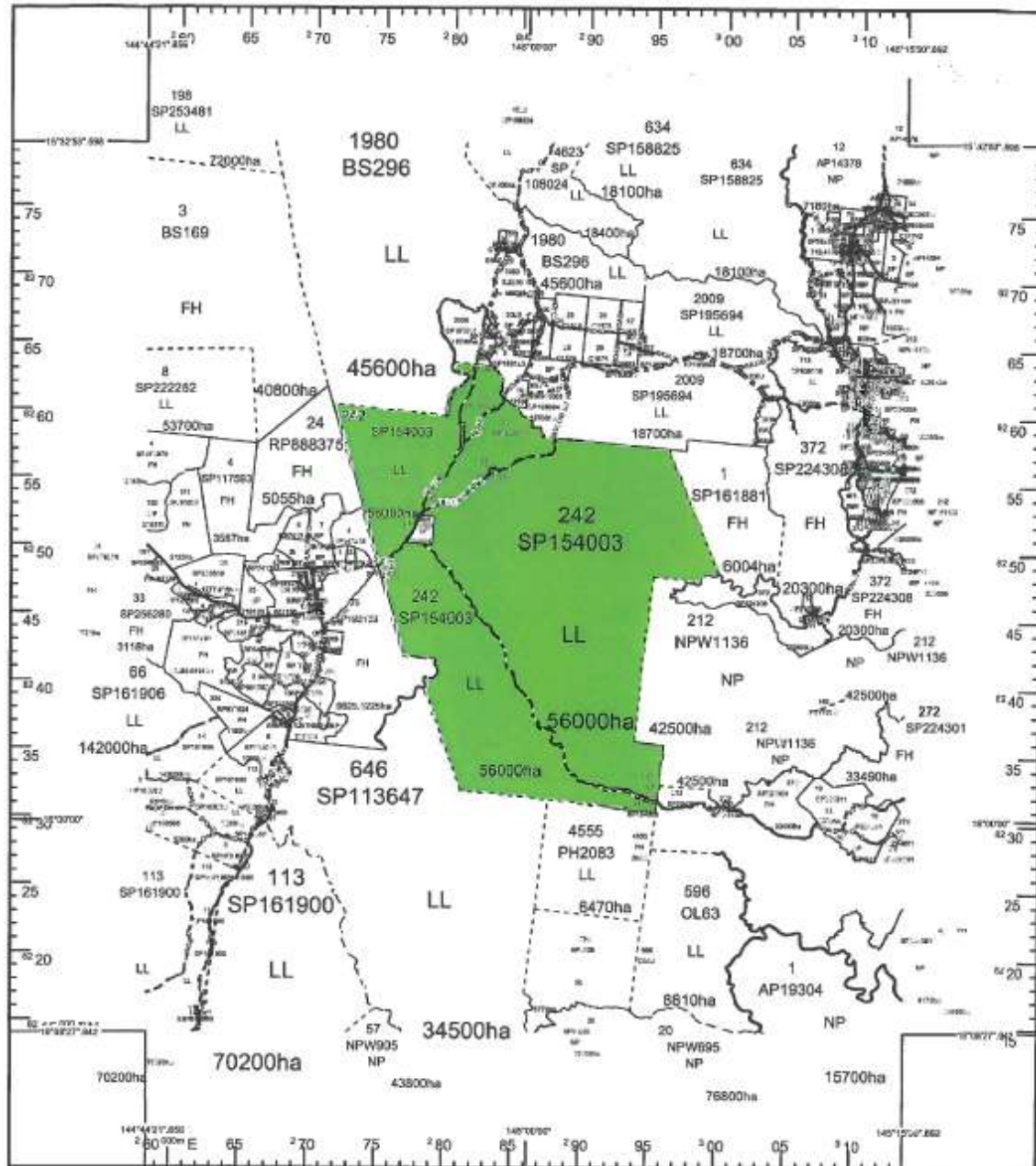
RECOMMENDATION

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

Att.
SmartMaps

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STANDARD MAP NUMBER
7866-21221

MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DOCID	345SP154003
Lot/Plan	56000ha
Tenure	LAND LEASE
Local Government	COOK SHIRE
Locality	LAKELAND
Parish	KINGSDALE
County	SQLANDER
Segment/Parcel	64631

CLIENT SERVICE STANDARDS

PRINTED (ddmmyyyy) 13/06/2015
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DOCID 13/06/2015 (Lots with an area less than 0.000ha are not shown)

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

Despite Department of Natural Resources and Mines (DNRM) best efforts, DNRM makes no representations or warranties in relation to the information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the information.

For further information on SmartMap products visit <http://www.dnrm.qld.gov.au/property/mapping/infomaps>

SmartMap

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



(c) The State of Queensland,
(Department of Natural
Resources and Mines) 2015.

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LT2	NORTH QUEENSLAND LOCAL GOVERNMENT ASSOCIATION 2015 CONFERENCE – SUBMISSION FOR REVIEW OF CURRENT STATE LEGISLATIVE POLICIES FOR RENEWAL OF LEASES, ROLLING LEASES AND CONVERSION OF LEASES.	
	<i>Report No.D15/12519 from Land Tenure Officer File No. 2.965.257 (610).</i>	

Précis

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

Background/History

2. The *Land and Other Legislation Amendment Bill 2014*, introduced into the Queensland Parliament on 19 March 2014, reformed Queensland's leasehold land system, simplifying the process and improving tenure security.
3. The policy objective was to state land tenure reforms which improve tenure for term leases used for agriculture, grazing and pastoral purposes and declared offshore island tourism leases issued under the *Land Act 1994* (Land Act), and begin to reduce red tape and regulatory burden on landholders, business and government.
4. The introduction of rolling lease extension simplified the renewal process for rural leases – an eligible lease will be rolled over by extending the lease generally by a term equal to the original term of the lease – a lessee is able to apply for an extension in the last 20 years of the term of lease. For a 30 year lease term a lessee may apply for an extension after the first 10 years of the lease has elapsed and then be entitled to a further 30 years on top of the 20 years remaining in the original term. In this way, there is genuine security of tenure for at least a period of 50 years. There is no restriction on the number of times a lease can be extended and it may be extended regardless of how many times it has previously been extended.
5. This new regime of rolling term lease extension provide greater certainty for agribusiness by providing more security of land tenure for existing leaseholders and for those who may wish to invest in rural leasehold land.
6. Rolling term leases apply to leases for grazing, agriculture or pastoral purposes that are 100 hectares or over in area, and will be extended as long as the leaseholder has satisfied a limited number of requirements (e.g. annual rent has been paid in full and there are no outstanding notices) – no other conditions e.g land management agreements which are no longer required – affect the renewal.
7. These changes have also impacted on Council whereby previously the State could take Councils' road regulation requirements into consideration this now is not within its policy as set out below;

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Survey

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

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

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

Link to Corporate Plan

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

Consultation

11. Nil.

Legal Implications (Statutory, basis, legal risks)

12. Nil.

Policy Implications

13. Nil.

Financial and Resource Implications (Budgetary)/Risk Assessment

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

RECOMMENDATION

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

Att.

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Submission to NQLGA

ATTACHMENT 4

2015 NQLGA CONFERENCE MOTION TEMPLATE

Submitting council Cook Shire Council	
Date of council resolution* 16 June 2015	LGAQ Policy Executive district

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Title of motion	Review of current State legislative policies regarding renewal and conversion of rural leasehold land.
Motion	The State review its current legislative policies regarding renewal and conversion of rural leasehold land enabling previous Council road network, esplanade and easement issues to be resolved to Council's satisfaction (as the road authority for the area), at no cost to Council.
Background	<p>The <i>Land and Other Legislation Amendment Bill 2014</i>, introduced into the Queensland Parliament on 19 March 2014, reformed Queensland's leasehold land system, simplifying the process and improving tenure security.</p> <p>The provision for rolling leases aimed to simplify the renewal process for rural leases and give lessees a greater level of tenure security – an eligible lease can be rolled over by extending the lease generally by a term equal to the original term with no restriction on the number of times a lease can be extended, providing security of tenure.</p> <p>Rolling leases do not affect any aspect of the lease, including any conditions of the lease – therefore the opportunity for Councils' views/requirements is diminished.</p> <p>These changes to the consideration of Councils' requirements are the same when dealing with the conversion of leases to freehold.</p> <p>Previously, as part of the lease renewal and/or conversion processes the State included Councils' requirement for road network, esplanade and easement issues to be resolved to Council's satisfaction (as the road authority for the area), at no cost to Council.</p> <p>The Shire of Cook has an area of 106,188 km², most of its road network is off-alignment and/or undedicated – for Council to regularise its entire road network it would be extremely cost prohibitive.</p>
What is the desired outcome sought?	<p>(1) That the State, which previously supported Councils' views and/or requirements regarding roads, esplanades and easements reverts to its previous position of including these requirements, at no cost to Council, as part of the lessees conditions of Agreement of Offer for lease renewal and /or conversion.</p> <p>OR</p> <p>(2) The State provides funds to Council to address the issue of roads off-alignment and/or undedicated within the Shire.</p>
What are the impacts (positive or negative) on local government?	<p>If either of the desired outcomes are not endorsed, the cost to Council to have all off-alignment, and undedicated roads regulated would be inconceivable.</p> <p>Costs to Council;</p> <ul style="list-style-type: none"> • Survey of roads; creation of survey plans; lodgement of survey plans. • Application for simultaneous road opening/closure application, with further costs if area of road closure requires purchase. • Compulsory resumption/acquisition costs.
NQLGA comment (if applicable)	

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ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

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CORPORATE SERVICES

FINANCE

F1	REVENUE AND EXPENDITURE – MAY2015	
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That the Revenue and Expenditure Statements for May 2015 be adopted

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ADMINISTRATION

A1	CHRISTIAN COMMUNITY MINISTRIES – ADDITIONAL LAND BY SALE AND TRANSFER OF OWNERSHIP OF LOT 27 ON PLAN C17945	
	<i>Report No.D15/12446 from Business Services Manager</i>	

Précis

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).

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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.

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

Project	Amount (ex GST)
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

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

Works on Current Site

Project	Amount (ex GST)
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.

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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.

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

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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.

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*

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Lot 34 on C17945	\$135,000.00
TOTAL	\$675,000.00

* 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 and see above.

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;
Lot 34 on C17945	for	\$135,000.00;
Lot 27 on C17945	for	\$1.00; and

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

Email: barb@cooktownparadise.com.au
Email: johnhay@cooktownparadise.com.au

20th 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,

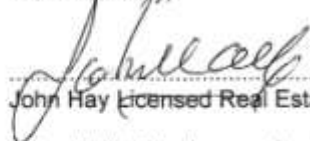
I am in receipt of your request to supply appraisal of the current market value for the above properties.

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 1012m² each, would have a market value of \$35,000 each.
- (2) The Parkinson Street properties, lot 7 of 900m² and lots 9, 10, 11, & 12 each 1012m² 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
Lowest	\$ 60,000		1,012 m²
Highest	\$ 150,000		4,007 m²
Average	\$ 99,000		2,180 m²
Median	\$ 87,000		1,521 m²

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 m²
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 m²
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 m²
Area \$/m²: \$59

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2 POWER ST, COOKTOWN, QLD 4895



Property Details

USD 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 5m2

Council: COOK

Water/Sewerage:

Features

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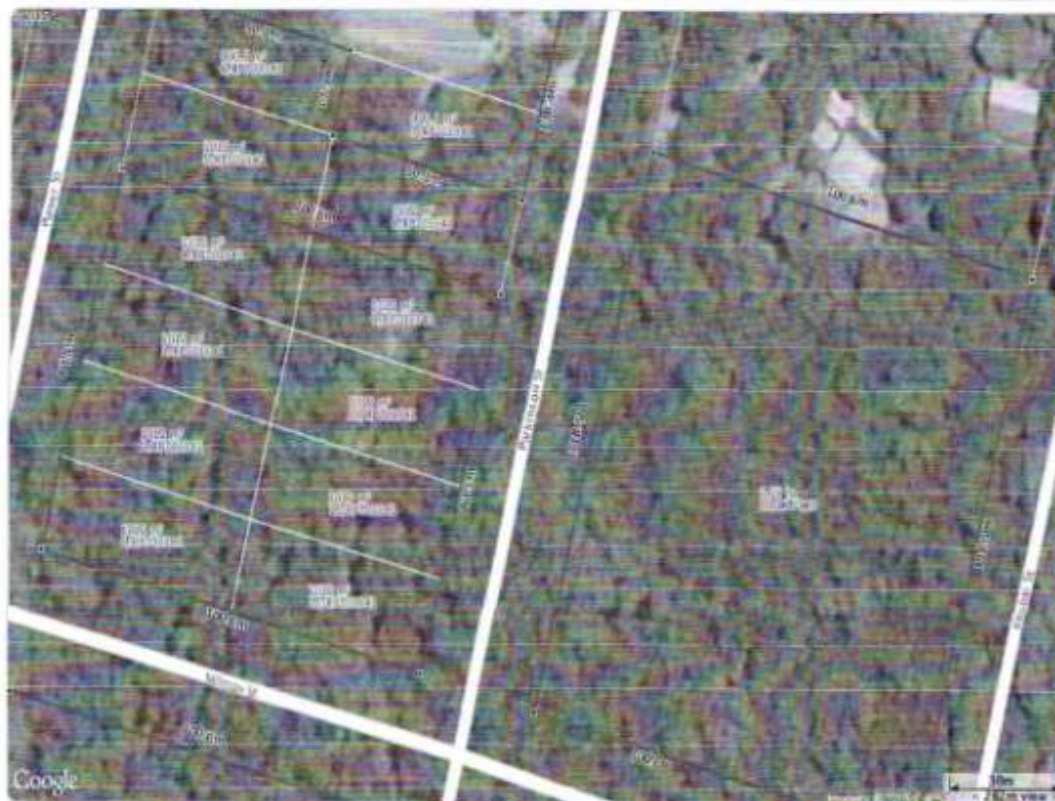
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2 POWER ST, COOKTOWN, QLD 4895



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 5m2:

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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A2	APPOINTMENT OF A RISK MANAGEMENT COMMITTEE.	
	<i>Report No.D15/12447 from Business Services Manager</i>	

Précis

Establishment of a Risk Management Committee.

Background/History

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

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

Risk Management

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

Effective risk management will:

- Contribute to the achievement of strategic priorities;
- Facilitate open and transparent communication and consultation between Councillors, the Executive Team, managers and employees in defining aspects related to the identification, analysis, evaluation and treatment of strategic, operational and project risks Council is exposed to;
- Enhance corporate governance by promoting a structured and systematic approach to Council's decision making processes;
- Promote a proactive and dynamic perspective in handling and monitoring emerging new risks;
- Recognise the capabilities, perceptions and intentions of external and internal stakeholders that can facilitate or deter the achievement of organisational objectives; and
- Facilitate continual improvement of the organisation ⁷

The Risk Management Committee

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

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264 Appointment of committees

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

265 Advisory committees

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

Membership

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

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

Administration

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

Link to Corporate Plan

4.1 Leadership and Governance

- 4.1.1 Provide, to a standard that ensures legislative compliance**
 - a) Sustainable financial and administrative management of the Shire's municipal and community resources; and
 - c) Appropriate corporate governance.

Consultation

Interdepartmental/EMT

Legal Implications (Statutory, basis, legal risks)

Mitigation of potential legal ramifications and risk.

Policy Implications

New policy to be created.

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Financial and Resource Implications (Budgetary)

Ongoing operational expenses.

RECOMMENDATION

Council appoint a Risk Management Committee consisting of:

1. Elected Member #1;
2. Elected Member #2;
3. Cook Shire Council's Chief Executive Officer;
4. Cook Shire Council's Director for Engineering Services;
5. Cook Shire Council's Director for Corporate Services;
6. Cook Shire Council's Director for Economic Development and Community Services;
7. Cook Shire Council's Director for Planning and Environment; and
8. Cook Shire Council's Business Services Manager.

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COMMITTEE OF THE WHOLE

INFORMATION

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ENGINEERING SERVICES

	ENGINEERING SERVICES REPORT – JUNE 2015	
	<i>Report No. D15/12467 from Engineering Services</i>	

General

Webber Esplanade Reclamation

Please see Waterfront Advisory Committee minutes.

Progress photos attached as Appendix A

Cooktown Public Wharf Replacement

The Cooktown wharf project has been halted until the final sections of WCFT can be produced as per the attached drawings.

The Electrical mounting boards will be installed in the coming weeks if weather permits.

Please see attached drawings as Appendix B

2. Water Supply

2.1 Water Report

2.1.1 Annan Treatment Plant

- No rain recorded for the month, hence no changes in weir heights or water quality
- Routine maintenance has taken place around the Treatment Plant including mowing and fire breaks have been maintained
- A new clean water flow meter transmitter has been fitted
- The intake tower was pumped dry and the plant operators and maintenance technician cleaned it out so that smooth trouble free pumping can be maintained
- Water sampling as per the Sampling matrix were collected and analysed, with all samples complying

2.1.2 Cooktown Water Report

- 6 service repairs for this month
- 2 mains repair for this month
- 14 meters were changed this month due to old age
- Water sampling as per the Sampling matrix were collected and analysed, with all samples complying

2.1.3 Laura Water Report

- There were no service or mains repairs this month
- No operational problems this month

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- A CIP and routine maintenance were performed fortnightly this month
- A power outage occurred causing the plant computer to crash, IT rectified the problem
- Routine maintenance took place around the compound and the grass was wiper snipped
- Water sampling as per the sampling matrix were collected and analysed, with all samples complying

2.1.4 Lakeland Water Report

- There were no service or mains repairs this month
- No operational problems this month
- Water sampling as per the Sampling matrix were collected and analysed, with all samples complying

2.1.5 Coen Water Report

- The water supply came totally from the Lankelly this month
- One mains repair took place at bore 10 where an old SV was taken out of Service
- There was one service repair on Kaanju Street
- A CIP was performed and a citric acid clean took place this month
- The hypo dosing tank was cleaned out this month
- The Bores have been recharged and the mains were scoured around the town
- Routine maintenance around the treatment plant, depo and bores took place, mowing and wiper snipper was completed around all bores and the dam shed
- Water sampling as per the sampling matrix were collected and analysed, with all samples complying. Additional sampling has been collected each month to check the treatment of the dam through the DAF and the roughing filters

2.2 Waste Water Report

2.2.1 Cooktown Waste Water

- AAT and IAT air times have been adjusted
- The IAT DO sensor has been installed this month and the electrician repaired the reuse flow meter
- The change over relay was replaced at pump station 4
- The calibration was checked on the AIT 259 in line pH meter
- The wilo pump in Number 2 position at Pump Station 5 was installed this month
- The gravity belt, drift arms and air arms were replaced on the belt filter press
- The rollers were adjusted on the middle belt to the belt filter press
- The poly batch injector was repaired and the pressure release valve on the alum line was replaced
- A rising main from the High School Pump Station has been repaired near the Events Centre
- Filamentous organisms have been detected in the sludge, this causes bulking sludge that does not settle, more wasting is required amongst other operational changes

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-
- Routine maintenance took place around the Treatment Plant, mowing and weed spraying took place
 - Regular maintenance is ongoing as is adjustment of aeration time, sludge removal and chemical use
 - River & treatment plant samples were collected and sent off for analysis, with the results showing the plant to be running well. All tests complying with EPA licence conditions

2.2.2 Coen Waste Water

- The treatment plant has been operating well this month with no operational problems, operations have been routine, with minor adjustments to chlorine dosing and aeration times
- 140kgs of lime was added to the process to maintain pH balance during the month
- Routine maintenance was performed at the Sewerage Treatment Plant, which included mowing, brush cutting along the fence line
- All the effluent filters were checked and cleaned this month
- Effluent has been pumped to the irrigation area this month
- Samples were collected and all complied with the licence requirements

2.3 Maintenance Report

2.3.1 Cooktown Sewerage

- Belts, oil and air filters have been checked on BL 506 & 507
- Drive belts were checked and bearings greased on AG 256 and mixer AG206 and the platforms had rust removed and repainted
- Belts, oil and air filters have been checked on BL113, 275, 276 and 277
- Drive belts were inspected and bearings greased on RAS pump 252 & 253
- The slew bearing was greased and belt checked on AG112
- Belts and seals were checked on step screen SC104
- A new pneumatic adjusting ram was fitted to the belt filter press
- Rust and scale were removed on the digester non return valves and the area was repainted
- Maintenance in line with Bigfoot program.

