



Cook Shire COUNCIL

NOTICE OF MEETING

AN ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOK will be held at the Administration Centre, 10 Furneaux Street, Cooktown on the, 22 September 2015

Tuesday, 22 September 2015

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

Timothy Cronin
Chief Executive Officer

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

AGENDA CONTENTS

ATTENDANCE:.....	1
MEETING OPENED.....	1
APOLOGIES:	1
NOTICE OF BEREAVEMENT:.....	1
CONFIRMATION OF MINUTES	1
CONFIRMATION OF MINUTES OF ORDINARY MEETING.....	1
BUSINESS ARISING:	1
PLANNING AND ENVIRONMENT	2
APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (1 INTO 6 LOTS) AND A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A SHOP AT 48 CHARLOTTE STREET, COOKTOWN - LOT 201 ON C17915 (DA/3458).....	2
REQUEST FOR NEGOTIATED DECISION - APPLICATION FOR A DEVELOPMENT PERMIT - DA/3379 - FOR RECONFIGURING A LOT (1 INTO 2 LOTS) LOCATED AT MT AMOS ROAD, MT AMOS (LOT 1 ON RP902192), COOKTOWN.....	38
APPLICATION FOR A DEVELOPMENT PERMIT - DA/3393 - RECONFIGURATION FOR THE PURPOSE OF A LEASE (LEASE 'A') WITHIN LOT 26 ON SP193139, 7725 MULLIGAN HIGHWAY, LAKELAND.....	48
APPLICATION FOR A DEVELOPMENT PERMIT - DA/3417 – RECONFIGURATION OF LOT 1 ON PLAN SP221164, MT AMOS ROAD VIA COOKTOWN INTO THREE (3) LOTS	64
APPLICATION FOR A DEVELOPMENT PERMIT FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR AN UNDEFINED USE (HELICOPTER PAD AND ASSOCIATED STORAGE) AT 2622 ROSSVILLE BLOOMFIELD ROAD, BLOOMFIELD - LOT 3 ON RP906541 (DA/3432).....	86
RELEASE OF FUNDS – STAGE 1 OF COOKTOWN LANDFILL REHABILITATION.....	100
THE MAKING OF THE COOK SHIRE LOCAL LAWS 2015.....	111
APPLICATION FOR A DEVELOPMENT PERMIT – DA/3485 -FOR RECONFIGURING A LOT (1 INTO 2 LOTS) AND A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A PUBLIC UTILITY AT 7725 MULLIGAN HIGHWAY, LAKELAND - LOT 26 ON PLAN SP193139	118
LAND TENURE.....	151
APPLICATION FOR PERMANENT ROAD CLOSURE BEING KOOKABURRA AVENUE, LAKELAND ABUTTING LOT 26 ON RP725840 SHOWN AS LOT A ON DRAWING CNS15/047P.....	151
ENDEAVOUR VALLEY ROAD (ENDEAVOUR FALLS TO ROSE CREEK) – JOB NO.220/6601/2 – PROPOSED RESUMPTION OF LAND FOR TRANSPORT	

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

PURPOSES - PART OF LOT 4 ON PLAN SP146407: COUNTY OF BANKS: PARISH OF HANN.	156
PROPOSED ISSUE OF DEED OF GRANT OVER LOT 94 ON PLAN C17952 (RESERVE FOR GRAVEL R89), FOR THE PURPOSE OF A WASTE TRANSFER STATION; INERT LANDFILL AND A COMPOST FACILITY.	160
NAMING OF LAURA RIVER BRIDGE “SHELLEY’S CROSSING”– NORTH OF LAURA AND REINSTATEMENT OF SIGNAGE.	164
PROPOSED LAURA WASTEWATER DISPOSAL SYSTEM UPGRADE WITHIN LOT 200 ON PLAN CP907233 (UNALLOCATED STATE LAND); PENINSULA DEVELOPMENT ROAD, LAURA; PARISH OF DEIGHTON; LOCALITY OF LAURA.	177
BIOSECURITY	185
MAIN ROADS WEED CONTROL FUNDING	185
ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES	187
COEN ADVISORY COMMITTEE – AUGUST 2015 MINUTES.	187
COMMUNITY ENGAGEMENT STRATEGY	195
RADF – NEW GRANT GUIDELINES AND ADVISORY COMMITTEE.	222
SHOW DAY HOLIDAY 2016	227
CORPORATE SERVICES	230
FINANCE	230
REVENUE AND EXPENDITURE – AUGUST 2015.	230
BUSINESS SERVICES	238
INCLUSION IN FEES AND CHARGES – PER HECTARE COMPENSATION RATE FOR MINING LEASES.	238
ADMINISTRATION	240
WATERFRONT ADVISORY COMMITTEE MINUTES.	240
COMMITTEE OF THE WHOLE	244
INFORMATION.....	245
ENGINEERING	245
ENGINEERING SERVICES REPORT – SEPTEMBER 2015	245
PLANNING AND ENVIRONMENT	263
BUILDING APPROVALS – FOR THE MONTH OF AUGUST 2015	263
CURRENT RECONFIGURATION AND MCU DEVELOPMENT APPLICATIONS AS AT 31 AUGUST 2015	266
DIRECTOR OF PLANNING & ENVIRONMENT REPORT	281
BIOSECURITY	282
BIOSECURITY MONTHLY REPORT – SEPTEMBER 2015	282
ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES	287