2.3.2 Annan

- All Fluoride dosing pumps, pipes and tanks have been checked for leaks
- The safety showers at the bulk alum and chlorine facility were tested
- A confined space entry was carried out in the Annan intake tower to remove approximately 1 tonne of silt and sand from the pumping space
- The backwash dam pump was removed and sent away to be overhauled
- Changed oils and checked air filters & drive belts on compressors 1&2
- Maintenance in line with the Big Foot Maintenance Program

2.3.3 Lakeland

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- The safety shower and eye wash station has been tested this month

2.3.3 Laura

- Oil, belts and air filters were checked on compressor 1 and 2

Aerodrome Operations

Cooktown Airport

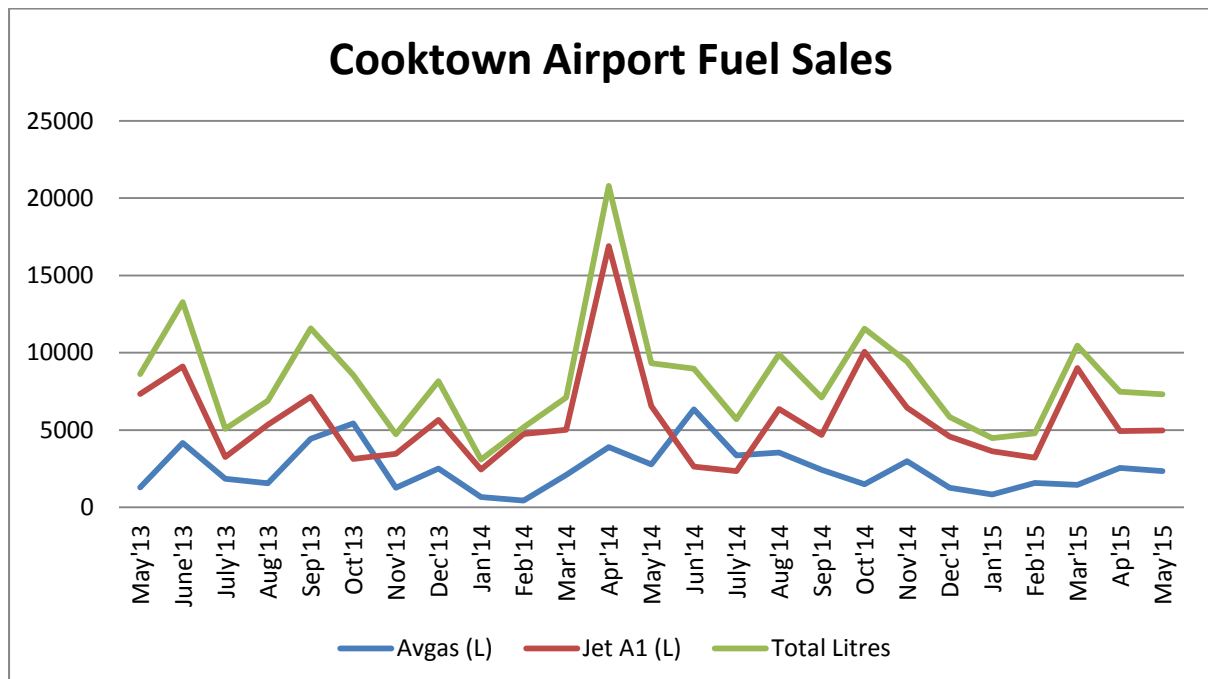
Fuel sales for May was 7318.4 Litres (2347.43 Lts Avgas, 4970.97 Lts Jet A1).

Slashing, mowing and grass cutting have been continuing throughout May, together with general terminal cleaning and garden maintenance.

The vehicle gate security key-pad locks were replaced. New chairs for the terminal were purchased. A refurbished heavy duty wheel chair was purchased for use at the airport, and has been secured in the terminal building.

A new platform ladder was purchased to replace a 12 foot step ladder for use with refuelling high wing aircraft after Hinterland aviation reported the step ladder as a hazard.

Preparations have been made on installing a heavy helicopter concrete landing pad, adjacent to the Jet A1 bowser.



Coen Airport

Core business activity

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Total landings for the month:	90		
Fuel Sales	Avgas	JetA1	
Litres	15,646	7,427	
\$ Value	\$38,332.70	\$11,883.20	

Plant and Equipment

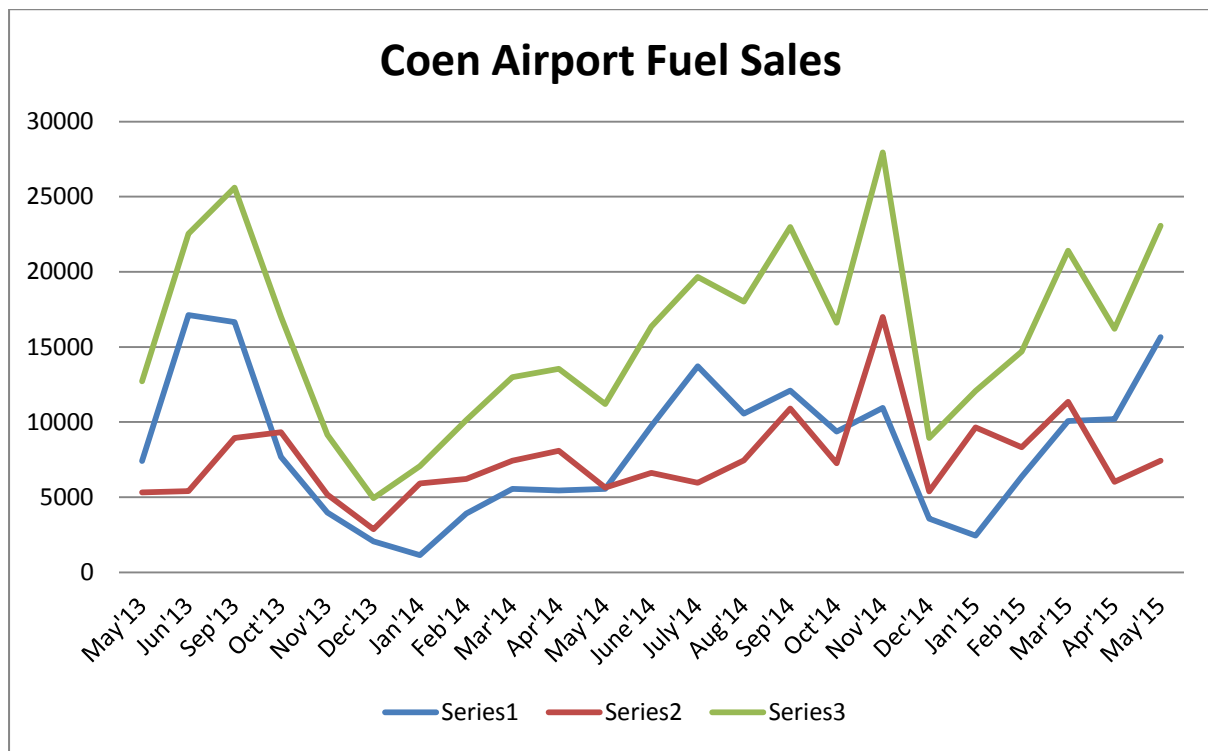
- Tractor needs new rear tyres – these have been ordered

Aerodrome Maintenance

- Slashing is near complete but held up until tractor tyre is repaired
- Weed spraying around gables, wind sock, signal circle etc. has been carried out
- Some minor plumbing repairs have been required and have been completed.

Other Issues

- Avgas sales have continued to increase and the slow pump rate is continuing to cause frustration.



Parks and Gardens

4.1 General

- Tree maintenance – removal of dangerous or damaged limbs, obstructive vegetation, fallen palm fronds etc
- Mowing and whipper-snipping, including within parks and reserves, the Cooktown cemetery, council blocks and facilities, and road reserves including Helen, Harrigan

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and Charlotte Streets. Similar maintenance undertaken in towns including Rossville, Ayton, Lakeland, Laura, Coen and Portland Roads. This month roadside slashing of Quarantine Bay Road undertaken, and cutting of long verges around Cooktown also underway to fulfil Council's Duty of Care obligations

- Loose litter collection within parks and reserves and roadsides, litter-bin emptying, road kill removal and outlying windyloo servicing
- Weed control within parks and streets through herbicide spraying including gutters, channels, footpaths and around posts etc, including roadside northern approaches to Rossville
- Debris removal from roadside gutters and crossovers
- Botanic Gardens and general garden maintenance, including at Lakeland
- Cleaning tables and BBQ
- Irrigation operation and maintenance within irrigated road reserves, Events Center, Admin grounds, May St retirement complex, Botanic Gardens, and Lions, Endeavour and Bicentennial Parks
- Playground inspections and maintenance. Lions Park shade sail posts require new shackles to be welded as anchor points for sails. This will be undertaken when winds drop and Boilermaker available.
- John St Oval field line marking and extra bins put out for fortnightly matches
- Assistance with June long weekend events, including installation of maypole housing sleeve at bicentennial Park, road closures, and sandbag distribution
- Coen Oval – connection of irrigation system to town water supply undertaken, as recycled water not presently available, according to conditions of permit
- Portland Roads and Chilli Beach Esplanade – planning for annual coconut de-nutting undertaken

Appendix A

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MTC building site 09.06.2015



Ark of Main amenities block



Back wall of Kiosk

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Main Amenities layout from Kiosk

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Vortex water pipes to manifold

Grease Pit Kiosk



Kiosk form Marina

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Kiosk from front wall



Kiosk Internal

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Kiosk Internal



Pergola set-out location

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Intake for Lagoon from Northern Marina corner



Lagoon from future grassed area

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Retaining wall complete – internal lagoon view



Lagoon Stairs location

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Retaining wall extension view

Ring beam from stairs location



Ring beam west view

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Ring beam east view

Road/ Sewerage/ Water/ Electrical trench to be laid as @ 9.6.2015



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Powder magazine forward

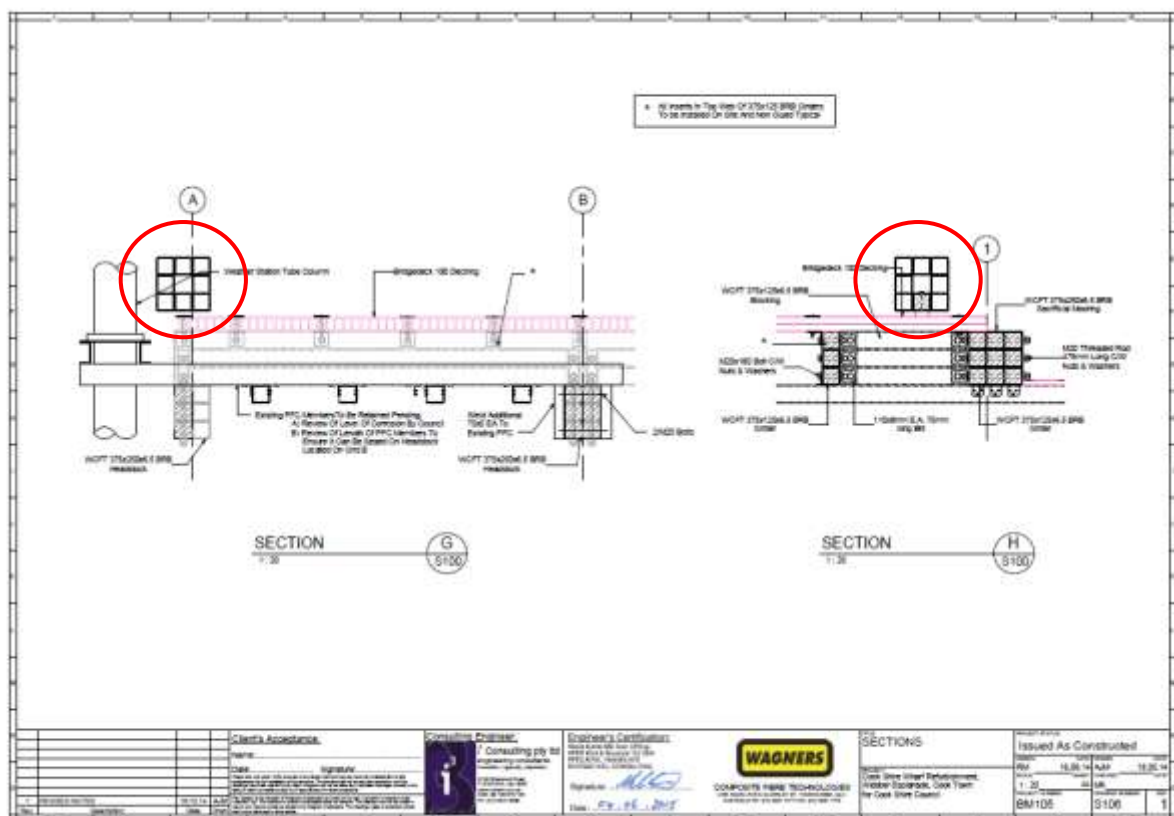
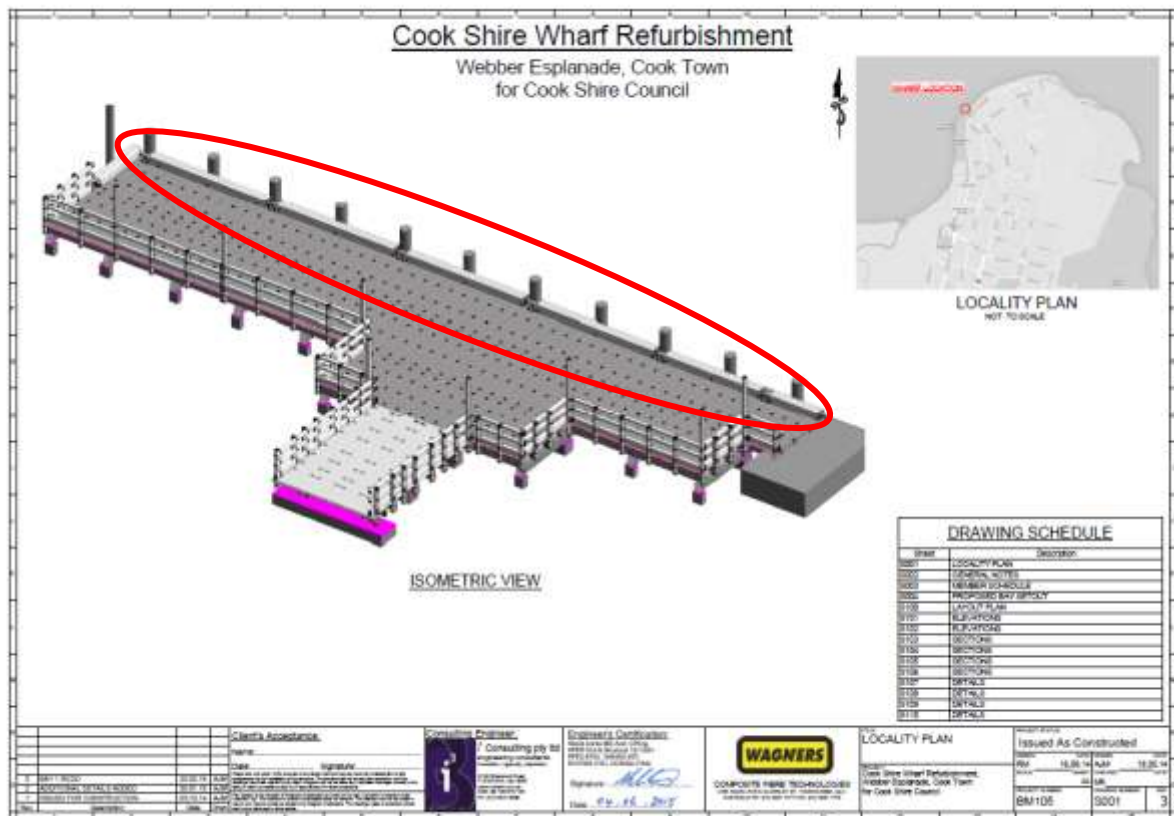


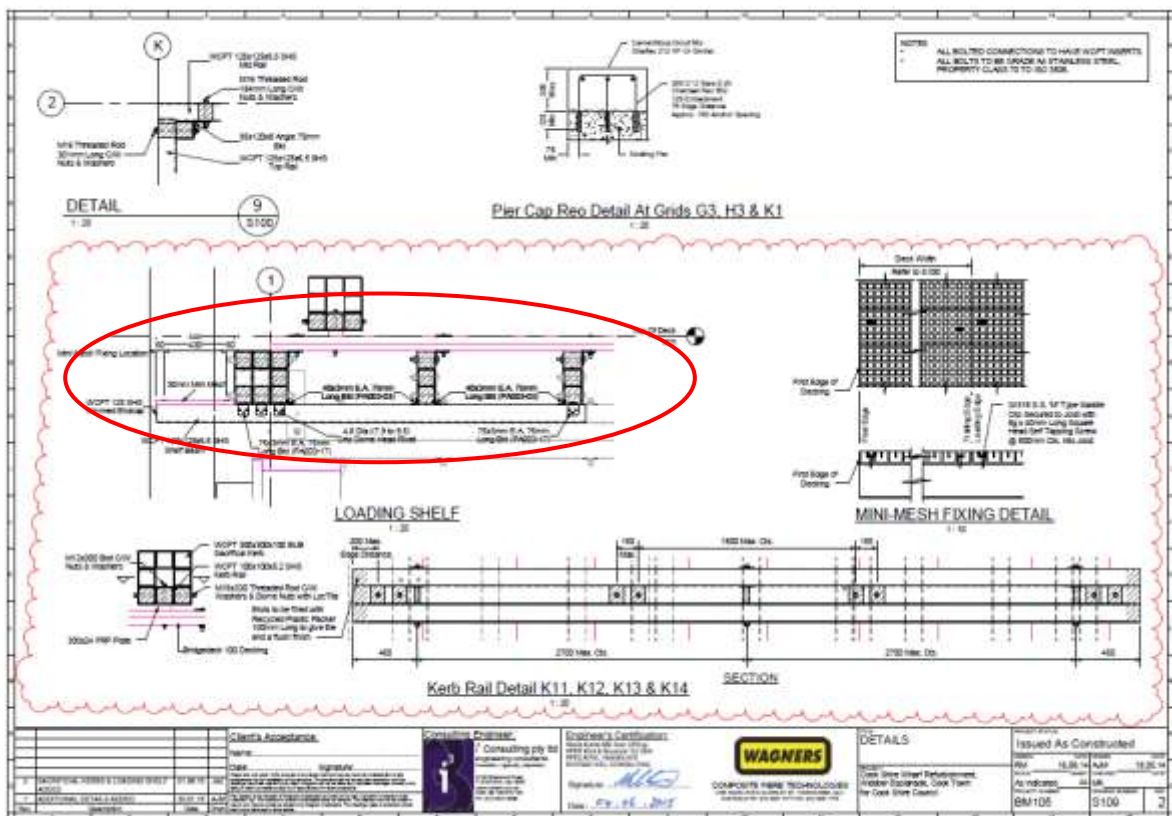
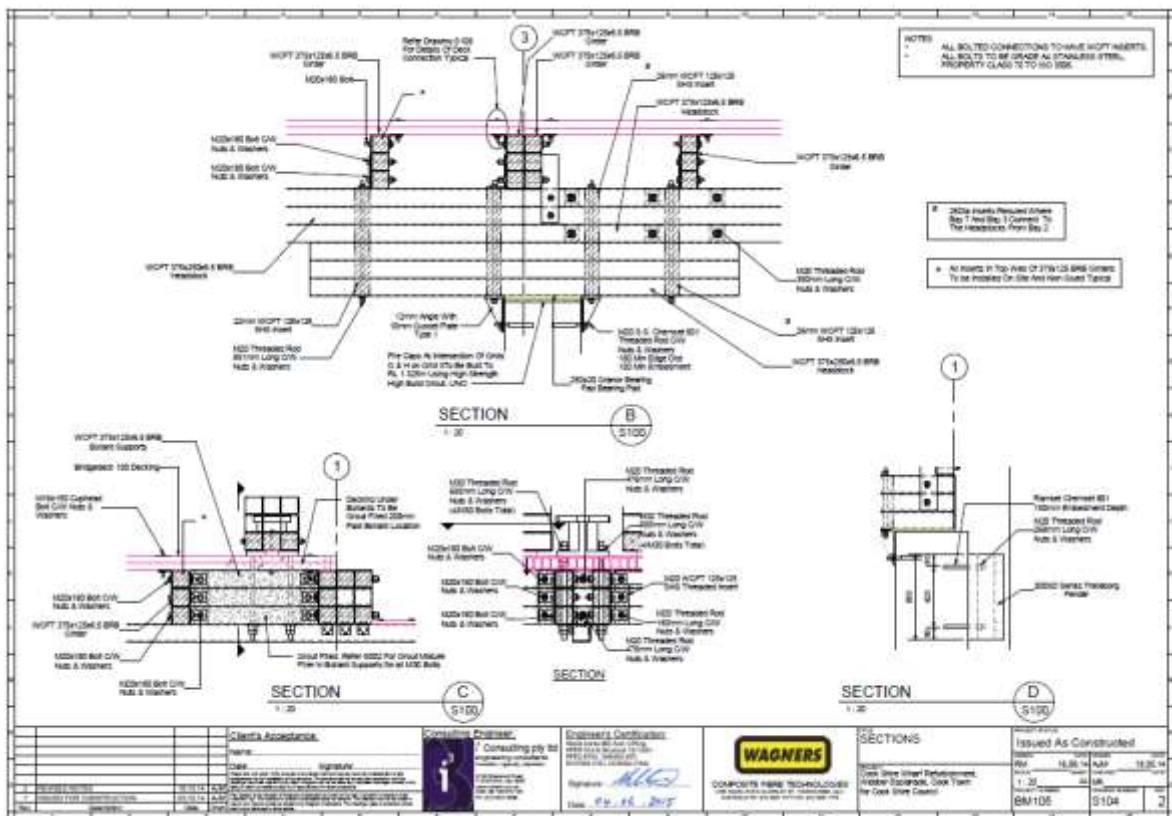
Northern Amenities block back

Appendix B

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PLANNING AND ENVIRONMENT

	BIOSECURITY SERVICES MONTHLY REPORT – JUNE 2015	
	<i>Report No. D15/12458 from Senior Biosecurity Officer</i>	

Précis

Report on the activities of the Biosecurity Services unit including legislative changes, pest management planning, biosecurity risks and threats, current/planned contracts and works and monitoring/surveys undertaken.