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES DIVISIONAL REPORT – AUGUST 2015	287
CORPORATE SERVICES	294
FINANCE	294
FINANCE STATUS AUGUST 2015	294
BUSINESS SERVICES, RECORDS, ADMINISTRATION & IT REPORT – SEPTEMBER 2015 – FOR INFORMATION.....	300

ATTENDANCE:

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

MEETING OPENED

The Mayor, Cr PH Scott declared the meeting open at

APOLOGIES:

NOTICE OF BEREAVEMENT:

Advice has been received of the passing of
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 17 August 2015 be confirmed subject to the following amendments

Page/Reso #	Correction

BUSINESS ARISING:

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

PLANNING AND ENVIRONMENT

PE1	APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (1 INTO 6 LOTS) AND A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A SHOP AT 48 CHARLOTTE STREET, COOKTOWN - LOT 201 ON C17915 (DA/3458)
	<i>Report No.D15/16724 from Reel Planning Consultants</i>

Applicant: Cairns Hardware Company Pty Ltd
c/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Owner: Cook Shire Council

Location: 48 Charlotte Street, Cooktown Qld 4895

R.P.D.: Lot 201 on C17915

Area: 12,140sqm

Zone: Low Density Residential

Proposed Use: Reconfiguring a Lot (1 into 6 Lots) and Shop

Referral Agencies: None

Submissions: None

REPORT

An application was made to Council on 10 June 2015 for the issue of a development permit for a Preliminary Approval for a Material Change of Use overriding the Planning Scheme (Business Zone), a Development Permit for Reconfiguring a Lot (1 into 6 Lots) and a Development Permit for Material Change of Use (Shop) at 48 Charlotte Street, Cooktown.

An acknowledgement notice was issued on 22 June 2015 and an information request on 1 July 2015 requesting:

- That the Preliminary Approval component be removed from the application (refer to discussion below);
- Amendment of the site plan to fix a drafting error;

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- Calculations of the trade drive through area exclusive of driveway, parking and loading areas;
- Confirmation of the operating hours of the shop;
- An acoustic assessment of the proposed shop;
- An alternative design solution to improve the visual presentation of the building to Harrigan Street;
- Confirmation that the proposed stormwater strategy had considered existing discharge from proposed Lots 2-6; and
- Nomination of crossover and driveway locations for proposed Lots 2-6.

The applicant provided a full response to the information request via a letter dated 8 July 2015 but received by Council on 13 July 2015. Public notification was intended to be undertaken between 9 July and 3 August 2015, however was extended for one week (until 10 August) due to the accidental removal of one of the signs during the original period. No submissions were received.

During preliminary discussions between Council and the applicant there was some uncertainty regarding the ultimate form/layout of the Cairns Hardware Store. To allow the applicant flexibility in the future, Council Officers suggested that a Preliminary Approval Overriding the Scheme be applied for to apply the provisions of the Business Zone to future development of the site.

Such an approval would have allowed a future application for a shop (or an extension of the shop) via a code assessable application, a less complex and quicker process than the Impact Assessable application required under the Low Density Residential Zone.

Upon receiving the current application, it was clear that the applicant had maximised the use of proposed Lot 1 for a Shop and it was therefore unlikely that further applications or flexibility would be required. On this basis Council recommended (via the information request) that the applicant withdraw the Preliminary Approval application aspect to reduce the complexity of the application.

PROPOSAL

The current proposal involves Reconfiguring the Lot (subdivision) into six (6) parcels over two (2) Stages. The First Stage involves creating proposed Lot 1 on the corner of Harrigan Street and Charlotte Street and a balance stage. Proposed Lot 1 is 6,106sqm and is intended to be developed for a Hardware Store. Stage 2 involves creating five (5) new lots from the balance lot (proposed Lots 2-6) with each being 1,207sqm in size, having a 20m frontage to Harrigan Street and intended to be developed for low density residential purposes (refer to Figures 1 and 2).

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



Figure 1: Proposed Reconfiguration of a Lot (Stage 1)

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



Figure 2: Proposed Reconfiguration of a Lot (Stage 2)

The Material Change of Use component seeks approval for development of the Hardware Store on proposed Lot 1. It consists of a single building with car parking fronting Charlotte Street and a driveway along the south western boundary. The building consists of a retail section towards the Charlotte Street frontage, a trade drive-through behind and smaller facilities such as a nursery section, goods in (receiving), offices, staff room and toilets (refer to Figure 3).

No further uses on proposed Lots 2-6 have been applied for as part of this application, however it is noted that houses are self assessable uses in the Low Density Residential Zone so would not require a town planning application.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



Figure 4: Aerial of Subject Site

TOWN PLANNING CONSIDERATIONS

1. STATUTORY PLANNING CONTEXT

The site is zoned Low Density Residential under Cook Shire Council's Planning Scheme.

The proposed Hardware Store best fits the definition of "Shop" under Cook Shire Planning Scheme, repeated below:

***Shop** – means the use of premises for the display and retail sale or hire of goods and personal services. This use includes the ancillary storage and assembly of goods on the premises.*

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Reconfiguring a Lot in the Low Density Residential Zone triggers a Code Assessable Application, whereas a Shop in the Low Density Residential Zone is subject to impact assessment. Overall the application is subject to **Impact Assessment**, allowing Council to look at the provisions of the Planning Scheme as a whole, including the strategic elements of the planning scheme. The following codes are also relevant:

- Low Density Residential Zone Code;
- Reconfiguring a Lot Code;
- Parking & Access Code;
- Works Services & Infrastructure Code; and
- Natural Hazards Code.

2. COMPLIANCE WITH CODES AND POLICIES

(i) DEOs

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

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

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

DEO 1: A Strong Economy

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

Response

The proposed Hardware Store will assist Cooktown in becoming self reliant by providing a service that is important to both residents and visitors to the region. The associated reconfiguration of land will assist in providing housing choice and affordability in the largest urban area in the Shire.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

3.1.2 DEO 2: A Healthy Environment

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

Response

The site is partially covered by vegetation however only minor parts are proposed to be cleared to facilitate the Hardware Store. No development (only subdivision) is proposed over the rest of the site and while some clearing will be necessary if the land is to be used for houses, the vegetation is not identified as being significant on State vegetation mapping. Any such clearing for residential purposes is consistent with the intent of the existing zoning of the land.

DEO 3: Efficient Settlement

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

Response

The proposed Hardware Store is appropriately located in Cooktown, assisting it to maintain its status as the administrative and commercial centre.

(ii) Low Density Residential Zone Code

The overall outcomes of the Low Density Residential zone seek to achieve the following:

- *Residential neighbourhoods are low density in scale and design and provide a pleasant living environment with a high standard of amenity;*
- *Residential neighbourhoods are located close to services and community facilities and provide an appropriate level of infrastructure; and*
- *Non-residential development which supports the immediate community is located and designed to maintain the amenity of adjoining residential development.*

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

- The proposed subdivision will result in lots suitable for future low density residential uses. The proposed Hardware Store will be visually buffered from surrounding residential areas using a combination of fencing and landscape buffers. The applicant has also submitted an acoustic report indicating that there will not be any amenity impacts on surrounding sensitive uses. The combination

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- of these factors will ensure that the proposed Hardware Store will not detract from the pleasant living environment or standard of amenity.
- The proposed residential lots are located close to services and community facilities.

An assessment of the proposal against the Performance Criteria of the Low Density Residential Zone Code is provided below:

1. Performance Criteria	2. Proposal Compliance
Land Use	
<p>PC 1 Land use is low density in nature and dominated by single residential dwelling houses. Non-residential uses occur that:</p> <ul style="list-style-type: none"> • Support the convenience needs of the immediate neighbourhood, rather than that of the wider community; • Do not generate high levels of non-local through traffic; • Are easily accessed by the local population; • Have primary access to a sealed road with a minimum reserve width of 20 m; and • Are designed and located so as not to impact on the residential amenity of the area. 	<p>The proposed Hardware Store at the scale proposed cannot be said to serve the immediate neighbourhood rather than the wider community but is considered appropriate having regard to the surrounding pattern of development which includes other non-residential uses surrounding the Harrigan Street, Charlotte Street & Boundary Street intersection. Addressing the other points of the Performance Criteria:</p> <ul style="list-style-type: none"> • The site is located on (and provides access via) one of the major roads heading west from Cooktown, so the use will not draw traffic through residential streets but will remain highly accessible; • Has access to a sealed road (Charlotte Street) with a reserve width of more than 20m; and • As described elsewhere, the proposed Hardware Store is not expected to have an impact on the amenity of the area.
Scale and Density	
<p>PC 2 The scale and height of buildings is consistent with the low density residential neighbourhood and will generally have the appearance and bulk of a single House on a residential lot.</p>	<p>The associated Acceptable Solution calls for buildings to be less than 8.5m in height with a maximum site coverage of 50% or less. The proposed Hardware Store meets these requirements.</p>
Amenity and Setbacks	
<p>PC 3 High standards of residential amenity and landscaping are maintained and new buildings are setback from</p>	<p>The associated acceptable solution requires setbacks of 6m from the street frontages and 3m from other boundaries,</p>