Link to Corporate Plan

Theme 4.2 Environmental Wellbeing:

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

f) Pest and weed management services.

4.2.2 Where resources and capacity allow:

a) Incorporate best practice management as a benchmark in all activities.

Legal Implications (Statutory, basis, legal risks)

Nothing to report.

Update on Panama Disease

A press release was issued during May regarding the false test result at the Mareeba farm and included actions that Council has taken to raise awareness of Panama Disease in the Shire.

Biosecurity Queensland/DAFF attended the Discovery Festival and has provided Council with display material and brochures which are displayed in the main office foyer. The Biosecurity team will be visiting Lakeland and providing materials for display and dissemination.

The next meeting of the Regional Working Group is to be held on 22 June at Mareeba.

Incentive Scheme

The Incentive Scheme has been fully allocated for this year. There are only two Property Pest Management Plans to be finalised for those properties eligible for reimbursement. A total of \$7,615.00 has so far been distributed to landholders.

1080 Baiting

Manufactured baits were issued to a Lakeland landholder in May in response to wild dog attacks on the properties livestock.

There have been a number of landholders who have requested that aerial baiting services be provided this year. Biosecurity Services are currently working with Landcare and Agforce to try and secure funding for plane hire.

Responses to Customer Requests

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- With the onset of drier conditions Council has received several calls from residents requesting assistance managing feral pigs that are causing substantial damage to properties in and around Cooktown. Biosecurity Services has been allocating Council pig traps on an as need basis however current demand has highlighted the need for additional traps. Quotes are currently being sought.
 - One request for 1080 prepared baits from a Lakeland property (see 1080 above).

Training/Workshops/Meetings/Conferences

- Cathy participated in the Agforce Best Management Practice Grazing Workshop in Coen on 20 May.
- Darryn participated in the Agforce Best Management Practice Grazing Workshop in Cooktown on 25 May.
- Cathy assisted in the Beach Clean –up Day at Walker Bay on 24 May.
- Cathy attended a 3 day ArcGIS 10.3 course in Melbourne 26-28 May.
- Darryn and Cathy attended the Far North Queensland GIS Group (FunGIS) Conference in Cairns 4-5 June.

Current/completed on ground works

CYWafa Inc. is continuing roadside spraying and currently working south of Weipa. It has become apparent that they will be unable to fully complete the required work by the 30th June 2015. In response to this Biosecurity Services has sought assistance from an additional contractor through the Quote Evaluation process. The additional contractor has been engaged to treat gamba grass in and around Cooktown and a sicklepod infestation located near the Normanby Crossing on Battlecamp Rd.

Monitoring/audits

An evaluation of the gamba grass treatment program currently included in the roadside spraying contract was undertaken between the southern shire border and Coen from 11 – 14 May with a representative from the FNQROC (who are managing the grant for the project). Several additional stands of gamba grass were identified as requiring treatment; and it was apparent that plants were starting to develop seed. As a consequence the spraying contractors have been requested to cut and bag plants that have formed seed heads growing near the road edges to reduce the possibility of seed spread.

Planned works

A monitoring/evaluation trip of gamba grass control is planned between Coen and Weipa between 15-19 June with FNQROC.

Treatment of gamba grass and sicklepod in the Marton/Railway Avenue and Starke areas will be assessed during the same week.

Survey of rubber vine treatment between Lakeland and Laura will be undertaken on 10 or 11 June.

RECOMMENDATION

Report submitted for information.

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	BUILDING APPROVALS –2015	
	<i>Report No.D15/12490 from Town Planning Officer</i>	

Application No:	Landowner	Builder	Value	Building	Street Address	Certifier
DA/3414	Mary Thackeray	MTC Building Services	\$4,500.00	Demolition of Dwelling (Shack)	20 Webber Esplanade, Cooktown	Cook Shire Council
DA/3409	Cathy Waldron	Andrew Davies	\$15,169.00	Replace Roof on Dwelling	92 Hope Street, Cooktown	Cook Shire Council
DA/3413	Michael Delahunty & Alison Price	Owner	\$30,000.00	Shed	10 Smoko Lane, Cooktown	Cook Shire Council
DA/3429	Cook Shire Council	Jerome Builders	\$16,800.00	Storage Sheds	Boundary Street, Cooktown	Cook Shire Council
DA/3426	Des & Gloria Savage	Osborne Construction Solutions	Unknown	Shop Fitout	5 Webber Esplanade, Cooktown	Cook Shire Council

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DA/3438	Sea Island Holdings Pty Ltd	Ri-Con Contractors Pty Ltd	\$72, 816.00	Compressor Room & Store Area & Extension to Water Sports Building	Lizard Island Resort, Lizard Island	Incert Innovative Certifiers
DA/3337	Cooktown Bowls Club	Mak Max Australia	\$1, 053, 189.50	Shade Cover / Structure over Bowl Green	129 Charlotte Street, Cooktown	Cook Shire Council
DA/3324	Restoration Island Pty Ltd	Colin Lindsay	\$44, 200.00	Dwelling	Restoration Island, Coral Sea	Cook Shire Council
DA/3430	Reuben Innes	Graeme Twidale	\$38,000.00	Shed	2337 Rossville Bloomfield Road, Bloomfield	GMA Certification Group
DA/3439	Markerica Pty Ltd	Brett Thornton	\$16, 960.00	Roof Extension to outdoor area	96 Charlotte Street, Cooktown	Cook Shire Council
DA/3418	Ross Franzi	Andrew Davies	\$12,000.00	Shed	2622 Rossville Bloomfield Road, Bloomfield	Cook Shire Council
DA/3454	Sea Island Holdings Pty Ltd	Ri-Con Contractors Pty Ltd	\$69, 421.00	Alteration & Extension to Spa Building & Gym	Lizard Island Resort, Lizard Island	Incert Innovative Certifiers

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Total value of approvals this period: \$ 1, 373, 055.50

Total value of approvals same period last year: \$ 187, 172.00

Total value of approvals to date

(Financial year 2014/2015): \$ 21, 277, 744.44

Total value of approvals to date same period last year: \$ 20, 004, 415.80

Plumbing Approvals for MAY 2015

DA Number	Owner	Plumber	Street and Number	Type of development
DA/3420	Cook Shire Council	DNT Plumbing & Gas	27 Webber Esplanade, Cooktown	Plumbing work for Ablution Block Waterfront
DA/3437	William Reddie & Laura Wallace	Travis Hatfield	Peninsula Developmental Road, Lakeland	Plumbing for Units 10 and 11 Remote Workers Accommodation
DA/3422	John Selke & others	R & C Lemon Plumbing & Gas	24 Burkitt Street, Cooktown	Plumbing work for Dwelling
DA/3440	Rick & Carole Lemon	R & C Lemon Plumbing & Gas	125 Railway Avenue, Cooktown	Plumbing for Shed
DA/3324	Restoration Island Pty Ltd	TBA	Restoration Island via Coral Sea	Plumbing work for new Dwelling
DA/3434	Gungarde Aboriginal Corporation	DNT Plumbing & Gas	Macmillan Street, Cooktown	Plumbing work for Wash Down Bay
DA/3446	Willhem Sieverding	DNT Plumbing & Gas	1530 Mulligan Highway, Cooktown	Plumbing work for new Caretakers Residence

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	CURRENT RECONFIGURATION AND MCU DEVELOPMENT APPLICATIONS AS AT 2015	
	<i>Report No.D15/12524 from Town Planning Officer</i>	

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DA/No	Applicant	Owner	Type of Application	Location	Current Status
D	DAMIEN CURR & BRIDGET ADAMS	DAMIEN CURR & BRIDGET ADAMS	<p>Operational Works – Construction of a Dam</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Dept Transport & Main Roads (DTMR) within 25m of a Main Road</p> <p>Dept Natural Resources & Mines (DNRM) clearing vegetation</p> <p>Dept Agriculture, Fisheries & Forestry (DAFF) constructing or raising waterway barrier works</p> <p>through State Assessment & Referral Agency (SARA)</p>	<p>Lot 242 on Plan SP154003</p> <p>P/H14/242 – 6460-6586 Mulligan Highway, Lakeland</p> <p>Zone - Rural</p>	<ul style="list-style-type: none"> • Application received as valid 6 February 2014 • Acknowledgement Notice issued 17 February 14 • No further information required by Council 17 Feb 14 • SARA extend referral Info Request period to 27 March 2014 • SARA issue applicant with an Info Request 20 March 2014 • SARA extend applicant's response period to SARA information request to 20 Dec 14 – received 12 Sept 2014 • 9 Dec 2014 SARA extend applicant's response period to SARA information request for a further period to 20 June 2015 •

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D	FARLAW NO. 10 PTY LTD C/- PLANZ TOWN PLANNING	FARLAW NO. 10 PTY LTD	<p>Material Change of Use for the purpose of - Caravan Park (RV Park)</p> <p>Impact Assessable</p> <p>Referral Agencies</p> <p>Dept Transport & Main Roads (DTMR) through State Assessment & Referral Agency (SARA) – within 25m of a Main Road</p>	<p>Lot 133 on Plan BS135 – 1133 Endeavour Valley Road, Cooktown</p> <p>Zone - Rural</p>	<ul style="list-style-type: none"> • Application received 7 May 2014 • Acknowledgement Notice issued 19 May 2014 • Council issue Information Request 28 May 2014 • Applicant refer application to DTMR (SARA) 20 May 2014 • Applicants response to Council Info Request received 29 May 2014 • Notice of commencement of Public Notification received 5 June 2014 • DTMR (SARA) Referral response received 12 June 2014 • Notice of compliance with Public Notification received 2 July 2014 • No submissions were received, report to July Council Meeting • Approved with Conditions 22 July 2014 • Decision Notice issued 25 July 2014. • Applicant request to suspend appeal period to Negotiate Decision 13 August 2014 • Council Officers have met with the applicant to discuss condition , applicant proposes to withdraw request for negotiation - 17 September 2014 •
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AGENDA AND BUSINESS PAPERS

16 June 2015

D	AUSTRALIAN VOLUNTEER COASTGUARD ASSOC	AUSTRALIAN VOLUNTEER COASTGUARD ASSOC. COOKTOWN FLOTILLA	<p>Operational Works – Tidal Works for a Pontoon</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Referral Agencies</p> <p>through State Assessment & Referral Agency (SARA)</p> <p>Dept Transport & Main Roads (DTMR) Maritime Safety – Op Works in Tidal Waters</p> <p>Dept Environment & Heritage Protection – Tidal works, Coastal Management District</p>	<p>Lot 4 CP889653 – SL 205871 – 31 Sherrin Esplanade, Cooktown</p> <p>Zone – Community Use</p>	<ul style="list-style-type: none"> • Application not yet valid – waiting on Owners Consent • Owner's Consent received 12 Jan 2015 • Acknowledgement Notice issued 22 Jan 2015 • Applicant notify Council the application has been referred to SARA 10 Feb 2015 • SARA as Referral Coordinator issue applicant with an Information Request 18 Feb 2015 •
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AGENDA AND BUSINESS PAPERS
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D	BANA YARRALJI BUBU INCORPORATED C/- AURECON AUSTRALASIA PTY LTD	JABALBINA YALANJU LAND TRUST TTE	<p>Material Change of Use – House and an Undefined Use (Cultural Healing Place with Commercial Aspects) and</p> <p>Reconfiguration of a Lot (for the purpose of a Lease) into 3 Lease are lots</p> <p>Impact Assessable</p> <p>Referral Agencies</p> <p>Dept Natural Resources & Mines (DNRM) clearing vegetation</p> <p>through State Assessment & Referral Agency (SARA)</p>	<p>Lot 7 on Plan SP189923 – Shiptons Flat Road, Rossville</p> <p>Zone - Conservation</p>	<ul style="list-style-type: none"> • Application received as valid 7 July 2014 • Acknowledgement Notice issued 21 July 14 • Council issue Information Request 4 August 2014 • Applicant request Amended Acknowledgement Notice 26 August 2014 • Applicant lodge IDAS Form 11 for Vegetation 9 September 2014 • Amended Acknowledgement Notice issued 9 September 2014 • Council Info Request re-issued 9 September 2014 • Applicant request an extension to the Referral Period in order to meet with Dept State Infrastructure & Planning (DSDIP) and the SARA section to negotiate referral triggers 17 Sept 2014 • Council extend Referral period to 14 Dec 2014, so applicant can negotiate 2 Oct 2014 • Applicant notify Council of Referral trigger removed by DSDIP & SARA agency 6 Nov 2014 • Applicant request further Amended Acknowledgement Notice with the Referral Agency removed from Notice 6 Nov 2014 • Council issue 2nd Amended Acknowledgment Notice 11 Nov 2014 • Applicant extend response to Info Request period until 12 April 2015 – 10 March 15 • Applicant request a further extension to the Info Request response time until 10 May 2015, Council agree 9 April 2015 • Applicants response to Council's Information Request received 7 May 2015 • Public Notification can commence • Notice of commencement of public notification received 28 May 2015
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D	P & F INDERBITZIN AND SHARPROCK PTY LTD	P & F INDERBITZIN AND SHARPROCK PTY LTD TTE	<p>Operational Works – Construction of a Dam</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Dept Transport & Main Roads (DTMR) within 25m of a Main Road</p> <p>Dept Natural Resources & Mines (DNRM) clearing vegetation</p> <p>Dept Agriculture, Fisheries & Forestry (DAFF) constructing or raising waterway barrier works</p> <p>through State Assessment & Referral Agency (SARA)</p>	<p>Lot 1 SP147286 – Mulligan Highway, Lakeland</p> <p>Zone - Rural</p>	<ul style="list-style-type: none"> • Application received 25 July 2014 • Acknowledgement Notice issued 28 July 2014 • Information Request issued 28 July 2014 • Notice of Referral by Applicant received 28 July 2014 • Referral Agency (SARA) issue Information Request to applicant 27 August 2014 • Applicant request further time to respond to Council's Information Request 26 Jan 2015 • Council grant 3 month extension (to 28 April 15) for the Applicant to respond to Council's Information Request 27 Jan 15 • Dept of State Development Infrastructure & Planning extend referral assessment response period to 26 May 2015 – 21 April 2015 • Applicant request a further extension to respond to Council's Information Request to 30 June 2015 – 28 April 2015 • Applicant's response to Council's Info Request received 30 April 2015 • Referral Agencies (SARA) response received 14 May 2015 • Approved with Conditions 25 May 2015.
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AGENDA AND BUSINESS PAPERS
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D	COOK SHIRE COUNCIL C/- REEL PLANNING PTY LTD	QLD GOVT DEPARTMENT OF NATURAL RESOURCES & MINES	<p>Material Change of Use – Extractive Industry (sand extraction)</p> <p>Impact Assessable</p> <p>Referral Agencies</p> <p>Dept Transport & Main Roads (DTMR) - within 25m of a Main Road</p> <p>Dept Environment & Heritage Protection – Development on a Qld Heritage Place</p> <p>Dept Natural Resources & Mines – removal of Quarry material from a watercourse</p> <p>through State Assessment & Referral Agency (SARA)</p>	Laura, Normanby, Palmer, Wenlock, Jardine, Coen, Hann Pascoe, Kennedy, Coleman & Edward Rivers	<ul style="list-style-type: none"> • Application received 31 July 2014 • Acknowledgement Notice issued 31 July 2014 • Notice of Referral by Applicant received 1 Aug 2014 • Applicant request extension of time for Public Notification to start 1 Oct 14 • Council grant extension of time to 13 Jan 2015 for Public Notification to commence • SARA referral response received 9 Oct 2014 • Applicant request a further extension of time of 12 months to commence public notification 2 Dec 2014 • Council grant extension (until Jan 2016) of time for commencement 2 Dec 2014 •
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AGENDA AND BUSINESS PAPERS
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D	T & P INDERBITZIN &LEVIN ENTERPRISES	T & P INDERBITZIN &LEVIN ENTERPRISES	<p>Operational Works – Construction of a Dam</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Dept Transport & Main Roads (DTMR) within 25m of a Main Road</p> <p>Dept Natural Resources & Mines (DNRM) clearing vegetation</p> <p>Dept Agriculture, Fisheries & Forestry (DAFF) constructing or raising waterway barrier works</p> <p>through State Assessment & Referral Agency (SARA)</p>	<p>Lot 219 on Plan SP218120 – Peninsula Developmental Road, Lakeland</p> <p>Zone - Rural</p>	<ul style="list-style-type: none"> • Application received 13 August 2014 • Acknowledgement Notice issued 27 August 2014 • Council issue Information Request 9 September 2014 • Applicant request extension of time to refer the application to SARA in order to have a pre-lodgment meeting with SARA regarding referral fees – 24 Sept 2014 • Council grant extension period for the applicant to refer the application to 28 November 2014 on 25 Sept 2014 • Applicant request further extension of time to refer the application to SARA 28 Nov 2014 • Council grant extension for the applicant to refer the application to 31 March 2015 – 28 Nov 2014 • Council grant extension for the applicant to refer the application until 31 May 2015 – 31 March 2015 •
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D	BENJAMIN CROPP	BENJAMIN CROPP AND PRANEE JONES	<p>Operational Works – Prescribed Tidal Works (construction of a pontoon)</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>through State Assessment & Referral Agency (SARA)</p> <p>Dept Transport & Main Roads (DTMR) Maritime Safety – Op Works in Tidal Waters</p> <p>Dept Environment & Heritage Protection – Tidal works, Coastal Management District</p>	<p>Lot 26 on Plan SP241624 – 38 Slaughter Yard Road, Marton</p> <p>Zone – Rural Residential</p>	<ul style="list-style-type: none"> • Application received 26 August 2014 • Application not valid – requires Owners Consent •
D	THOMASON CONSTRUCTION S PTY LTD	COOKTOWN BOWLS CLUB	<p>Code Assessable Building Work assessable against a planning scheme (within the Townscape Character Overlay, Cook Shire Planning Scheme) – Shade Structure Cover over Bowling Green</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Nil</p>	<p>Lot 1 on Plan C179109 – 129 Charlotte Street, Cooktown</p> <p>Zone – Open Space</p>	<ul style="list-style-type: none"> • Application received as valid – 25 September 2014 • Council issue Information request 16 Oct 2014 • Partial response to Information Request received 27 Nov 2014 • Further partial response to Information Request received 4 Dec 2014 • Further partial response to Council Info Request received 15 and 29 Jan 2015 • Preliminary approval issued – Council waiting on further building information to be supplied in order to complete assessment 28 Feb 2015 • Applicant request extension of time to respond to Council Info Request 16 April 2015 • Council grant extension to 10 Oct 2015 – 16 April 2015 • Application approved 26 May 2015.

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D	CHRISTIAN COMMUNITY MINISTRIES	COOK SHIRE COUNCIL (LEASE TO CHRISTIAN COMMUNITY MINISTRIES)	Material Change of Use – Educational Establishment (Stage 3) Impact Assessable Referral Agencies Nil	Lot 27 on Plan C17945 – 12 Charles Street, Cooktown Zone – Low Density Residential	<ul style="list-style-type: none"> • Application received 19 January 2015 • Acknowledgement Notice issued 30 Jan 2015 • Council issue applicant with an Information Request 10 Feb 2015 • Applicant submit partial response 18 Feb 2015 • Applicant issue a complete response 4 March 2015 • Public Notification can commence • Notice of commencement for Public Notification received 27 March 2015 • Approved with Conditions 19 May 2015 • Decision Notice issued 26 May 2015.
D	MARILYN CLARK C/- PROJEX PARTNERS PTY LTD	BARRY, MARILYN, ERIC & SUE CLARK	Reconfiguration of a Lot into two (2) lots Code Assessable Referral Agencies Nil	Lot 1 on Plan RP902192 – 41 Mt Amos Road, Cooktown Zone - Rural	<ul style="list-style-type: none"> • Application received 19 January 2015 • No Referrals • Council extend (to 3 March 15) Information Request period 2 Feb 2015 • Council issue applicant an Information Request 16 Feb 2015 • Applicant's response to Council Info Request received 25 March 2015 • Council Decision period commenced • Council extend Decision making period to [22 May 2015] – 20 April 2015 • Report to May Council Meeting, approved with Conditions 1 May 2015 • Decision Notice issued 26 May 2015.
D	MALCOLM MCCUDDEN C/- BRAZIER MOTTI PTY LTD	MCCUDDEN HOLDINGS PTY LTD	Material Change of Use – Caravan Park (Expansion of existing) Impact Assessable Referral Agencies Nil	Lot 26 on Plan RP725840 – 1 Sesame Street, Lakeland Zone – Village	<ul style="list-style-type: none"> • Application received 20 January 2015 • Acknowledgement Notice issued 30 Jan 2015 • Council issue applicant an Information Request 10 Feb 2015 • Applicant's response to Council Info Request received 1 May 2015 • Public Notification may commence • Notice of commencement of public notification received 22

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					<p>May 2015</p> <ul style="list-style-type: none"> •
D	TROY & ERICA D'ADDONA	LAKELAND HORSE SPORTS ASSOCIATION C/- U&I TOWN PLAN	<p>Reconfiguration for the purpose of a Lease two (2) lots</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>through State Assessment & Referral Agency (SARA)</p> <p>Dept Transport & Main Roads (DTMR) within 25m of a Main Road</p>	<p>Lot 26 on Plan SP193139 – 7725 Mulligan Highway, Lakeland</p> <p>Zone – Rural</p>	<ul style="list-style-type: none"> • Application received as Valid – 4 March 2015 • Acknowledgement Notice issued 18 March 2015 • Council issue applicant with an Information Request 18 March 2015 • Applicant notify Council the application has been referred to SARA - 17 April 2015 • Applicant response to Council Info Request received 17 April 2015 • DTMR via SARA issue applicant with an Information Request 20 April 2015 •
D	NB2 FARMING LTD C/- RPS AUSTRALIA EAST PTY LTD	NB2 FARMING LTD	<p>Reconfiguration of a Lot - three (3) lots into seven (7) lots</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>through State Assessment & Referral Agency (SARA)</p> <p>Dept Transport & Main Roads (DTMR) within 25m of a Main Road</p>	<p>Lot 3 on PP273337, Lot 5 on PP262070 and Lot 8 on SP262071 – Peninsula Road, Lakeland</p> <p>Zone - Rural</p>	<ul style="list-style-type: none"> • Application received 16 March 2015 • Acknowledgment Notice issued 25 March 2015 • Info Request issued 9 April 2015 • Applicant notify of application referral to SARA 13 April 2015 • Applicant's response to Council Info Request received 20 April 2015 • Referral agency response received 4 May 2015 • Report to June Council Meeting •

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D	LAMA LAMA LAND TRUST C/- GAVIN BASSANI	LAMA LAMA LAND TRUST TTE	<p>Material Change of Use – Caravan Park (Safari Camp)</p> <p>Impact Assessable</p> <p>Referral Agencies</p> <p>Dept Natural Resources & Mines (DNRM) clearing vegetation</p> <p>through State Assessment & Referral Agency (SARA)</p>	<p>Lot 13 on Plan SD21 – Unnamed Road, Coen</p> <p>Zone – Rural</p>	<ul style="list-style-type: none"> • Application received 18 March 2014 • Acknowledgement Notice issued 29 September 2014 • March 2015 Information Request 15 October 2014 • Application referred to SARA received 24 April 2015 • Referral Agency Response received 21 May 2015 • Public Notification can commence •
D	SHARPROCK PTY & PJ & FM INDERBITZIN AND TVPS NO2 & TV & PS INDERBITZIN C/- TWINE SURVEYS PTY LTD	SHARPROCK PTY & PJ & FM INDERBITZIN AND TVPS NO2 & TV & PS INDERBITZIN	<p>Reconfiguration of a lot for a Boundary Realignment</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Nil</p>	<p>Lot 219 on SP218120 and Lot 142 on RP912529 – Honey Dam Road, and Peninsula Developmental Road, Lakeland</p> <p>Zone – Rural</p>	<ul style="list-style-type: none"> • Application received 23 March 2015 • Information Request issued 10 April 2015 • Applicants response to Council Info Request received 30 April 2015 • Decision making period commences – report to May Council Meeting • Approved with Conditions 19 May 2015 • Decision Notice issued 26 May 2015.

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D	JAMIE EDWARD SAIL C/- U & I TOWN PLAN	JAMIE SAIL	Reconfiguration of a Lot into five (5) lots Code Assessable Referral Agencies through State Assessment & Referral Agency (SARA) Dept Transport & Main Roads (DTMR) within 25m of a Main Road Ergon Energy - within 100m of a Substation	Lot 1 on Plan SP198001 – 2552 Mulligan Highway, Rossville Zone - Rural	<ul style="list-style-type: none"> • Application received 30 March 2015 • Acknowledgement Notice issued 9 April 2015 • Council issue an Information Request 22 April 2015 • Notice of referral to SARA on 20 April 2015 received 23 April 2015 • Applicant's response to Council Info Request received 24 April 2015 • Referral Agency response received 5 May 2015 • Council extend Decision making period 26 May 2015 • Report to June Council Meeting •
D	CHARLES FARRUGIA C/- PLANZ TOWN PLANNING	CHARLES FARRUGIA	Material Change of Use- Caravan Park Impact Assessable Referral Agencies Dept Transport & Main Roads (DTMR) through State Assessment & Referral Agency (SARA) – within 25m of a Main Road	Lot 38 on Plan SP172667 – 412 Shiptons Flat Road, Rossville Zone - Rural	<ul style="list-style-type: none"> • Application received 25 March 2015 • Acknowledgement Notice issued 10 April 2015 • No further information required Public Notification can commence • Notice of commencement of Public Notification received 23 April 2015 •

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D	MAROKO C/- U&I TOWN PLAN	ALAN & MARIA HICKEY	Reconfiguration of a Lot into eight (8) lots Code Assessable Referral Agencies through State Assessment & Referral Agency (SARA) Dept Transport & Main Roads (DTMR) within 25m of a Main Road	Lot 3 on Plan C17996 – 109 Endeavour Valley Road, Cooktown Zone – Rural Residential	<ul style="list-style-type: none"> • Application received as valid 8 April 2015 • Acknowledgement Notice issued 14 April 2015 • Information Request issued 27 April 2015 • Applicant notify Council of Referral to SARA 5 May 2015 •
D	DEPT NATIONAL PARKS SPORT & RACING C/- RECS CONSULTING ENGINEERS	DEPT. NATIONAL PARKS RECREATION SPORT & RACING	Material Change of Use - Office [National Parks Office] Code Assessable Referral Agencies through State Assessment & Referral Agency (SARA) Dept Transport & Main Roads (DTMR) within 100m of a Main Road	Lot 24 on Plan SP227046 – Ferrari Street, Cooktown Zone – Industrial	<ul style="list-style-type: none"> • Application received 15 April 2015 • Acknowledgement Notice issued 28 April 2015 • Council issue applicant with an Information Request 5 May 2015 •

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D	DAVID & RACHEL BASS C/- U&I TOWN PLAN	DAVID BASS	Reconfiguration of a Lot into three (3) lots Code Assessable Referral Agencies through State Assessment & Referral Agency (SARA) Dept Natural Resources & Mines (DNRM) clearing vegetation	Lot 1 on Plan SP221164 – Mt Amos Road, Cooktown Zone – Rural	<ul style="list-style-type: none"> • Application received 21 April 2015 • Acknowledgement Notice issued 29 April 2015 • Council notify applicant no further Information required to assess 12 May 2015 • Council grant extension of time for the Applicant to refer the application to SARA 20 May 2015 •
D	ERIC GEORGE MYERS C/- U&I TOWN PLAN	ERIC G MYERS	Material Change of Use – Other Residential Code Assessable Referral Agencies through State Assessment & Referral Agency (SARA) Dept Transport & Main Roads (DTMR) within 25m of a Main Road	Lot 12 on Plan SP148758 – Foyster Drive, Lakeland Zone – Village	<ul style="list-style-type: none"> • Application received 28 April 2015 • Acknowledgement Notice issued 11 May 2015 • Council issue Applicant with an Information Request 25 May 2015 •

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D	JABALBINA YALANJI ABORIGINAL CORPORATION RNTBC	JABALBINA YALANJI ABORIGINAL CORP	<p>Material Change of Use – Community Facility (Ranger Base)</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>through State Assessment & Referral Agency (SARA)</p> <p>Dept Natural Resources & Mines (DNRM) clearing vegetation</p>	<p>Lot 7 on Plan SP143243 – Rossville Bloomfield Road, Ayton</p> <p>Zone – Conservation</p>	<ul style="list-style-type: none"> • Application received 28 April 2015 • Acknowledgement Notice issued 12 May 2015 • Council notify Applicant no further information will be required to assess 27 May 2015 • •
D	KEVIN DARMODY C/- U&I TOWN PLAN	OLD MATES PTY LTD	<p>Material Change of Use – Office & Shop</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Nil</p>	<p>Lot 3 on Plan RP748697 – Terminus Street, Laura</p> <p>Zone – Village</p>	<ul style="list-style-type: none"> • Application received 29 April 2015 • Council issue an Information Request 13 May 2015 •

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D	CARDNO	CHRISTIAN COMMUNITY DEVELOPMENTS	Operational Works for Road Construction Code Assessable Referral Agencies Nil	Parkinson Street - 12 Charles Street	<ul style="list-style-type: none"> • Application received 21 May 2015 •
D	ROSS FRANZI C/- U&I TOWN PLAN	ROSS FRANZI	Material Change of Use – Undefined Use (Helicopter Pad & associated Storage) Impact Assessable Referral Agencies through State Assessment & Referral Agency (SARA) Dept Natural Resources & Mines (DNRM) clearing vegetation	Lot 3 on Plan RP906541 – 2622 Rossville Bloomfield Road, Bloomfield Zone – Rural	<ul style="list-style-type: none"> • Application received 6 May 2015 • Acknowledgement Notice issued 20 May 2015 •

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16 June 2015

D	PEDDLE THORP FAR NORTH	COEN REGIONAL ABORIGINAL CORPORATION	Material Change of Use – Office (Extension to existing) Code Assessable Referral Agencies through State Assessment & Referral Agency (SARA) Dept Transport & Main Roads (DTMR) within 100m / 25m of a Main Road	Lot 7 on Plan MPH22174 – 29 Taylor Street, Coen Zone – Village	<ul style="list-style-type: none"> • Application received 8 May 2015 • Acknowledgement Notice issued 21 May 2015 • Council issue Applicant with an Information Request 27 May 2015 •
D	JENNIFER GUYATT C/- U&I TOWN PLAN	JENNIFER GUYATT	Reconfiguration of a Lot – into two (2) lots Code Assessable Referral Agencies Nil	Lot 63 on Plan RP851374 – 47 May Street, Cooktown Zone – Medium Density Residential	<ul style="list-style-type: none"> • Application received as valid 18 May 2015 • Acknowledgement Notice issued 27 May 2015 •
D	ANNALIE SENEKAL	ANNALIE SENEKAL	Material Change of Use – Host Farm Code Assessable Referral Agencies through State Assessment & Referral Agency (SARA) Dept Natural	Lot 102 on Plan SP229625 – Esk Valley Road, Cooktown Zone – Rural	<ul style="list-style-type: none"> • Application received 21 May 2015 •

AGENDA AND BUSINESS PAPERS
16 June 2015

			Resources & Mines (DNRM) clearing vegetation		
D	JOHN HAY	JOHN HAY	Operational Works – Road & Access construction for DA/3322 Code Assessable Referral Agencies Nil	Lot 14 on Plan SP254691 – 1 Ironwood Avenue, Cooktown Zone – Rural Residential	<ul style="list-style-type: none"> • Application received 26 May 2015 •
D	JOHN BENNETT	JOHN BENNETT	Material Change of Use – Home Business Code Assessable Referral Agencies Nil	Lot 86 on Plan BS276 – 503 Railway Avenue, Cooktown Zone – Rural	<ul style="list-style-type: none"> • Application received 26 May 2015 •
D	TOWN & COUNTRY LIMITED C/- U &I TOWN PLAN	TOWN & COUNTRY LIMITED	Reconfiguration of a Lot – into two (2) lots Code Assessable Referral Agencies Nil	Lot 2 on Plan SP168633 – 94 Charlotte Street, Cooktown Zone – Business	<ul style="list-style-type: none"> • Application received 27 May 2015 •

AGENDA AND BUSINESS PAPERS
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LAND TENURE

	APPLICATION FOR CONVERSION OF SPECIAL LEASE 43/53204 OVER LOT 4 ON CROWN PLAN CP866939 TO A PERTETUAL LEASE - HAGGERSTONE ISLAND: PARISH OF GRENVILLE; LOCALITY OF SHELBURNE.	
	<i>Report No15/12461 from Land Tenure Officer File No. 2.970.02.</i>	

Précis

1. Council note finalisation of conversion action.

Background/History

2. Council at its September 2014 meeting resolved via Resolution No. 30830 to support the conversion of Special Lease 43/53204 over Lot 4 on Plan CP866939 to a perpetual lease, subject to all outstanding building and plumbing matters being complied with, and the existing 20 meter wide esplanade surrounding the island is retained.
3. The Department by email dated 7 October 2014 courteously advised Council that an offer for conversion to a perpetual lease over Lot 4 on CP866939 (Haggerstone Island had been made to the lessee, the offer was conditional upon the lessee liaising with Council regarding its first requirement and could Council please provide the Department with written confirmation once it's requirement was satisfied.
4. By email dated 6 January 2015 the Department followed up with Council regarding its requirement that all outstanding building and plumbing matters be complied with and requested advice as to whether or not Council's requirements are now satisfied to enable me to proceed with the granting of the new lease.
5. The Department further advised that the existing 20m wide esplanade surrounding the island will be retained as per Councils second requirement.
6. Council, by email dated 22 January 2015 acknowledged the Departments decision to retain the existing esplanade and advised that building matters were still outstanding.
7. By letter dated 10 February 2015, the Department of Natural Resources and Mines advised that action had been finalised regarding the conversion of Special Lease 43/53204 over Lot 4 on Plan CP866939 to Perpetual Lease (Haggerstone Island).
8. Planning and Environment Services advised that there are no outstanding matters; plumbing had been signed off and all building issues are being dealt with by way of a current building application.
9. The following conditions of the lease are of interest to Council;

AGENDA AND BUSINESS PAPERS

16 June 2015

Conditions:

A134 SPECIFIED CONDITIONS FOR: Lease in Perpetuity

PURPOSE: Regulated Island - Tourism (3026)

STATUTORY CONDITIONS:

Statutory conditions are the general mandatory conditions of a lease and binds the lessee in accordance with Part 2 Division 1 of the Land Act.

1. **Permitted Use:** The lessee must use the land only for the purpose for which the tenure was issued under the *Land Act 1994*.
2. **Duty of Care:** The lessee has the responsibility for a duty of care, for the land under the *Land Act 1994*.
3. **Rent/Instalment:** The lessee must pay the annual rent/instalment in accordance with the *Land Act 1994* and the *Land Regulation 2009*.
For further information on how annual rent is determined, refer to the department's website at www.dnrm.qld.gov.au.
4. **Noxious plants:** The lessee must keep noxious plants on the land under control. If the lessee does not comply with this condition, the Minister may bring the noxious plants under control, the cost of which will be recovered from the lessee.

REGULATORY CONDITIONS:

4. **Survey Costs:** If the land needs to be surveyed or re-surveyed the lessee must do this at their own cost under the *Survey and Mapping Infrastructure Act 2003*. This survey plan must be lodged in the land registry within the specified time.
6. **Jurisdiction:** The lessee is subject to the *Land Act 1994* and all other relevant Queensland and Commonwealth legislation.
7. **Compliance with Laws:** The lessee must comply with all lawful requirements of the -
 - a. Local Government; and
 - b. any department within the Queensland or Commonwealth governments (including the department administering the *Land Act 1994*), local authority or statutory instrumentality having jurisdiction over the land, or the development, use and occupation of the land, in regard to its use, occupation and development of the land.

SPECIAL CONDITIONS:

Improvements or development on or to the land

1. The lessee must not effect any structural or further structural or excavation improvements on the land, without the approval of the department administering the *Land Act 1994* and any other relevant authority, having been first obtained.
2. The lessee must, to the satisfaction of the relevant authorities, maintain improvements on the land in a good and substantial state of repair.
5. The lessee must, protect the leased land from erosion and effect such works as are considered necessary.

Maintenance of landscape and beautification program

1. If, as a result of carrying out works or any other cause attributable to the lessee any land degradation or erosion is evident, the lessee must, at the lessees' expense, restore the land to its former condition and take such other action as is necessary to ensure the stability of the land to the satisfaction of the Minister administering the *Land Act 1994* and the *Forestry Act 1959*.
2. All works constructed in, on, over, through or across and below high water mark within the leased land must be maintained.

Care, sustainability and protection of the land

AGENDA AND BUSINESS PAPERS

16 June 2015

-
1. Any person authorised by the State must at all times during the term of the lease, have free and unrestricted use of all water on the leased land for any purpose connected with the management of the land or for fire protection.
 2. The lessee must ensure that each and every activity undertaken on the leased land which has the potential to pollute and/or contaminate is carried out in such a manner as to prevent this from occurring
- Provision of reasonable services, roads and infrastructure external to but servicing the land**
1. The provision of access and services to the land will not be the responsibility of Cook Shire Council and the State.