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

1. Performance Criteria	2. Proposal Compliance
<p>boundaries so as to minimise adverse impacts on adjoining properties and the streetscape.</p>	<p>The proposal complies with this requirement except for the Harrigan Street frontage where the building is only set back 3m. The existing standard of residential amenity and landscaping is considered to be maintained (and therefore compliance with the Performance Criteria demonstrated) on the basis that the road reserve is almost 11m wide long the majority of this boundary and the applicant intends to landscape this space.</p> <p>An acceptable solution also requires solid 1.8m fence and 2m wide landscape buffer along the boundary of land in the Low Density Residential Zone (as will exist along the southern and western boundaries). The proposal also complies with these requirements.</p>
Design	
<p>PC 4 New buildings and structures are designed to:</p> <ul style="list-style-type: none"> • Provide a high level of visual appeal; • To be in keeping with the predominate character of the area; • Ensure that walls facing the street frontage are articulated and punctuated by windows and doors (i.e. long expanses of blank and/or flat walls are unacceptable); and • Ensure that the street frontage and internal car parking areas are well capable of surveillance from dwelling unit(s) located on the site. 	<ul style="list-style-type: none"> • The architectural and landscape drawings submitted with the application and in response to the information request present a high level of visual appeal for the type of building proposed. • The site sits in proximity to other non residential uses surrounding the intersection with Harrigan and Charlotte Street. The character of the area is therefore mixed and the proposed buildings are generally in keeping with that character. • In response to Council’s information request the applicant submitted an amended design showing additional articulation along the Harrigan Street frontage to supplement the proposed vegetation. • There are no dwellings proposed on site, however the internal parking areas are unenclosed and generally visible from the hardware store and/or the street frontage.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

1. Performance Criteria	2. Proposal Compliance
PC 5 Effective landscaping is employed to provide an attractive presentation to the street.	The applicant submitted a landscaping plan showing attractive presentation to the street.
PC 6 Safe and efficient vehicle movements are facilitated.	A single vehicle crossover will be provided along the Charlotte Street frontage with adequate on site manoeuvring areas to allow customer and service vehicles to enter and leave the site in a forward gear
PC 7 Waste material is stored so as not to be unsightly and so as to be conveniently collected.	A refuse storage area has not been nominated on the plans, however this can be conditioned to be provided, logically near the proposed loading dock
Erosion Prone Land	
PC 12 In an Erosion Prone Area, there are no adverse impacts on habitat, soil cover or water quality and no significant threats to public safety, infrastructure integrity or the economic value of the Erosion Prone Area.	The site is not in an erosion prone area.
Acid Sulfate Soils	
PC 8 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulfate soil by: Avoiding disturbance of such areas; or Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels, and Treating and managing surface and groundwater flows from areas of acid sulfate soils to minimise environmental harm.	The proposal does not affect any land at or below 5m AHD so will not have any effect on Acid Sulfate Soils.
Clearing of Vegetation at Old Dam Site in Cooktown	
PC 9 Clearing of vegetation on any lot forming part of the Old Dam Site in Cooktown is limited to the practical minimum required to construct a single house and ancillary structures and access thereto.	The land does not form part of the Old Dam Site.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

1. Performance Criteria	2. Proposal Compliance
Pest Management	
<p>PC 10 Movement of State Declared or environmental pest plants and pest animals is prevented by:</p> <p>Not introducing any new declared or environmental pest plants or animals on to the property; and</p> <p>Not allowing seed or plant parts of declared or environmental pest plants to leave the property.</p>	<p>The applicant will be conditioned (as part of this application or a later application for building or operational work) so not to introduce any State declared or environmental pest plants or animals.</p>

(iii) Reconfiguring a Lot Code

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

- *New lots are suitable for their intended use and are appropriately designed and sited given the local landscape and topography;*
- *The lot layout design is an efficient use of the land;*
- *Suitable areas of public open space are provided in association with new lots;*
- *Reconfiguration does not impact on the Shire's water resources;*
- *The long term productive use of good quality agricultural land is not compromised; and*
- *The road network design provides for the convenient and safe movement of people and vehicles.*

An assessment of the proposal against the Performance Criteria of the Reconfiguring a Lot Code is provided below:

3. Performance Criteria	4. Proposal Compliance
Land Configuration	
<p>PC 1 Lots have adequate area and appropriate dimensions for their intended use and good quality agricultural land is not lost to production through its fragmentation into economically unviable units, unless over-riding public benefit can be demonstrated.</p>	<p>The associated acceptable solution requires a minimum lot size of 800sqm with a minimum frontage of 20m for lots in the Low Density Residential Zone. All proposed lots meet this requirement, including the lot proposed to contain the Hardware Store.</p>
Subdivision Design	
<p>PC 2 Subdivision design:</p> <ul style="list-style-type: none"> • Provides each lot with practical access to the public road system; • Minimises strip development; • Provides for safe and efficient traffic movements; and 	<p>The associated acceptable solutions relate to land in the rural or rural residential zone and subdivisions creating 10 or more allotments. They are therefore not applicable to the proposal. In any case, the proposal is considered to comply with the Performance Criteria in that it</p>

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<ul style="list-style-type: none"> Does not compromise the long term potential for further higher density subdivision in the Cooktown locality. 	provides safe and efficient access to the public road system and does not compromise subdivision on surrounding parcels.
PC 3 Noise amelioration features are incorporated in the development to mitigate impacts from road networks and such noise amelioration features are designed to minimise adverse impacts on visual amenity.	Given the size of the allotments and level of traffic likely to utilise the surrounding road networks, it is unlikely that noise amelioration features would be required to mitigate noise on future uses.
PC 4 Rear lots only occur in exceptional circumstances where justified by the need to protect amenity or where the site's physical characteristics make this form of subdivision more practical.	No rear lots are proposed.
PC 5 Secure access of adequate width and standard to accommodate emergency vehicles is provided to all rear lots.	No rear lots are proposed.
PC 6 The access handle to rear lots is located and constructed to: <ul style="list-style-type: none"> Minimise impacts on adjoining properties; Allow all weather practical access; Prevent erosion and sedimentation due to vehicle movements; Minimise generation of dust; and Prevent stormwater drainage problems. 	No rear lots are proposed.
Duck Farm Sub-Artesian Area	
PC 7 Reconfiguring a lot(s) must not create the potential for adverse impacts on the capacity or water quality of the Duck Farm Sub-Artesian Area by reason of: <ul style="list-style-type: none"> Additional groundwater extraction; or Infiltration of sewerage effluent or other contaminants. 	The site is not in proximity to the Duck Farm Sub-Artesian Area.
Public Open Space	
PC 8 Public open space for recreation purposes is provided in a manner which: <ul style="list-style-type: none"> Meets the recreation and leisure needs of the community; Is not subject to constraints such as inundation or excessive slope which would reduce its usefulness; 	No public open space is proposed as part of this application, however the applicant will be required to pay infrastructure charges towards open space.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

<ul style="list-style-type: none"> • Has a functional shape; • Connects with existing public open space or natural areas where feasible; • Is readily and safely accessible by vehicles, cyclists and pedestrians; and • Conserves and takes advantage of significant landmarks and natural vegetation. 	
Erosion Prone Land	
<p>PC 9 In an Erosion Prone Area, reconfiguration does not give rise to adverse impacts on habitat, soil cover or water quality, or lead to significant threats to public safety, infrastructure integrity or the economic value of the Erosion Prone Area.</p>	<p>The land is not within an erosion prone area.</p>
Acid Sulfate Soils	
<p>PC 10 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulfate soil by:</p> <ul style="list-style-type: none"> • Not reconfiguring lots in such areas; or • Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and • Treating and managing surface and groundwater flows to minimise environmental harm. 	<p>The proposal will not affect land below 5mAHD so will not have an impact on acid sulphate soils.</p>
Watercourse Protection	
<p>PC 11 Where reconfiguration involves land adjacent to or including a wetland and/or watercourses identified on the Watercourses and Wetlands maps, there are no significant adverse effects on:</p> <ul style="list-style-type: none"> • Water quality; • Ecological and biodiversity values; or • Landscape quality. 	<p>The land is not adjacent to or including a watercourse.</p>

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Protection of Extractive Resources	
<p>PC 12 Reconfiguration does not lead to land use conflict that could compromise the operation of extractive resource deposits within the Shire.</p>	<p>Not applicable. The site sits within an urban context.</p>

(iv) Parking and Access Code

The Parking and Access Code seeks to achieve safe and convenient parking and access both internal and external to the site. The parking rate in the Planning Scheme for a shop is one space per 50m² which results in a total parking demand of 46 spaces. 22 spaces have been provided in addition to 9 spaces associated with the trade drive through area.

When the loading, parking and manoeuvring areas are excluded, the total area of the shop drops from 2,262m² to 1,809 m² and the parking requirement drops to 37 spaces. The development is therefore 6 spaces less than is specified in the acceptable solution however it is noted that the parking rate applies to all shops with those shops selling small or day-to-day items (e.g. supermarkets) likely requiring a higher car parking rate and those selling bulky or infrequently purchased goods (such as a furniture store) likely to require a lower parking rate. For a use such as is proposed with the Hardware Store, likely to sell a variety of small and large items a slight decrease in the parking rate (specified by the acceptable solution) is able to be supported.