10. The following recommendation is submitted for Councils consideration.

Link to Corporate Plan

11. Key issues; 4.2 Environmental Wellbeing; 4.3 Sport and Recreation Facilities and Public Access; 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations; and 4.7 Economic Wellbeing.

Consultation

12. Nil.

Legal Implications (Statutory, basis, legal risks)

13. Nil.

Policy Implications

14. Nil - in accordance with policy position.

Financial and Resource Implications (Budgetary)

15. Nil.

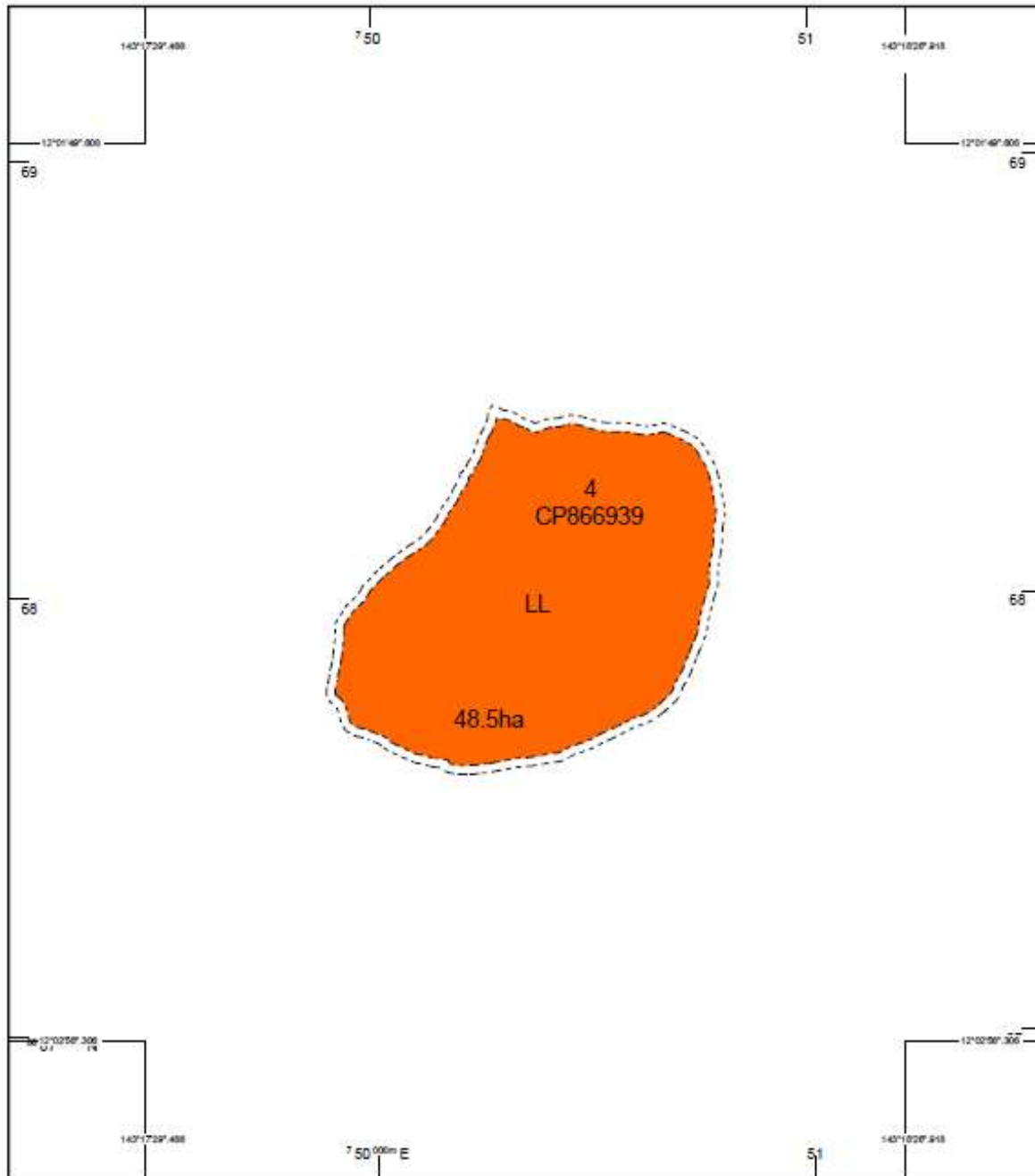
RECOMMENDATION

Report be received for information purposes.

Att.
SmartMap
Survey Plan CP866939
Map A

AGENDA AND BUSINESS PAPERS

16 June 2015



STANDARD MAP NUMBER
7573-14421

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB
Lot/Plan 4/CP866939
Area/Volume 48.5ha
Tenure LANDS LEASE
Local Government COOK SHIRE
Locality SHIELDSBURNE
Parish GRENVILLE
County SHIELDSBURNE
Segment/Parcel 8001441

CLIENT SERVICE STANDARDS

PRINTED (admin/yyyy) 06/06/2014
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.
DCDB 05/06/2014 (Lots with an area less than 1500m² are not shown)

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SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



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AGENDA AND BUSINESS PAPERS

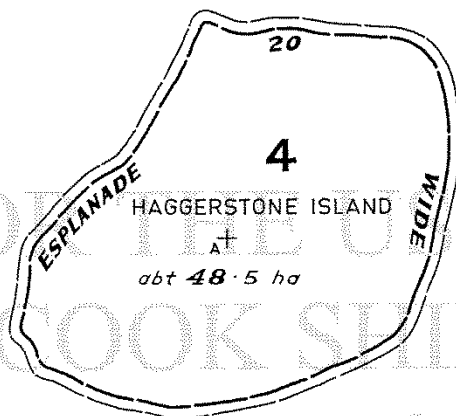
16 June 2015

WARNING — PLAN MAY BE ROLLED — A FOLDED OR MUTILATED PLAN WILL NOT BE ACCEPTED

Approx AMG Co-ordinates

Stn	Easting	Northing	Zone
A	750 200	8 667 800	54

SOUTH PACIFIC OCEAN



CORAL SEA

Road to be opened
abt 5.5 ha (Esplanade)

I, Thomas Stanley Lowe
hereby certify that I have made this plan
pursuant to Section 25 of the Surveyors
Regulation 1992, and that the plan is
accurate and compiled from Dwg CNS
94/004 on Lands file CNS5059
& Temple Bay 1:100 000 Topo

Thomas Stanley Lowe 21.3.1994
Licensed Surveyor Date

PLAN OF Lot 4

Cancelling Lot 4 on SH14

ORIGINAL Lot 4 on SH14

MERIDIAN	MAP REF	SCALE	FILE REF	ENDORSED	REGISTERING DIST
Approx AMG	SD54-4	1:8000	CNS 5059	21-07-94	Brisbane

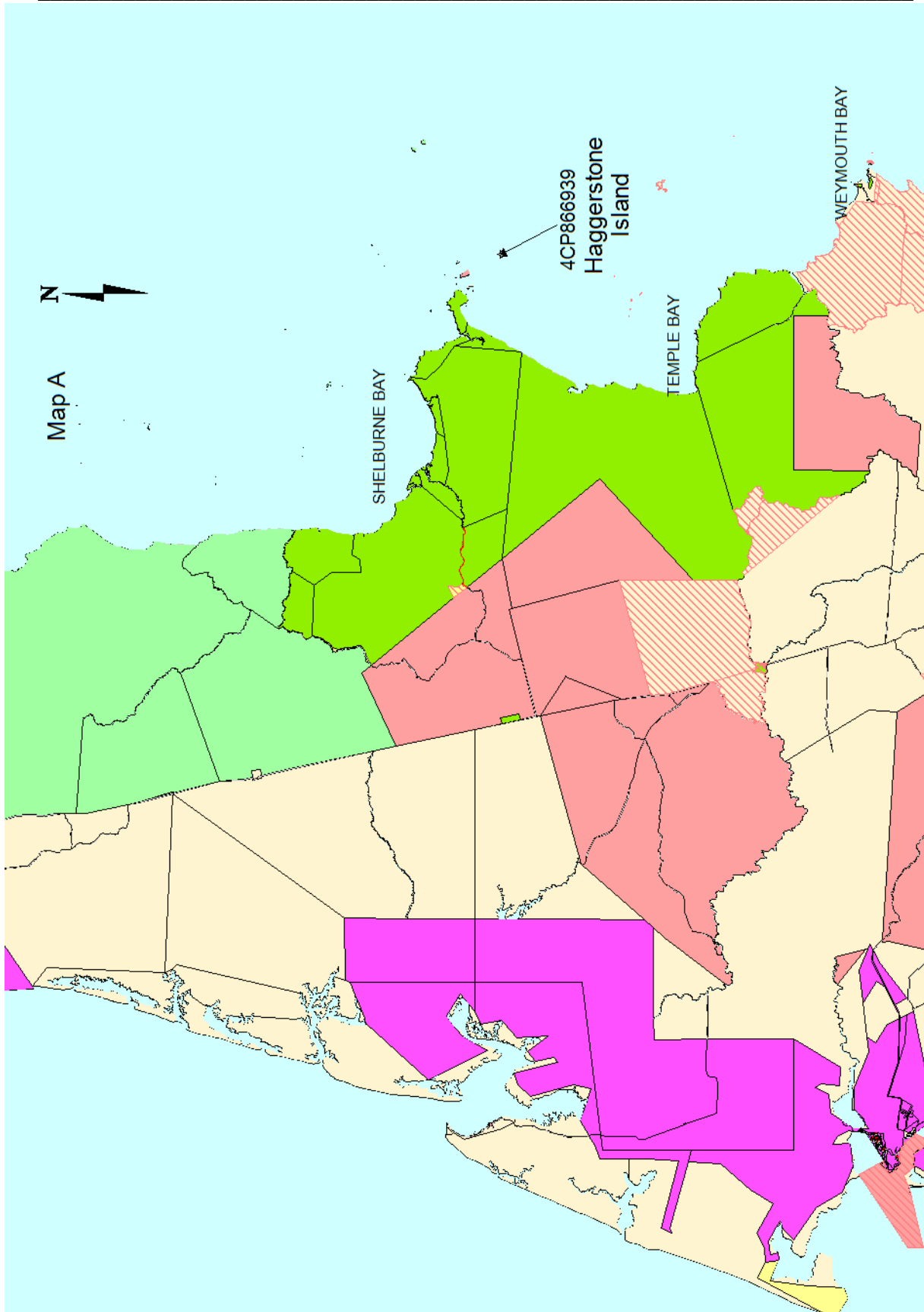
PARISH **GRENVILLE**
COUNTY **Shelburne**
LOCALITY **Haggerstone Is**
LOCAL AUTHORITY **Cook SC**
LAND AGENTS **Tarres**
DISTRICT

CROWN ' PLAN 866939

0 1 2 3 4 5 6 7 8 9 10 cm CROWN COPYRIGHT RESERVED

THE INSTITUTION OF SURVEYORS AUSTRALIA (QUEENSLAND DIVISION)
BY AUTHORITY LICENCE NUMBER 87

AGENDA AND BUSINESS PAPERS
16 June 2015



AGENDA AND BUSINESS PAPERS

16 June 2015

	APPLICATION FOR RENEWAL OF TERM LEASE 0/207912 - LOT 9 ON PLAN SD18 - FOR RESIDENTIAL PURPOSES; PARISH OF MOOJEEBA; LOCALITY OF COEN.	
	<i>Report No.D15/12450 from Land Tenure Officer File No. 2.500.4; 2.501.18.</i>	

Précis

1. Note renewal of lease action by State.

Background/History

2. Council at its August 2014 meeting vide Resolution No.30811, resolved inter alia to advise the Department of Natural Resources and Mines that Council raise no objection to the renewal of Term Lease 0/207912 - Lot 9 SD18.
3. By email dated 20 May 2015, the Department of Natural Resources and Mines advised that the lease had been renewed over Lot 9 on Plan SD18.
4. The purpose of the lease is Residential, with a term of 20 years.
5. The following conditions of the lease are of interest to Council;

Conditions:

A130 SPECIFIED CONDITIONS FOR: Lease for a Term of Years

PURPOSE: Residential

STATUTORY CONDITIONS:

1. **Permitted Use:** The lessee must use the land only for the purpose for which the tenure was issued under the *Land Act 1994*.
2. **Duty of Care:** The lessee has the responsibility for a duty of care, for the land under the *Land Act 1994*.
4. **Noxious plants:** The lessee must keep noxious plants on the land under control. If the lessee does not comply with this condition, the Minister may bring the noxious plants under control, the cost of which will be recovered from the lessee.

REGULATORY CONDITIONS:

4. **Survey Costs:** If the land needs to be surveyed or re-surveyed the lessee must do this at their own cost under the *Survey and Mapping Infrastructure Act 2003*. This survey plan must be lodged in the land registry within the specified time.

AGENDA AND BUSINESS PAPERS

16 June 2015

-
5. **Jurisdiction:** The lessee is subject to the *Land Act 1994* and all other relevant Queensland and Commonwealth legislation.
 6. **Compliance with Laws:** The lessee must comply with all lawful requirements of the -
 - a. Local Government; and
 - b. any department within the Queensland or Commonwealth governments (including the department administering the *Land Act 1994*), local authority or statutory instrumentality having jurisdiction over the land, or the development, use and occupation of the land, in regard to its use, occupation and development of the land.

SPECIAL CONDITIONS:

Improvements or development on or to the land

1. The lessee must, to the satisfaction of the relevant authorities, maintain improvements on the land in a good and substantial state of repair.
2. The lessee must ensure that the development and use of the land meets with the Planning Scheme, Local Laws and requirements of the Cook Shire Council, binding the lessee.

Provision of reasonable services, roads and infrastructure external to but servicing the land

1. The provision of further access to the land will not be the responsibility of Cook Shire Council and the State.

6. The following recommendation is submitted for consideration.

Link to Corporate Plan

7. Key issues 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations.

Consultation

8. Nil.

Legal Implications (Statutory, basis, legal risks)

9. Nil.

Policy Implications

10. Nil.

Financial and Resource Implications (Budgetary)

11. Nil.

RECOMMENDATION

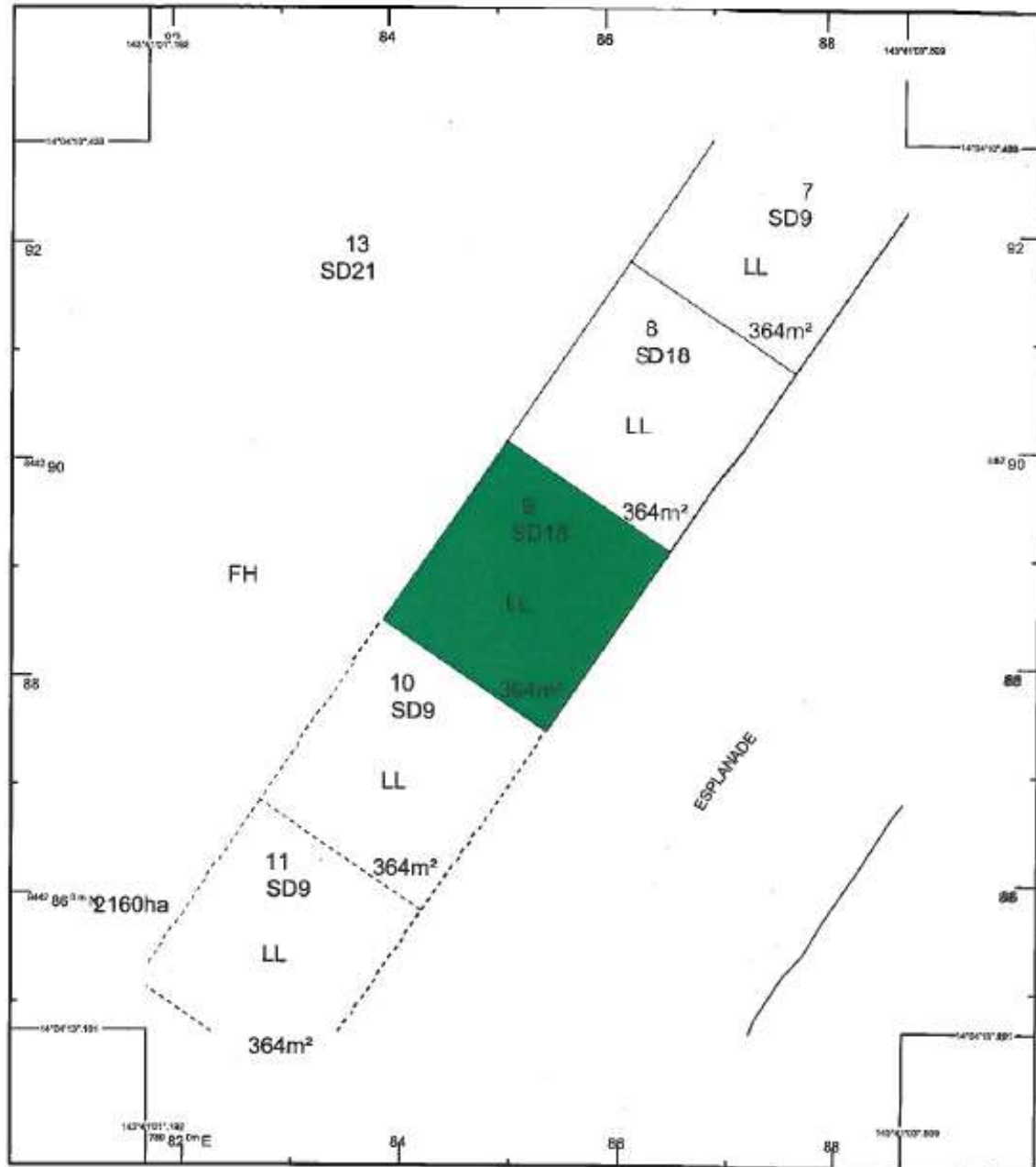
Report be received for information purposes.

AGENDA AND BUSINESS PAPERS
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Att.
SmartMap
MapInfo area map

AGENDA AND BUSINESS PAPERS

16 June 2015

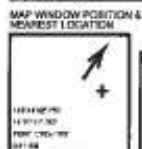


STANDARD MAP NUMBER
7669-41311

HORIZONTAL DATUM: GDA94 ZONE: 54 SCALE 1:200

SmartMap

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



SUBJECT PARCEL DESCRIPTION

DCDB	9/8/2018
Lot/Plan	364m²
Area/Volume	LAND LEASE
Tenure	COOK SHIRE
Local Government	COOK SHIRE
Locality	COOK
Parish	MIDDLEBURY
County	SIDMOUTH
Segment/Parcel	8164/198

CLIENT SERVICE STANDARDS

PRINTED (pdf/rtf/zip) 3/8/10/2/4
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB: 3/8/10/2/4

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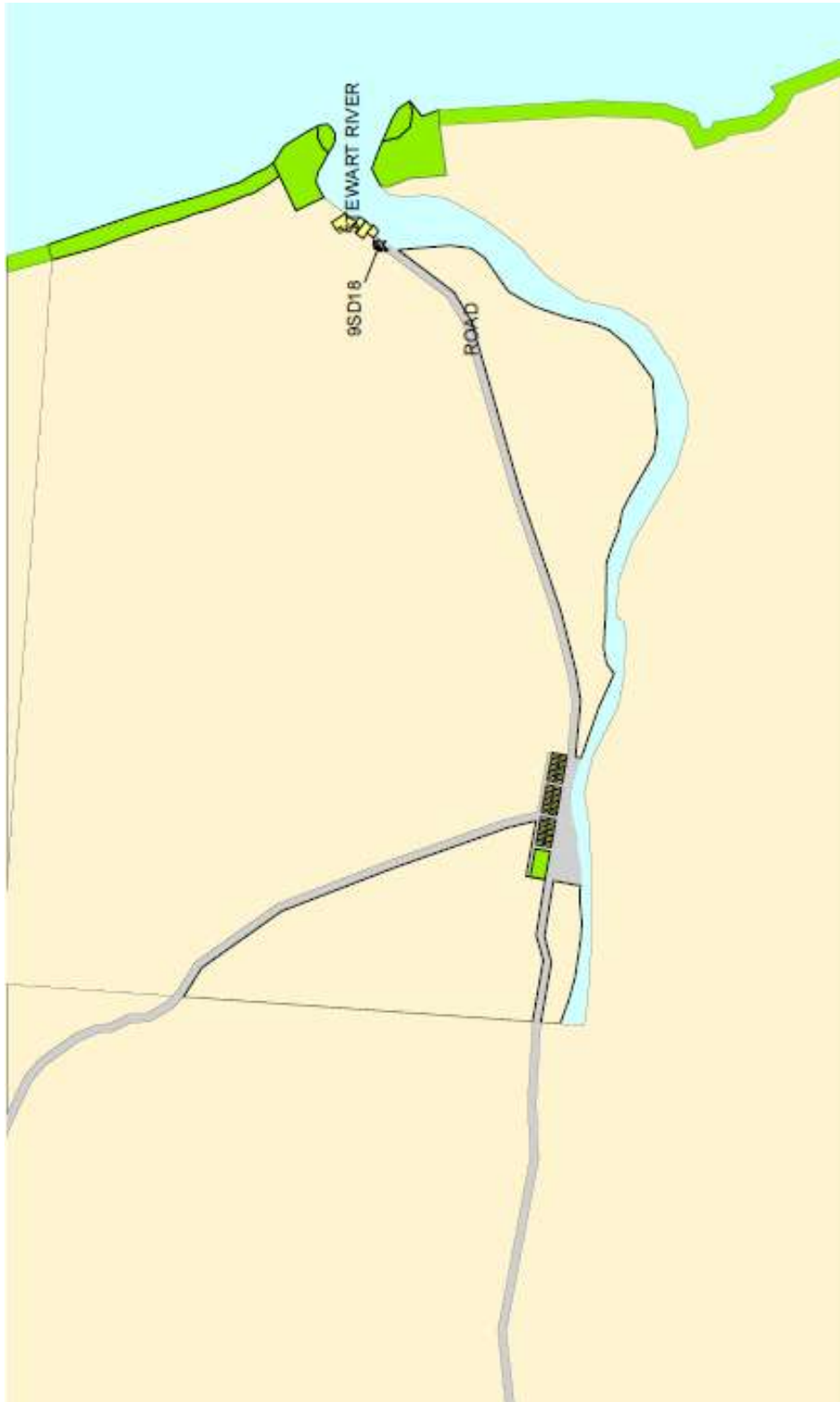
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AGENDA AND BUSINESS PAPERS
16 June 2015



AGENDA AND BUSINESS PAPERS

16 June 2015

	APPLICATION FOR CONVERSION OF TL 0/206467 DESCRIBED AS LOT 2 ON PLAN BS96, PARISH OF PICKERSGILL, TO FREEHOLD: MMLD BREDILLET.	
	<i>Report No.D15/12451 from Land Tenure Officer File No. 2.501.26.</i>	

Précis

1. Note finalisation of conversion of term lease to freehold.

Background/History

2. By email dated 24 April 2015, the Department of Natural Resources and Mines advised Council of the conversion of Term Lease 0/206467 to Freehold described as Lot 2 on Plan SP263747.
3. The Deed of Grant was issued on 23 April 2015.
4. Council at its October 2006 meeting, Report No. 253332, dealt with the application for conversion to freehold and vide Resolution No. 25421, Council inter alia resolved to raise no objection to the conversion of existing lease to freehold.
5. The site contains an area of 8.2160ha and is used for grazing in connection with the lessees adjoining freehold lands described as Lot 20 on Plan BK157118, Lot 9 on Plan BS26, Lot 250 on Plan BK1573, and lease land Lot 4839 on Plan PH1044– see attached Map ‘A’.
6. The following recommendation is submitted for consideration.

Link to Corporate Plan

7. Key Issue 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations.

Consultation

8. Nil.

Legal Implications (Statutory, basis, legal risks)

9. Nil.

AGENDA AND BUSINESS PAPERS
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Policy Implications

10. Nil.

Financial and Resource Implications (Budgetary)

11. Nil.

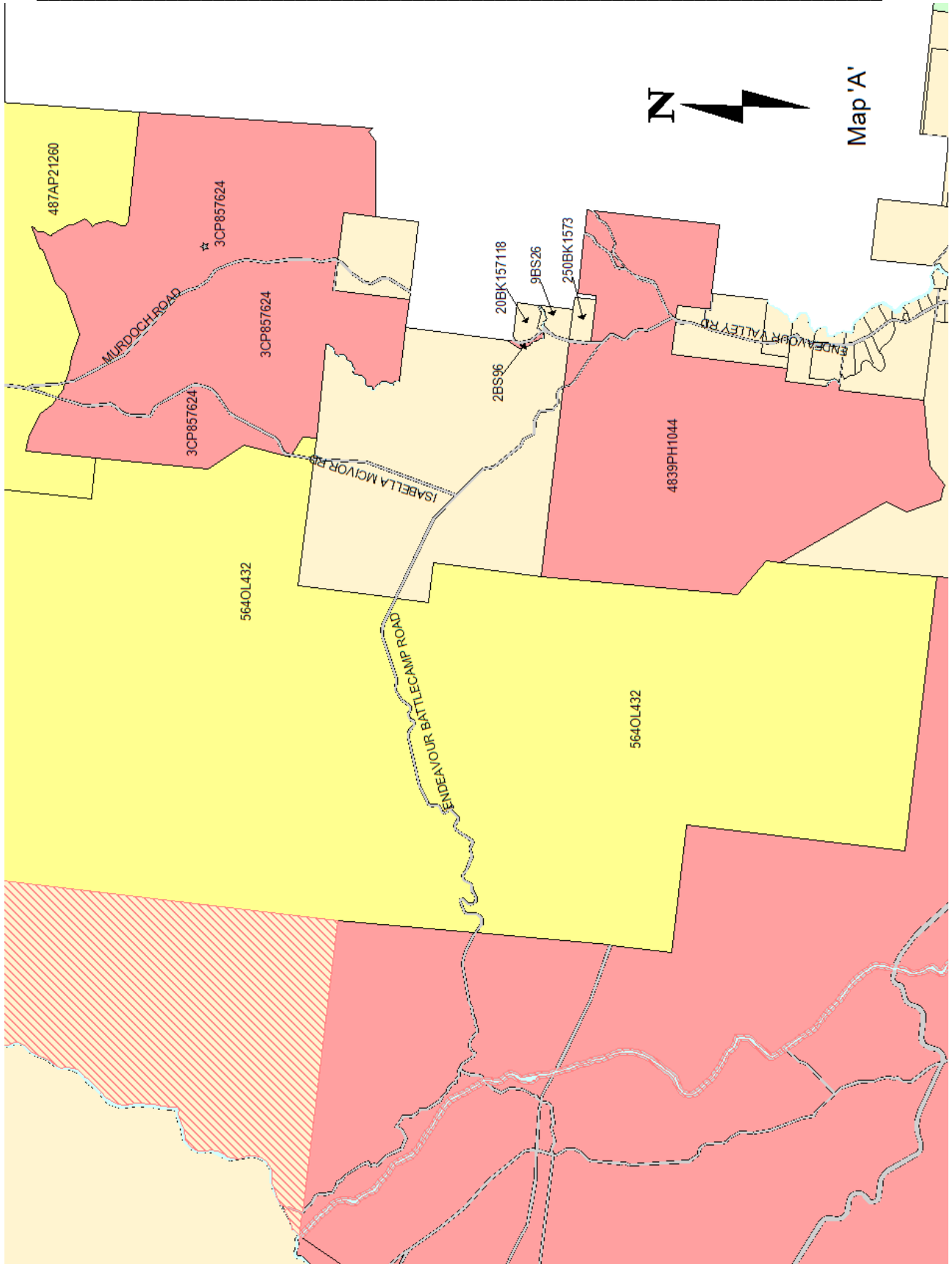
RECOMMENDATION

Report be received for information purposes.

Att.

Map 'A'

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AGENDA AND BUSINESS PAPERS

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	APPLICATION FOR UPGRADE OF TENURE AND RENEWAL OF LEASE: PRYDE PASTORAL HOLDING (PH 14/4840), DESCRIBED AS LOT 3 ON PLAN CP857624 PARISHES OF PICKERSGILL AND PRYDE – MMLD BREDILLET.	
	<i>Report No.D15/12453 from Land Tenure Officer File No. 2.650.74; 2.14.8</i>	

Précis

1. Note finalisation of renewal of lease by State.

Background/History

2. By email dated 19 May 2015, the Department of Natural Resources and Mines notified Council of the renewal of the above lease with a term of 40 years.
3. Council at its November 2006 meeting, Report No. 262673, dealt with an application for conversion to freehold of PH 14/4840 being Lot 3 on Plan CP857624; vide Resolution No. 25421, Council inter alia resolved to raise no objection to the conversion of existing lease to freehold.
4. Council at its June 2007 meeting, Report No. 324650, dealt with an application over the same property for a renewal of lease and an upgrade of tenure to perpetual lease; vide Resolution No. 25803, Council inter alia resolved to raise no objection to the renewal or upgrade of tenure of the lease.
5. The existing and proposed uses were for grazing with an area of approx 6,610 hectares.
6. The following conditions of the lease are of interest to Council;

Conditions:

A127 SPECIFIED CONDITIONS FOR: Lease for a Term of Years

PURPOSE: Pastoral

STATUTORY CONDITIONS:

Statutory conditions are the general mandatory conditions of a lease and binds the lessee in accordance with Part 2 Division 1 of the Land Act.

AGENDA AND BUSINESS PAPERS

16 June 2015

1. **Permitted Use:** The lessee must use the land only for the purpose for which the tenure was issued under the *Land Act 1994*.
2. **Duty of Care:** The lessee has the responsibility for a duty of care, for the land under the *Land Act 1994*.
3. **Noxious plants:** The lessee must keep noxious plants on the land under control. If the lessee does not comply with this condition, the Minister may bring the noxious plants under control, the cost of which will be recovered from the lessee.

REGULATORY CONDITIONS:

3. **Access:** The provision of access, further access or services to the land will not be the responsibility of the State.
4. **Survey Costs:** If the land needs to be surveyed or re-surveyed the lessee must do this at their own cost under the *Survey and Mapping Infrastructure Act 2003*. This survey plan must be lodged in the land registry within the specified time.
5. **Jurisdiction:** The lessee is subject to the *Land Act 1994* and all other relevant Queensland and Commonwealth legislation.
6. **Compliance with Laws:** lessee must comply with all lawful requirements of the -
 - a. Local Government; and
 - b. any department within the Queensland or Commonwealth governments (including the department administering the *Land Act 1994*), local authority or statutory instrumentality having jurisdiction over the land, or the development, use and occupation of the land, in regard to its use, occupation and development of the land.

SPECIAL CONDITIONS:

Improvements or development on or to the land

1. The lessee must during the whole of the term of the lease, to the satisfaction of the relevant authorities, maintain all improvements including boundary fencing on the land in a good and substantial state of repair.

7. The following recommendation is submitted for consideration.

Link to Corporate Plan

8. Key Issue 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations.

Consultation

9. Nil.

Legal Implications (Statutory, basis, legal risks)

10. Nil.

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16 June 2015

Policy Implications

11. Nil.

Financial and Resource Implications (Budgetary)

12. Nil.

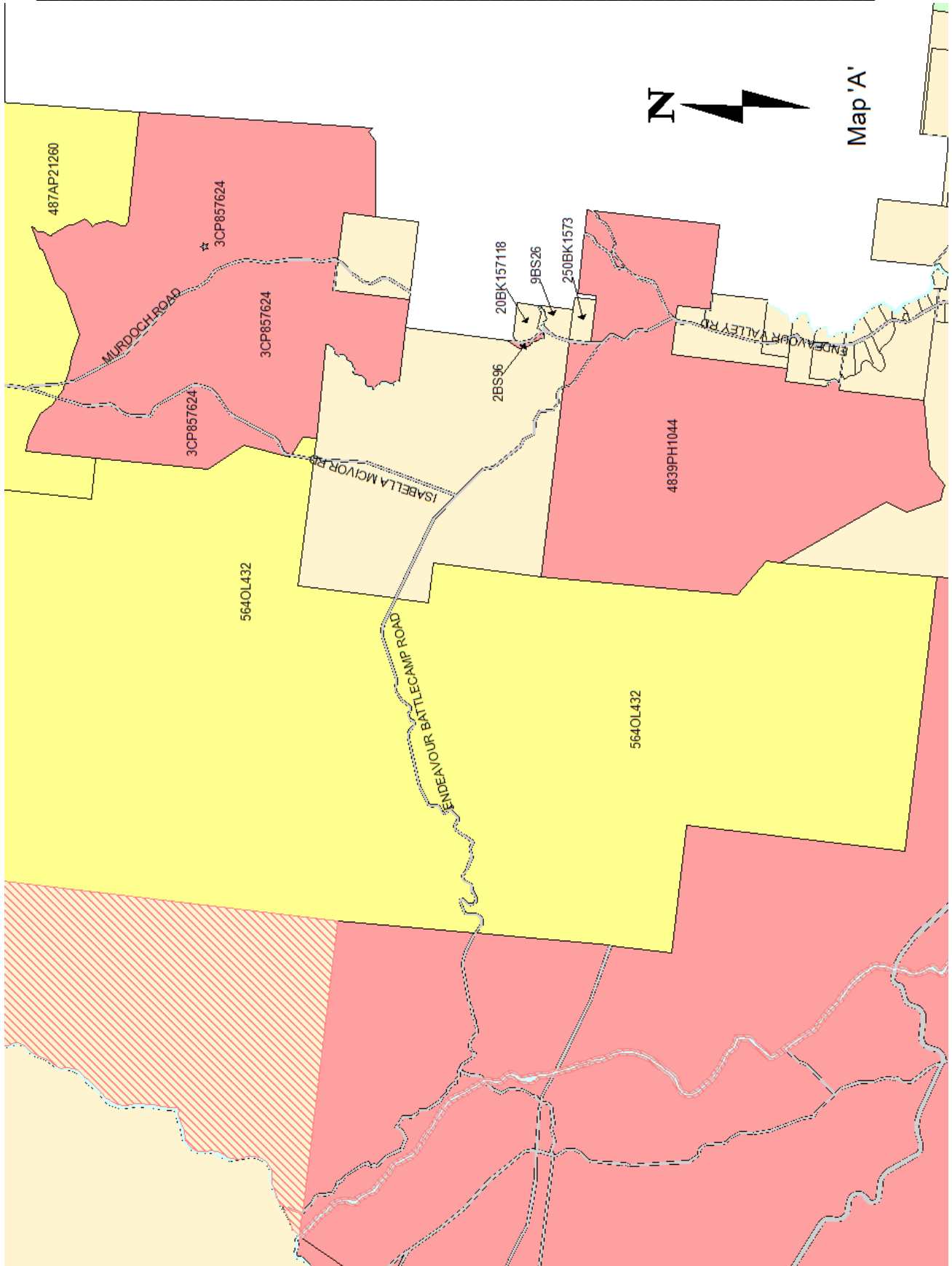
RECOMMENDATION

Report be received for information purposes.

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Att.
Map 'A'

AGENDA AND BUSINESS PAPERS
16 June 2015



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CORPORATE SERVICES

FINANCE

	FINANCE STATUS MAY 2015	
	<i>Report No.<This will be entered by the Executive Assistant> from Joan Thistlethwaite</i>	

Accounts Payable – May 2015

Cheques issued	26	Value	\$ 91,512.79
EFTs paid	328	Value	\$ 1,362,176.91
Cancelled EFT	1	Value	\$ (450.00)
Cancelled Cheques	7	Value	\$ (32,245.61)
Total Expenditure			\$ 1,420,994.09

Accounts Receivable – May 2015

Invoices Issued	105	Value	\$ 240,768.71
Credits Notes	11	Value	\$ (2,958.18)
Aged Balances	Current		\$ 135,290.47
	30 Days		\$ 58,962.69
	60 Days		\$ 90,292.70
	90 Days		\$ 2,753.27

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16 June 2015

90+ Days	\$ 65,850.13
Total Outstanding	\$ 323,149.26
Letters of Demand	3

Wharfage Report May 2015

Vessel	Days at Wharf	
Stella Rain	1	
Arafura Queen	2	
Southern Venture	1	
Coral Princess	1	
Guiding Star	5	
Jerbondy	3	
Holothurian	3	
Unloads		
Vessel	Unload to	Unloaded
Arafura Queen	<i>Aqua Cairns</i>	Live Trout
Stella Rain	<i>Seafresh</i>	Live Trout

AGENDA AND BUSINESS PAPERS
16 June 2015

Rates Report –

April 2015

R1 - Property Transfers When properties are sold change of ownership details are recorded by Council	Month	Number of Transfers	Comments: 3 Dwellings, 3 vacant, in Cooktown 4 dwellings, 4 vacant, 8 commercial outside Cooktown
	April	13	
	May	22	

R2 - Change of Addresses When ratepayers change their address details are recorded by Council	Month	Number of COAs
	April	17
	May	12

R3 - Returned Mail Mailed returned as addressee no longer living at the postal address. Alternative addresses researched and mail re-sent	Month	Number of returned letters
	April	16
	May	6

R4 - Rate and Ownership Searches Property searches are compiled on application, providing rating, property and financial information on a property	Month	Rates Searches	Ownership Searches
	April	7	0
	May	12	0

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<u>R5 - Valuation Changes</u>	Month	Number of Valuation Changes
	April	3
	May	11

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Debt
Recovery
Report

No. Details Statistics

D1 - Rates Debt Outstanding **Run the crystal trial balance report and go to the second last page for figures**	Month	Balance BF	Levied	Less Payments (includes prepayments)	Less Rebates	Interest	Discount Taken	Adjustment	Total Outstanding
	April	570,598.08	3,775,588.43	-3,355,455.16	-44,806.02	15,436.18	-144,609.84	4,386.71	821,138.38
	May	570,598.08	3,776,970.50	-3,468,064.51	-44,977.39	22,218.23	-144,641.83	5,527.36	717,630.44

Number of Assessments by Category	Residential	Commercial	Rural	Extractive	Other
April	148	21	19	54	74
May	110	13	20	46	63

Number of Assessments by Years	Current	1 Year	2 Years	3 Years	Greater than 3 years
April	268	30	11	2	5
May	206	28	11	2	5

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16 June 2015

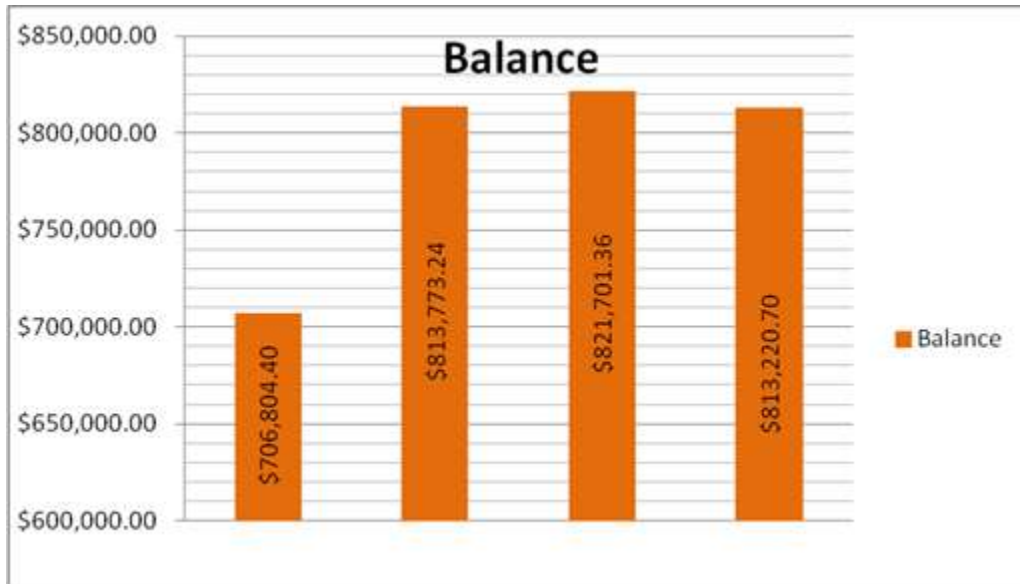
Number of Assessments per outstanding balance	Less than \$500.00	\$500.00 - \$1000.00	\$1000.00 - \$5000.00	\$5000.00 - \$10,000.00	\$10,000.00- \$20,000.00	Greater than \$20,000.00
April	70	71	145	19	7	4
May	61	57	104	18	8	4