The proposed parking and manoeuvring areas are otherwise compliant with the relevant standards and provide safe, efficient and practical access to and within the site.

(v) Works, Services and Infrastructure Code

This code seeks to ensure infrastructure is designed and constructed to a suitable standard and that works, services an infrastructure do not cause environmental degradation or increase the risk of natural hazards. The applicant has indicated that the proposed lots can be connected to the full range of reticulated services (water, sewer, electricity and telecommunications) and this can be conditioned as part of any decision.

PC11 of the code requires that any filling and excavation does not result in instability of a site or adjacent land, with the associated acceptable solution requiring retaining walls to be no higher than 1.5m. The slope of the site is such that retaining walls to facilitate the Hardware Store are likely to exceed 1.5m however a condition of approval will require that the applicant demonstrate that land stability is maintained.

The code also requires that filling or excavation does not cause stormwater impacts on adjoining land. The applicant submitted a preliminary stormwater assessment addressing the post development flows from the proposed Hardware Store and indicated (in response to Council's Information Request) that there were multiple options available to deal with stormwater from the proposed residential allotments. Further detail can be conditioned as part of any decision.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

(vi) Natural Hazards Code

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

3. REFERRAL AGENCIES

The application did not trigger any referral agencies.

4. PUBLIC NOTIFICATION

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

5. DISCUSSION

The proposed development is for a subdivision to create six (6) allotments and a Hardware Store on one of those allotments.

Non Residential Use

The proposal involves introducing a non-residential use (Hardware Store) into a Low Density Residential zoned area. The site is nevertheless adjacent to other non-residential uses surrounding the roundabout that intersects Harrigan, Charlotte and Boundary Streets. The applicant has also demonstrated through submission of a stormwater report, acoustic report and landscape plan that the use will not have a stormwater, acoustic or visual impact on surrounding residential uses. The proposal presents a reasonable level of architectural merit and the use is one that will serve both residents and visitors. Anecdotally, there is also a lack of available land in the business zone which could accommodate the use at the scale proposed.

Infrastructure and Parking

Stormwater drainage from the proposed residential allotments and the need for retaining across the site are relevant issues that were not addressed in detail as part of the application. It is considered that suitable conditions can be placed on the decision to avoid impacts on neighbouring sites. The number of parking spaces proposed is below the number specified by the acceptable solution of the Parking and Access Code. A lower rate is nevertheless acceptable having regard to the bulky nature of some of the goods that will be sold from the premises.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

7. RECOMMENDATION

That Council issue an approval for the development application submitted by Cairns Hardware Company Pty Ltd c/- RPS Australia East Pty Ltd for Reconfiguring a Lot (one (1) into six (6) lots) and a Material Change of Use (Shop) at 48 Charlotte Street, Cooktown (Lot 201 on C17915), subject to the following conditions:

A. Assessment Manager (COUNCIL) Conditions

(1) Reconfiguring A Lot

Approved Plan

1. The development must be carried out generally in accordance with the following proposal plans except for any modifications required to comply with the conditions of this approval:
 - 126133_4 – Stage 1, Prepared by RPS, Dated 06/07/15
 - 126133_5 – Stage 2, Prepared by RPS, Dated 06/07/15

Staging

2. The applicant is able to undertake the staging in any order however must comply with all the conditions in this section of the decision notice prior to the endorsement of the Plan of Survey for either stage.

Access

3. For Stage 1, access to proposed Lot 1 must be via Charlotte Street and access to proposed Lot 2 must be via Harrigan Street.
4. For Stage 1, access to proposed Lot 1 must be via Charlotte Street and access to proposed Lots 2-6 must be via Harrigan Street.
5. Access must be constructed prior to the endorsement of the Plan of Survey and is to be bitumen sealed and constructed to the requirements of the FNQROC Manual. Plans showing the location of each access must be submitted to Council's Director – Engineering Services for approval.

Operational Works

6. Prior to construction commencing, Council will require approval of an Operational Works application for the following:
 - Accesses including ancillary stormwater drainage (see Condition 2);
 - Erosion and sediment control plan for access works; and

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- Any water or sewer main extensions (see Condition 11).

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

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

Electricity Supply

7. Each proposed lot must be connected to the reticulated electricity supply. A Certificate of Electricity Supply from Ergon Energy must be provided to Council by the applicant, prior to Council endorsement of the Plan of Survey.

Telecommunication Supply

8. Evidence from the relevant telecommunication service provider that the telecommunications services can be made available to the proposed lots must be submitted to Council prior to endorsement of the Survey Plan.

Services

9. The approved lots shall be connected to Council's reticulated water supply in accordance with Council's Development Standards and to the satisfaction of the Council's Director Engineering Services prior to the signing and sealing of the Survey Plan.
10. The approved lots shall be connected to Council's reticulated sewerage system in accordance with Council's Development Standards and to the satisfaction of the Council's Director Engineering Services prior to the endorsement of the Survey Plan.
11. Any sewerage and water main extensions or upgrades must be designed and constructed in accordance with the FNQROC Manual requirements at full cost to the applicant. Engineering Plans must be submitted for approval by Council's Director Engineering Services as part of an Operational Works application prior to works commencing.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Lawful Point of Discharge

12. The applicant/owner must ensure that the flow of all external stormwater from the property is directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of Council's Director Engineering Services.

In particular, new lots shall be drained to the road frontages, drainage easements or drainage reserve and discharged to the existing drainage system.

OR

Submit to Council, written agreement from the owners of downstream properties for the discharge of stormwater from the site through the affected properties to a lawful point of discharge.

Public Utilities

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

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

Compliance

14. All relevant Conditions of this Development Permit are to be complied with prior to the Plan of Survey being submitted to Council for endorsement.

Outstanding Charges

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

Infrastructure Charges

16. Infrastructure charges for water, sewerage and parks must be paid to Council prior to the sealing of survey for each stage as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment.

Signing and Sealing

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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

(2) Material Change of Use

Approved Plan

1. The development must be carried out generally in accordance with the following proposal plans except for any modifications required to comply with the conditions of this approval:
 - PR126133-2 – Concept Store Layout, Issue A, Prepared by RPS, Dated 03/07/15;
 - 126133_03 – Project, Locality Landscape Vision, Prepared by RPS, Dated 03/06/15;
 - PR126133-5 – Concept Store Layout, Issue A, Prepared by RPS, Dated 03/07/15;
 - 15-745 Sheet 03 – Elevations, Prepared by Brad Owens Design and Drafting, Dated 21/05/15 (Amended in Red); and
 - 15-745 Sheet 03 – Elevations (Building Colours), Prepared by Brad Owens Design and Drafting, Dated 21/05/15 (Amended in Red).

Footpaths

2. Provision of a two (2) metre wide concrete pedestrian pathway for the full frontage of the development to Charlotte and Harrigan Street. Construction must be to the requirements of the FNQROC Manual.

The remainder of the footpath nature strip must be formed, grassed and left in a condition easily mowed.

3. Engineering plans must be submitted for approval by Council's Director Engineering Services as part of an Operational Works application, prior to works commencing.

Internal Driveway and Car Parking

4. The Development must make provision for thirty-one (31) car parking spaces to be located generally in accordance with the plan titled PR126133-2 – Concept Store Layout, Issue A, Prepared by RPS, Dated 03/07/15. At least two (2) parking spaces must be designated for persons with disability.
5. Traffic calming devices (speed bumps or similar) are to be provided within the car parking area to assist in limiting the speed of vehicles within the site.
6. Construction of internal driveways and car parking must be to the requirements of the FNQROC Manual. Car parking spaces and internal driveways must be sealed with either bitumen or concrete. Car parking spaces must be line marked and comply with the Australian Standard. Engineering drawings must be submitted for approval by Council's Director Engineering Services prior to works commencing.

Retaining Walls

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

7. All retaining walls including the footings must be located wholly within the property boundary of the site where works are occurring. Retaining walls to stabilise excavation must accommodate subsoil drainage without encroachment into the neighbouring property.
8. Retaining walls in excess of 1.0m in height must be designed and certified by a Registered Professional Engineer Queensland and have building approval.

Operational Works

9. Prior to construction commencing, Council will require approval of an Operational Works application for the following:
 - Excavation and Filling; and
 - Any water main or sewerage main extensions (see Condition 17).

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

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

Certificate and Maintenance

10. Upon completion of the works subject to the requirement for an Operational Works application in Condition 9 of this approval, a certificate from a qualified engineer is to be submitted to Council stating that the works have been carried out properly and in accordance with the plans and specifications approved by Council.

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

Construction Waste Management Plan

11. The applicant is to prepare and submit to the Council a Construction Waste Management Plan. The plan is to be approved by the Director Planning and Environment Services before the development permit for the building works is issued and is to be implemented prior to the commencement of the use.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Landscaping

12. The Applicant is to undertake the landscaping in accordance with the approved plan prior to the commencement of the use. Landscaping shall be maintained at all times.

Acoustic Fence

13. A 1.8m high acoustic fence is to be provided along the northern boundary of the site and is to be:

- Constructed of a material with a minimum surface area density of 15kg/m²;
- Constructed of an aesthetically pleasing weather-resistant material such as fibre cement, painted or treated timber, brick, concrete or a combination thereof; and
- Continuous and gap free.