<u>D2 - Letters Sent</u>	Month	Rates Reminders	Final Demands	Legal Letters
	April	412	334	0
	May	0	0	0

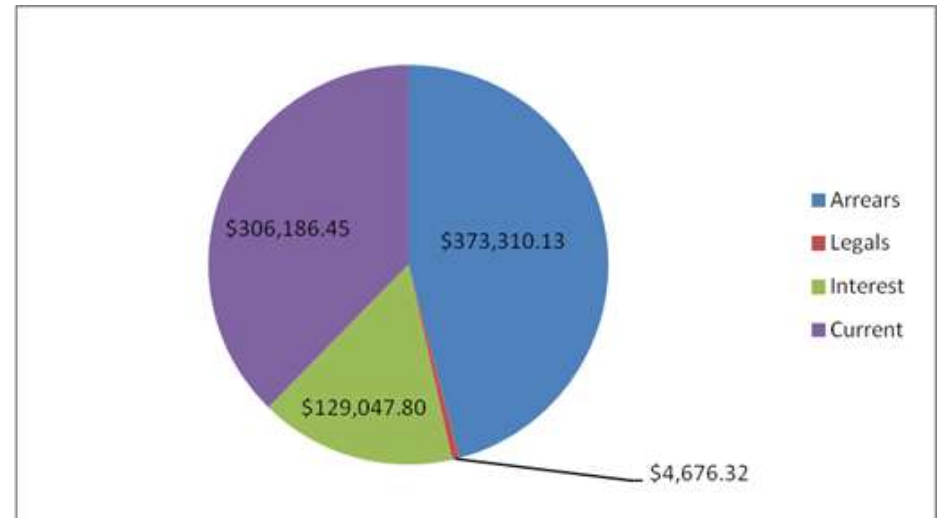
<u>D3 - Payment Arrangements</u>	Month	Arrange-ments	Debt Collectors	Sale of Arrears
	April	35	64	1
	May	42	58	1

AGENDA AND BUSINESS PAPERS
16 June 2015

Rate Year	Levied Amount	Balance at EOY without overpayments		Balance at EOY with overpayments	
2012	\$ 6,222,646.99	\$ 706,804.40	11.36%	\$ 628,684.22	10.10%
2013	\$ 6,794,799.78	\$ 813,773.24	11.98%	\$ 735,827.08	10.83%
2014	\$ 6,980,438.50	\$ 821,701.36	11.77%	\$ 713,241.02	10.22%
2015	\$ 7,332,146.38	\$ 813,220.70	11.09%	\$ 717,630.44	9.79%
2016					



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Grants update - May 2015		
FUNDING BODY		
Grant Monies Received May 2015	REASON	Amount
		Received
Dept Local Government, Community Recovery & Resilience	Get Ready Queensland	\$533.00
Department Transport & Main Roads	ATSI TIDS Bloomfield Rd 14815	\$38,674.93
Dept of Local Government, Community Recovery & Resilience	FAG - Roads	\$375,332.00
Dept of Local Government, Community Recovery & Resilience	FAG - General	\$1,758,356.25
	Total Received	\$2,172,896.18
Grant Monies Outstanding as at 31 May 2015		
Dept of Main Roads	TIDS - Hope St Bike Path 2014/15	\$66,344.30
Cape York Natural Resource Management Ltd	Acceptance of interim progress report	\$70,400.00

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Dept Premier and Cabinet	Anzac Centenary	\$2,148.30
Dept Local Government, Community Recovery & Resilience	Waterfront Amenities/Water Play	\$350,000.00
Dept State Development, Infrastructure and Planning	Waterfront construction	\$2,500,000.00

	Total outstanding	\$2,922,548.30
Note: ANNUAL SUBSIDY/GRANTS		
Dept Community Safety - Emergency Management Queensland	<i>Annual Local Government Subsidy</i> <i>(Yearly Payment)</i>	+/- \$22,000.00
Dept of Local Government Community Recovery & Resilience	<i>(2014/2015 paid by quarterly instalments)</i>	\$8,534,753.00
<i>FAG - Roads</i>	<i>Identified Road Grant - \$1,501,328</i>	
<i>FAG - General</i>	<i>General Purpose Grant - \$7,033,425</i>	
Department of Infrastructure & Transport		
<i>Roads to Recovery over 4 year period</i>	<i>2014-2015 (per year for the next 4 years)</i>	\$995,000.00
<i>ATSI TIDS - dependant on Projects acceptance</i>	<i>2014-2015 - Streetscape</i>	\$650,000.00
Cape York Natural Resource Management Ltd 1 Mar 2015	Acceptance of interim progress report	\$64,000.00
1-Sep-15	Acceptance of yearly progress report	\$32,000.00
15-Sep-15	Acceptance of Financial Report	\$64,000.00
State Library of Queensland	Best Start Family Literacy Initiative	\$5 to 7,000.00

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ADMINISTRATION

	BUSINESS SERVICES, RECORDS, ADMINISTRATION & IT REPORT – JUNE 2015 – FOR INFORMATION	
	<i>Report No. D15/12428 from Records Management Officer</i>	

The following information details the operational works and projects currently being undertaken by the Business Services and IT Functions:

OPERATIONAL

- Operational Customer Service.
- Operational Stores and procurement.
- Information management (Privacy, Right To)
- Ongoing hall management (bookings).
- Ongoing property management (administrative/legal).
- Operational Correspondence and Records.
- Ongoing insurance management.
- Ongoing contract management and advice.
- Operational IT.

BUSINESS STATISTICS

Customer Service December

Phones Calls inward	1720
Counter Enquiries	410
RV Permits	NA
Front Counter Receipts	235

Cash	\$188,086.86
Cheques	\$43,453.49
Credit Cards	\$32,239.65
EFT	\$6,088.91
Other	\$0
TOTAL	\$269,868.91

Stores

Issues:	346
Items Issued:	50246
Value of Issues:	\$80,034.95

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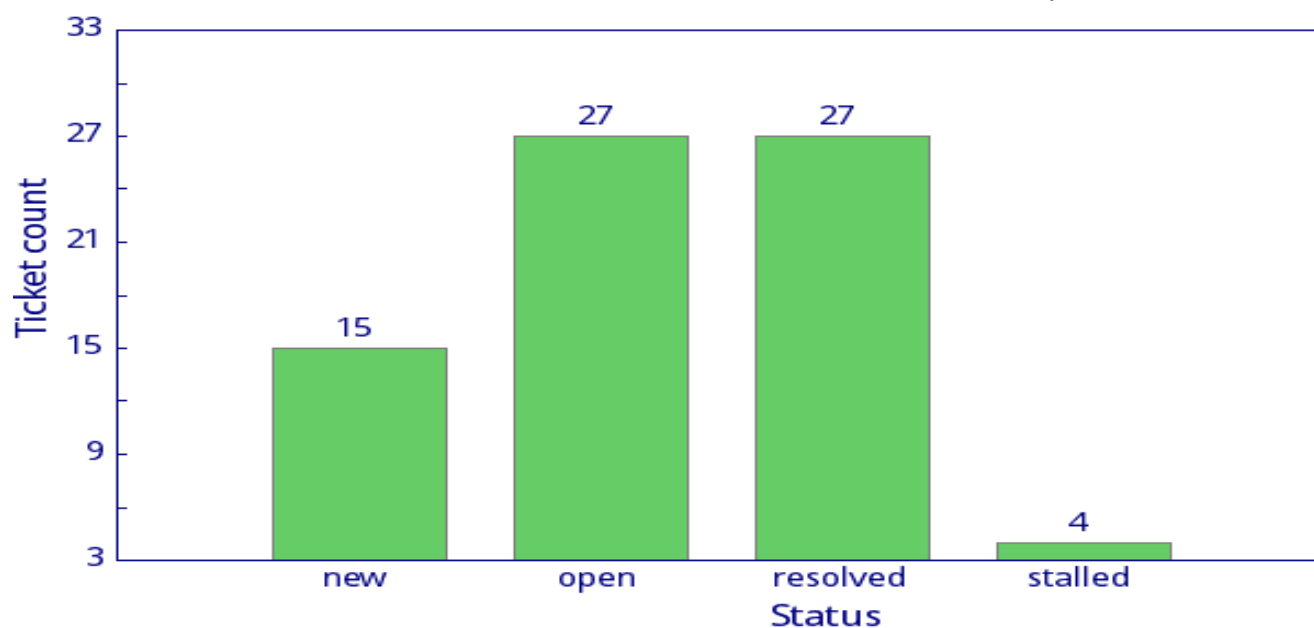
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INFORMATION TECHNOLOGY

Significant works within the IT department during May included:

- Rebel radio upgrade – situated at the top of Mount Tully.
- Video conferencing for all staff and Councillors (cost effective, cross platform solution).
- Substantial progress made in the implementation of Zabbix (a real time and historical system monitoring solution) - the monitoring solution will allow SMS alerts for system failures and will improve management of IT resources to address current performance issues and get ahead of performance and capacity issues that might arise in the future. This system can also be used to monitor IT equipment in the water treatment plants so should help improve the way they get notified of issues at the plants.
- The completion of the upgrade of Authority from 6.8 to 6.10.

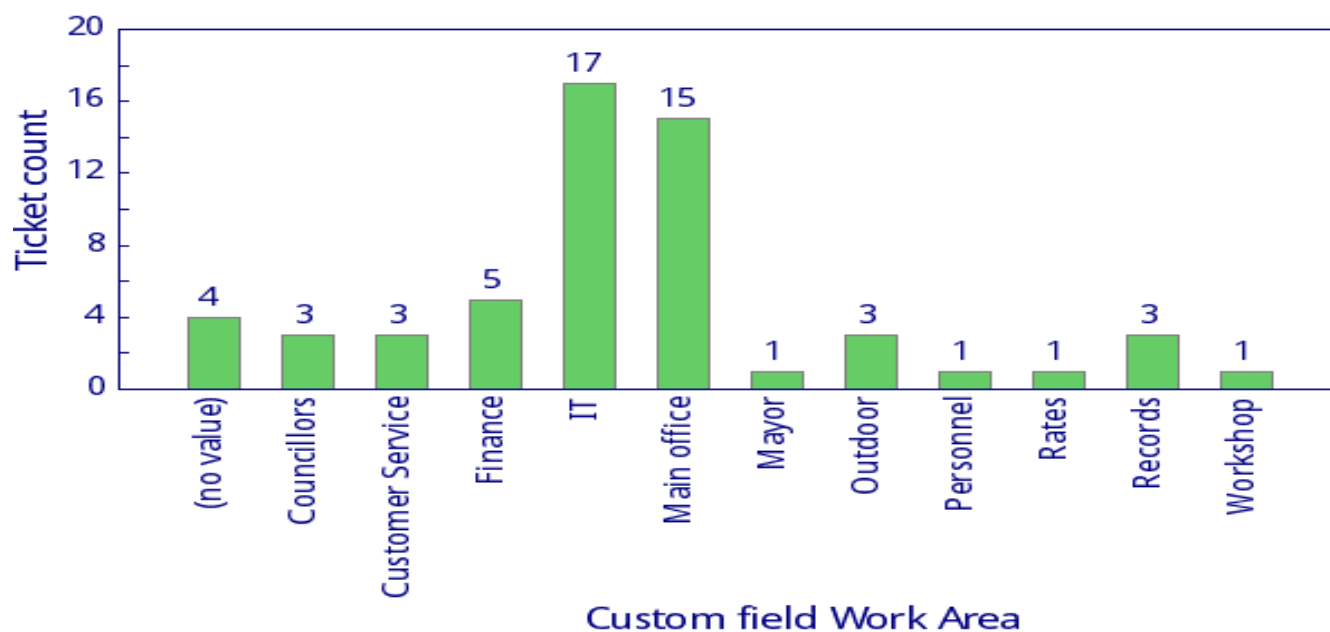
May Created Tickets : 59



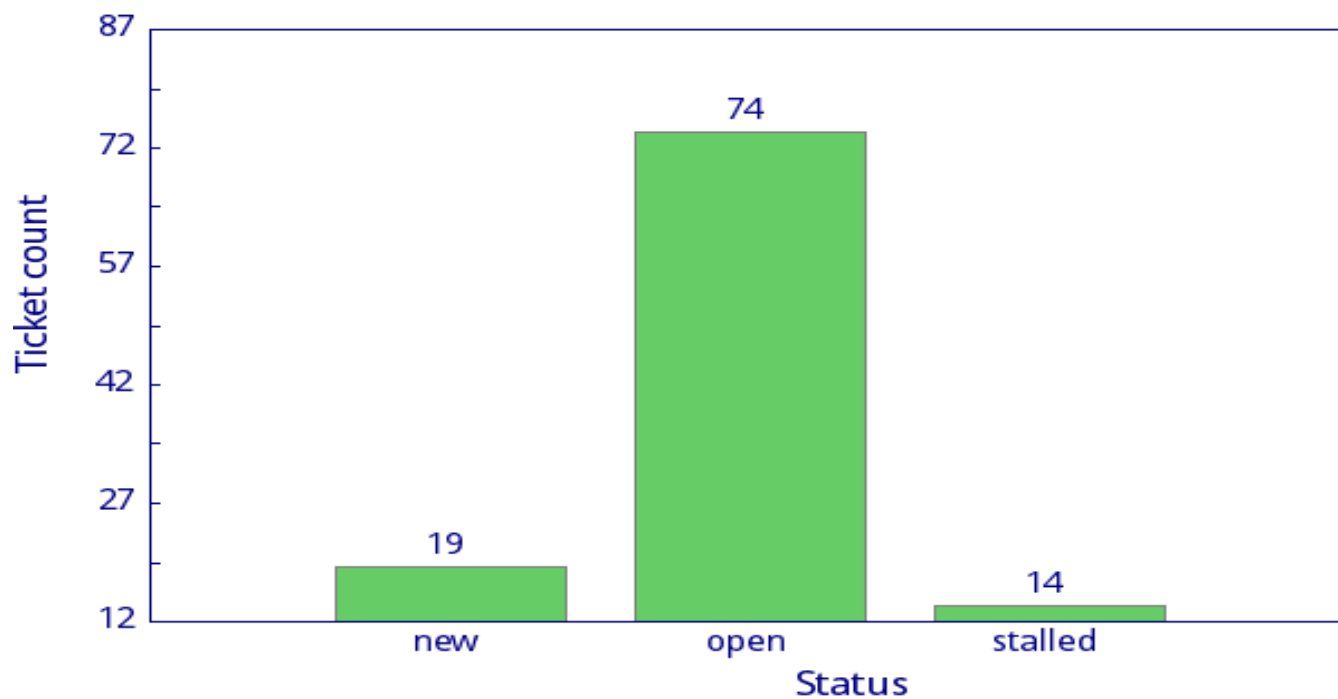
May Resolved Tickets: 41

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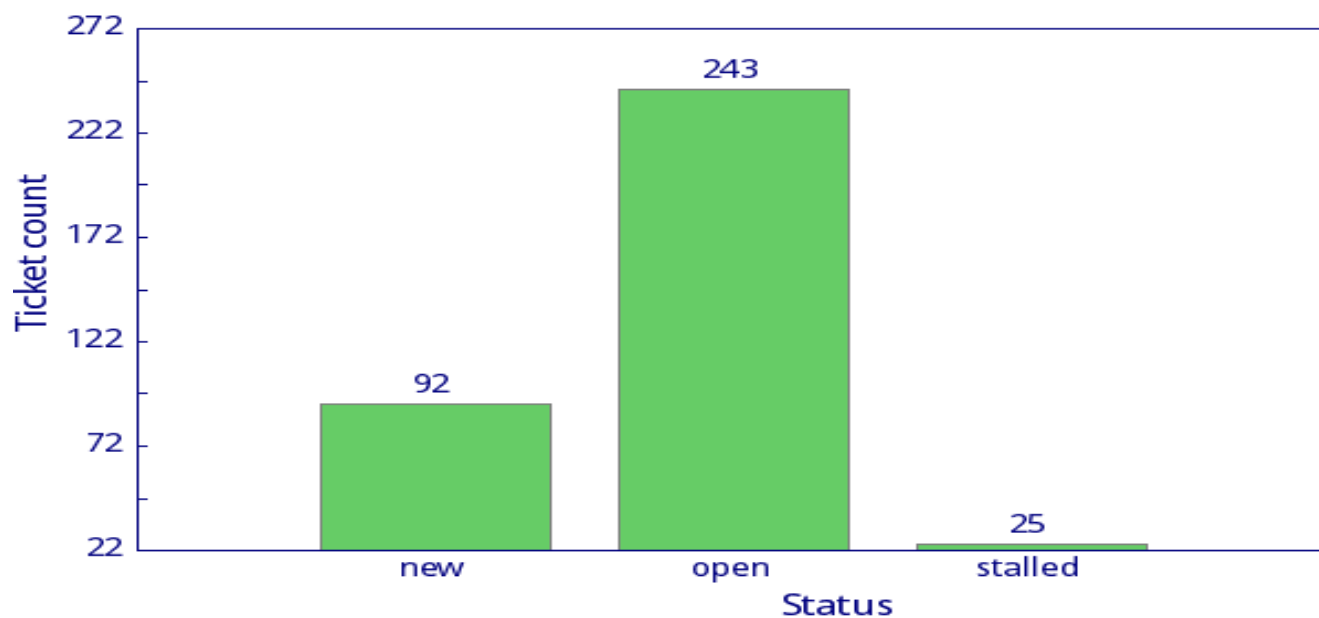


May Updated Tickets by Status: 94



Tickets End of May: 341

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RECORDS & CORRESPONDENCE

	DOCUMENTS	SCANNED DOCUMENTS	TOTALS
Records Officer	80	148	203
Correspondence Officer	394	708	866
Senior Admin Officer	31	175	203
RECORDS TOTALS	505	1100	1605
WHOLE OF COUNCIL	2074	1111	3185

** Includes documents registered for individual officers by the Records & Admin team as part of the suite of records services offered to the wider workforce.*

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BUSINESS SERVICES MANAGEMENT PROJECTS

Note: Tasks that have been struck out are complete or have been re-allocated and will be removed from the task management spreadsheet in the next month's report.

Task	To be done.	Last Action	Prioritised
Procurement & Asset Disposal - Contracting			
<i>T0115 - Panel of Preferred Suppliers</i>	Manage legality of contractors vs. employees.	Reviewed crew selection and distributed analysis.	Current Project.
<i>Contract for Transport & Disposal of Waste</i>	Bulk Haulage Tender Expires Early 2015. Combine with Disposal. Part of FNQROC initiative.	Determined no contract in place for disposal. Scheduled for 2015. Meeting with FNQROC	Pending FNQROC & Feedback from Waste
<i>Tender for Road Transport</i>	Generate Yearly Quotes	Amended task from Tender to Quote	Commence March
<i>Investigate Partially Centralised Purchasing.</i>	Investigate and implement internal control whereby upon input of purchase order data entry personal confirm purchasing policy has been followed	FNQROC Discussion.	Pending Project.
<i>Accommodation.</i>	Yearly quote/Tender.	Receipt of Task	
<i>Harrigan Street Lot - Sale</i>	DA to be Approved to meet special conditions.	DA Submitted for approval.	NA
<i>Sole Supplier Register</i>	Put before Council again in July	Council endorsed.	July
<i>FNQROC Templates, Panels and Contracts Portal</i>	Working to identify common contracts, templates and future panels.	FNQROC Meeting. Templates forwarded.	Ongoing
<i>Landfill - Dumping at Springmount - Contract</i>	Put to Tender.	Receipt of Task.	High.
<i>Wharfinger.</i>	Put to Tender.	Receipt of Task.	High.
Legal			
<i>Strathmay Fence - Damage Caused by Flood Damage Works. Gate Damage included. Claim for</i>	Establish liability. Further information to be provided by Olkola	Matching of imagery vs. Claim	High.

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Task	To be done.	Last Action	Prioritised
<i>Compensation.</i>			
<i>Mining Compensation Agreement x 3</i>	Agreements to be Executed.	3 x Agreements Complete.	High.
<i>Debt Recovery Project</i>	Strategy for pursuing claims to be established i.e. organisational responsibilities.	Interdepartmental meeting required.	Not scheduled.
<i>CYWAFAP Handover.</i>	Meeting to be scheduled by Naturecall.	Terms of MOU sent to NatureCall	Pending response.
<i>Photocopier Contract - Ownership versus leasing.</i>	Establish what our contractual terms are and present to IT.	Receipt of task from IT.	Not Scheduled.
Internal Controls and Corporate Governance			
<i>Register of Interests Incorporated into Authority Registers</i>	Create Register in Authority. Transfer from Hard Copy held by CEO.	Receipt of Task.	Scheduled by End of Financial Year.
<i>Report on Complaints for All Complaints 2011/2014.</i>	Compile report on all complaints since 2011. Findings and recommendations, versus current corporate governance and practice.	Receipt of Task.	Not Scheduled.
<i>OIC Privacy Camera Survey</i>	Fill out and submit audit. Pending interdepartmental advice.	Delegated.	As per requirement.
<i>Customer Service Charter</i>	Finalise Draft. Interdepartmental consultation and presentation to EMT and Council.	Put on hold until June.	June.
<i>Social Media Policy</i>	Finalise draft - provide assistance to ED&CS.	Receipt of task.	delegated
<i>Change in purchasing policy to reflect local government act. Review 'Open vs Closed' Tenders. Review of 10% Locality Allowance.</i>	Changes implemented in T0115. Still to be implemented in Policy.	Reviewed other policies and intent of legislation with reference to locality allowance. Implemented in current Tender.	Scheduled by End of Financial Year.
<i>Complaint Management and Procurement</i>	Receipt of task.	Invite to all employees for training.	High.

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Task	To be done.	Last Action	Prioritised
<i>Training</i>			
<i>Conflict of Interest Register.</i>		Delegated.	Not Scheduled.
<i>Benefits & Gifts Register</i>	Create Register in Authority. Transfer from Hard Copy held by Executive Services	Delegated.	Scheduled by End of Financial Year.
<i>RTI on Website</i>	Log recent RTI outcomes on publication schedule.	Receipt of Task.	Scheduled by End of Financial Year.
<i>Lease Register - Include in Authority Registers</i>	Create Register in Authority. Transfer from Soft Copy in Excel.	Delegated. Change of Responsibilities.	Scheduled by End of Financial Year.
<i>Privacy Impact Statement.</i>	Create Privacy Impact Statement in accordance with Legislation.	Receipt of Task.	Ongoing project.
<i>CCC Policy</i>	Create CCC Policy in accordance with changes in legislation and templates as released by CCC.	Receipt of Task.	By End 2015/2016 for Annual Report.
<i>Corporate Portfolio of Forms and Templates - Process and Action 2014</i>	Ongoing project whereby forms and corporate documents are updated and rebrand as necessary.	Ongoing	
<i>Conflict of Interest Register & Policy</i>	Register of Interests - Related Parties - What has been spent on those businesses. Track & Publish in Annual Report. Linked to Benefits & Gifts Register. Procedure for declaration of potential, direct or perceived conflict of interest by employees, management, hiring, etc. Mitigate the risk of potential or perceived conflict of risk. Create Register in Authority. Transfer from Hard Copy held by Executive Services .	Receipt of Task.	
Records Management			
<i>Retrieve corporate records from historical</i>	Approach and retrieve corporate records from Historical Society.	Delegated to records. Initial approaches made.	Ongoing time dependant.

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Task	To be done.	Last Action	Prioritised
<i>society</i>			
<i>Vera Scarth Johnson Documents</i>	Establish exact nature of tenure over NPH by Vera Scarth Johnson Foundation.	Internal Search for Records. Pending information from Foundation.	To be scheduled once feedback received from Foundation.
<i>Records - Email Dumps, Central Processing, Councillors, Applying Retention to DW Docs</i>	Ongoing project to capture all corporate records. Particularly those of Councillors.	Delegated to records. Central processing separated as own task. Possibilities for councillors discussed.	Ongoing time dependant.
<i>Review of Records Management - Possibility of Central Management.</i>	Establish workload versus Whole of Council training versus Failure in Organisation to Register Corporate Records.	Information Gathering Stage. Email traffic and Records Capacity.	Scheduled for Costing by End of April.
<i>Workers Compensation and Work Cover</i>	Capture all workers compensation and workcover records in Records Management System.	Delegated to records. Scheduled and approval granted for project.	Delegated to Admin and HR Records and Records
<i>Review of TRIM - Security, Classifications, Retention</i>			
<i>CRM Management</i>	Establish appropriate timeframes, and then include column in report i.e. within acceptable timeframe for closure.	Receipt of task.	
<i>Workers Compensation and Work Cover</i>	Capture all Native Title records in Records Management System.	Delegated to records. Scheduled and approval granted for project.	Completed.
Complaints and Information Management			
<i>CCC Document Supply -Investigation</i>	Pending receipt of finding. Investigation concluded. Outcomes escalated within CCC for review.	Completed	Ongoing Project.
<i>Complaint 3.</i>	Complaint to be followed up by request of ombudsman. Delegated to second complaints Officer.	Delegated.	
<i>Complaint - Escalation</i>	Work with Ombudsman to provide	Sent to Ombudsman	As required.

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Task	To be done.	Last Action	Prioritised
<i>to Ombudsman</i>	information so complaint findings can be reviewed.		
<i>Complaint #1 - New (May 2015)</i>	Breach of privacy.	Completed.	NA
<i>Complaint # 2 - New (May 2015)</i>	Hire of Plant	Completed.	NA
<i>Complaint #3 - New (May 2015)</i>	Rates	Receipt of complaint.	High.
<i>RTI - Future Acts.</i>	RTI Application - Supervisory.	Delegation for training purposes / Preliminary assessment notice.	High.
Risk Management and Insurance			
<i>Insurance Renewal</i>	Complete assets schedule for insurance renewal.	Receipt of task	High.
<i>Risk Register</i>	Establish committee, create policy and charter, review draft register.	Register Completed. Report before Council for establishment of committee.	At Council.
Staffing & Training			
<i>Performance Appraisals.</i>	Performance appraisals for Business Services Employees.	Records, Administration, Customer Service, Business Services Manager.	Due Feb/March. Time dependant.
<i>Restructure</i>	Meeting held to establish roll out – Director approved proposed structure and roles.	Rolled Out. Complete.	
<i>IP, RTI, TRIM, Purchasing and Authority Training - Whole of Organisation</i>	Ongoing Project	Ongoing Project	Ongoing Project.
Land Tenure/Property Management - Contractual Arrangements			
<i>Licence to traverse – Mt Tully</i>	Implement Licence to Traverse Agreement with State.	Agreement sent for review.	Follow up due Feb.
<i>NBN - Tenure - Organise Trustee Lease</i>	Trustee Lease to be established.	Communication channels established.	
<i>Wuthathi Claim</i>	Request for evidence of illegal works.	Letter received and responded to.	
<i>Oak Tree Retirement Village</i>	On Hold.	Interdepartmental Discussion.	As advised.

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Task	To be done.	Last Action	Prioritised
<i>JS Love Building Repairs & Tenure</i>	Forms part of Hall review.	Advised repairs are responsibility of Tenant.	
<i>Railway Building</i>	Request for Certain Tenure.	Completed.	
<i>Gravel Briefing – Olkola, Batavia, Jalbina, Black Pinch, Wuthathi, Mt Amos. Inc. Working Relationship Protocols Out for Hire of Plant.</i>	What arrangements we have over what land – briefing for works crews and Hire of Plant.	Meeting held, tasks delegated to appropriate officer.	Complete and handed over.
<i>Additional Land Christian School</i>	Facilitate Additional Land for Christian School Oval.	Resolution by Council. Initial Terms Sent. Valuation commenced.	Valuation completed. Pending feedback from CCM.
<i>Kalpower - Claim for Gravel Extraction.</i>	Pending further correspondence from Kalpower solicitors.	Request for further information.	Pending.
<i>Battlecamp and McIvor Gravel Leases - DATSIMA</i>	Facilitate Gravel Leases for Engineering with DATSIMA	Site Visit Complete. Pending permission to use pits prior to leases being put in place as gesture of good faith and so roads can be graded.	Pending reply.
<i>Re-enactment Society - Renew Lease</i>	Renew Lease	Receipt of Overdue Notice.	Time dependant. Lease is periodic until renewed.
<i>Historical Society - Renew Lease</i>	Renew Lease	Receipt of Overdue Notice.	Time dependant. Lease is periodic until renewed.
<i>CDCC - Renew Lease</i>	Renew Lease	New lease sent for review. Pending feedback.	Intention to implement March.
<i>Form 14. Lodge.</i>	With Executive Services.	Received requisition.	High.
<i>Café & Information Centre Rossville</i>	Determine legality – pass to planning if legal.	Handed to Local Laws.	Complete and handed over.
<i>Hall Review - Use, community service, insurance, maintenance, etc.</i>	Interdepartmental meeting to be scheduled to open up discussions.	Receipt of 2 x hall requests.	High.

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Task	To be done.	Last Action	Prioritised
Easement – Catholic Church – Holy Spirit.	Lodge / Return to Project Manager.	Completed.	
Administration			
<i>Authority Dashboard and Review of Customer Service Procedures.</i>	Make use of Internal Financial System for procedure dissemination.	Receipt of Task.	Time dependant.
Cultural Heritage Procedure	Implemented by Engineering.	Finalised and handed to Engineering for review and implementation. Part of T0115.	Complete
<i>Procedures and Policy for the Pool - possibly TRIM and Authority integration. Work with Kathy and Narelle.</i>	Establish common procedures and policies with Pool	Receipt of Task Mid January. Resource scarcity for completion of works.	As required.
<i>Cleaning Tender - Works during the day</i>	Put to EMT	Receipt of day cleaning schedule.	Medium.
<i>Wardrobe Policy</i>	Put to EMT	Receipt of reviewed policy.	Medium.
<i>Fees and Charges</i>	Update Fees and Charges.	Receipt of task.	High.
RSL – Trustee Lease to Permit.	Completed	Finalised the tenure for Cap Park – Retaining permit to occupy.	Completed

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CUSTOMER REQUESTS FOR THE MONTH OF APRIL 2015

	MAY		
Description	Open at Start of Month	Opened	Closed
EXECUTIVE SERVICES			
Accidents & Incidents (WHS Officer)	3		
TOTAL	3	0	0
CORPORATE SERVICES			
Compliments (Senior Administration Officer)	1		
Disaster & Emergency Management (Director Corporate Services)	3		
IT User Support - TRIM (Records Officer)		3	
Property Management (Business Services Manager)	1	1	
Records Request (Records Officer)		1	
TOTAL	5	4	0
ECONOMIC DEVELOPMENT & COMMUNITY SERVICES			
Arts & Culture (Arts & Culture Officer)		1	1
Swimming Pool (Marketing & Communications)	2		2
Tourism Enquires (Tourism & Events)	1		1
TOTAL	3	1	4
PLANNING & ENVIRONMENT			
Abandoned Vehicle Concerns (Local Laws Officer)	3		
Bio-Security - Feral Pig Control (Bio Security)		1	1
Bio-Security - Weed Control (Bio Security)	2		
Bio-Security - Wild Dog Control (Bio Security)		2	
Building Enquiries/Complaints (Building)	1		1
Cemetery Request (Environmental Health Officer)		1	
Control of Nuisances - Air-Borne Hazard (Local Laws Officer)	1		1
Control of Nuisances - Fire Hazard (Local Laws Officer)	1		
Control of Nuisances - Noise Pollution (Local Laws Officer)		1	
Control of Nuisances - Overgrown Vegetation		4	
Council Properties - Maintenance (Building)	3	11	1
Council Properties - Plumbing Maintenance (Master Plumber)	4		
Dog Attack (Local Laws Officer)	1	1	
Dog Barking (Local Laws Officer)		1	
Domestic Animals - Excess (Local Laws Officer)	1		
Domestic Animals - Rush/Menace (Local Laws Officer)	1	1	
Domestic Animals - Wandering at Large (Local Laws Officer)	11	5	
Domestic Animals - Welfare (Local Laws Officer)	2	1	
Environmental Complaint (Environmental Officer)	5	1	2

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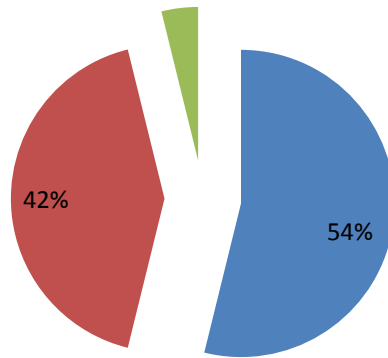
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Food Premises Complaint (Environmental Officer)		1	
Illegal Camping (Local Laws Officer)	1		
Land Use & Planning Enquiries (Town Planning Officer)	1		
Landfill/Rubbish/Recycling Enquiry (Waste Management Coordinator)	2	3	
Local Law Complaints (Environmental Health Officer)	1		
Planning Application Enquiry (Town Planning Officer)	1		
Plumbing Enquiries/Complaints (Master Plumber)		2	
Private Swimming Pools (Building)	1		
Public Toilets - Cape Area (Environmental Officer)		1	1
Senior Accommodation Living Units - Maintenance Request (Building)	28	3	1
TOTAL	71	40	8
ENGINEERING SERVICES			
Airport - General Maintenance (Director Engineering)	1		
Damaged Traffic Signs, Rails (Construction & Maintenance Shire Overseer)	1	2	
Fallen Trees (Construction & Maintenance Shire Overseer)	1		
Footpaths & Bikeways (Construction & Maintenance Shire Overseer)	2	1	
Park Furniture (Parks & Gardens Manager)	1		
Parks & Gardens - Other Maintenance (Parks & Gardens Manager)	3	3	
Road - Opening & Closing (Director Engineering)		1	1
Roads Maintenance (Construction & Maintenance Shire Overseer)	25	20	
Stormwater Drainage (Construction & Maintenance Shire Overseer)	5	1	
Street Numbering (House/Rural) (Project/Administration Officer)	1		
Verge Mowing Enquiries (Project/Administration Officer)	1		
Water Supply Enquiries/Repairs (Water Administration Officer)		5	2
Wharves, Boat Ramps & Fishing Pontoons (Construction & Maintenance Shire Overseer)	1		
TOTAL	42	33	3
OVERALL TOTALS	124	78	15

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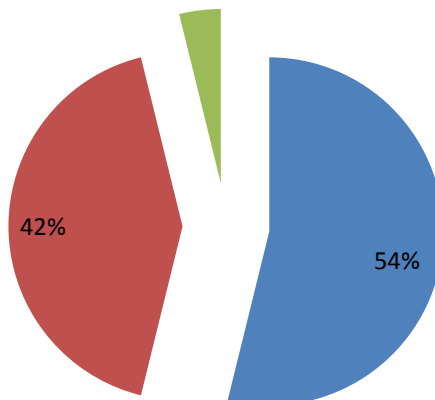
**ECONOMIC DEVELOPMENT &
COMMUNITY SERVICES**

■ Open at Start of Month ■ Opened ■ Closed



ENGINEERING SERVICES

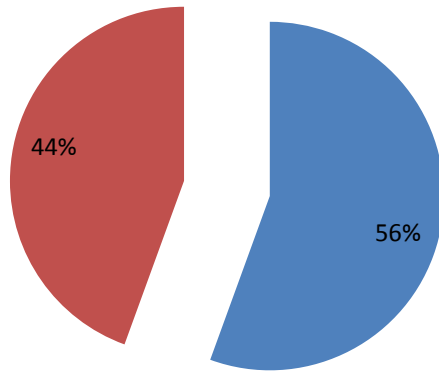
■ Open at Start of Month ■ Opened ■ Closed



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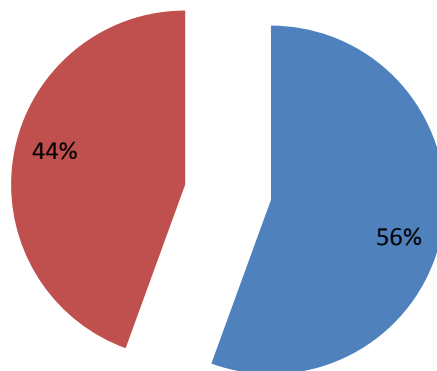
PLANNING & ENVIRONMENT

■ Open at Start of Month ■ Opened ■ Closed

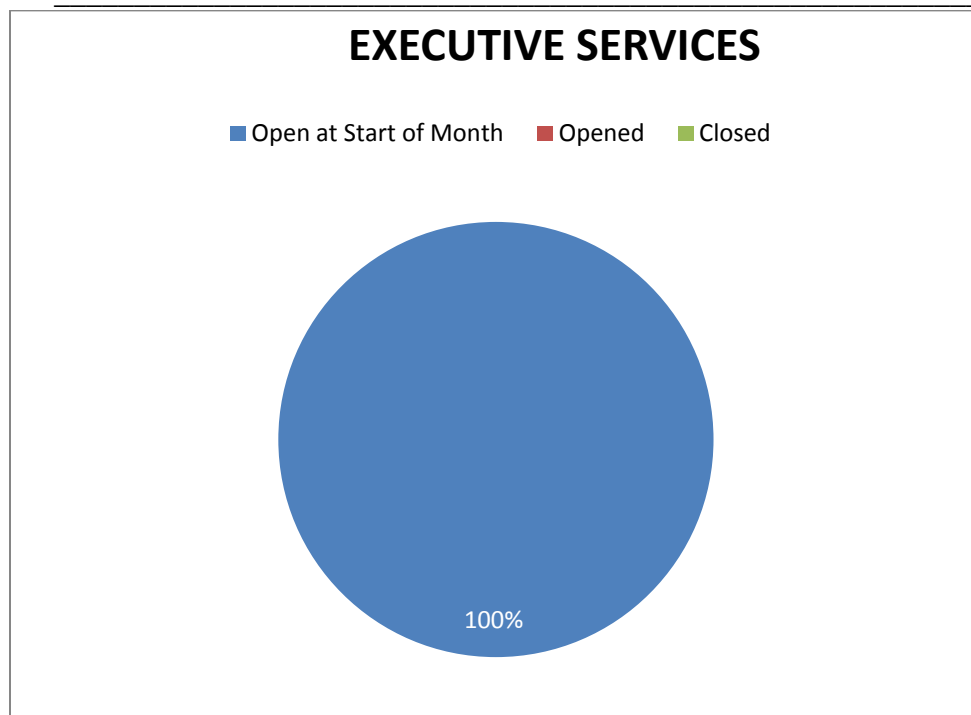


CORPORATE SERVICES

■ Open at Start of Month ■ Opened ■ Closed



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* *Note: age of processing time is unavailable for May as the reporting function is still with Council's Frame consultant.*

Link to Corporate Plan

Leadership and Governance

- 4.1.1 Provide, to a standard that ensures (at a minimum) legislative compliance:
- c) Appropriate corporate governance.

Consultation

Nil.

Legal Implications (Statutory, basis, legal risks)

Nil.

Policy Implications

Nil.

Financial and Resource Implications (Budgetary)/Risk Assessment

Nil.

RECOMMENDATION

Council adopt the report for information.

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COMMITTEE OF THE WHOLE

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