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

Air Conditioning

14. Air conditioners shall be designed, selected, located and installed to achieve no more than 40 dB(A) at the closest sensitive receptor. Evidence is to be provided to the Director Planning and Environment prior to commencement of the use.

Operating Hours

15. Operating Hours are limited to:

- Monday to Friday - 7am to 5:30pm
- Saturday – 8am to 4pm
- Sunday – 9am to 4pm

Unless otherwise approved by Council.

Services

16. The proposal is to be connected to the reticulated water system, reticulated sewerage system and electricity supply at time of construction at full cost to the applicant. Electricity connection is to be via underground power.

17. Sewerage and Water Main extensions or upgrades must be designed and constructed in accordance with the FNQROC Manual requirements at full cost to the applicant. Engineering plans to be submitted for approval by Council's Director Engineering Services as part of an Operational Works application prior to works commencing.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Storm Water

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

Refuse

19. Refuse storage areas are to be screened from view from the road in an area easily accessible to a refuse collection vehicle

Noise and Dust

20. The Applicant must ensure that during the construction stage no nuisance is caused to the surrounding properties by way of noise or dust emissions.

Public Utilities

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

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

Environmental

22. The applicant must ensure that no sand, soil or silt runoff occurs from the site during the construction and operational phase of the development.
23. No State Declared or environmental pest plants and pest animals are to be introduced onto the property. The applicant/owner shall be responsible for the complete removal and destruction of any noxious weed or plants existing on the land the subject of the Development Permit.

Compliance

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

Outstanding Charges

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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Infrastructure Charges

26. Infrastructure charges for water, sewerage and parks must be paid to Council at the time of application to carry out building works as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment.

Currency Period

27. The currency period for this application is four (4) years. Should the approved Shop not be established within this time, the approval shall lapse.

B. Assessment Manager (COUNCIL) Advice

A development permit is required for carrying out Building works and a Plumbing and Drainage approval/compliance permit is required for Plumbing and Drainage works prior to construction of any works assessable under the *Building Act 1975* associated with this development.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

'Appendix A'



IMPORTANT NOTE

This plan was prepared for the use of the Council of the City of Cairns. It is not to be used for any other purpose. The Council is not responsible for any errors or omissions in this plan. The Council is not responsible for any actions taken by any person in reliance on this plan. The Council is not responsible for any actions taken by any person in reliance on this plan. The Council is not responsible for any actions taken by any person in reliance on this plan.

1. This plan was prepared for the use of the Council of the City of Cairns. It is not to be used for any other purpose. The Council is not responsible for any errors or omissions in this plan. The Council is not responsible for any actions taken by any person in reliance on this plan. The Council is not responsible for any actions taken by any person in reliance on this plan.
2. This plan was prepared for the use of the Council of the City of Cairns. It is not to be used for any other purpose. The Council is not responsible for any errors or omissions in this plan. The Council is not responsible for any actions taken by any person in reliance on this plan. The Council is not responsible for any actions taken by any person in reliance on this plan.
3. This plan was prepared for the use of the Council of the City of Cairns. It is not to be used for any other purpose. The Council is not responsible for any errors or omissions in this plan. The Council is not responsible for any actions taken by any person in reliance on this plan. The Council is not responsible for any actions taken by any person in reliance on this plan.
4. This plan was prepared for the use of the Council of the City of Cairns. It is not to be used for any other purpose. The Council is not responsible for any errors or omissions in this plan. The Council is not responsible for any actions taken by any person in reliance on this plan. The Council is not responsible for any actions taken by any person in reliance on this plan.
5. This plan was prepared for the use of the Council of the City of Cairns. It is not to be used for any other purpose. The Council is not responsible for any errors or omissions in this plan. The Council is not responsible for any actions taken by any person in reliance on this plan. The Council is not responsible for any actions taken by any person in reliance on this plan.
6. This plan was prepared for the use of the Council of the City of Cairns. It is not to be used for any other purpose. The Council is not responsible for any errors or omissions in this plan. The Council is not responsible for any actions taken by any person in reliance on this plan. The Council is not responsible for any actions taken by any person in reliance on this plan.
7. This plan was prepared for the use of the Council of the City of Cairns. It is not to be used for any other purpose. The Council is not responsible for any errors or omissions in this plan. The Council is not responsible for any actions taken by any person in reliance on this plan. The Council is not responsible for any actions taken by any person in reliance on this plan.

SCALE 1:1000 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE (A3)

PROJECT MANAGER	D. DAVIES
CLIENT	RPS
DATE	15/09/15
SHEET NO.	1
TOTAL SHEETS	1
PROJECT NO.	PT126133-4
PROJECT NAME	Cairns Hardware Pty Ltd
PROJECT ADDRESS	135 Adelaide Street, Cairns QLD 4870
PROJECT PHONE	+61 7 4231 1236
PROJECT FAX	+61 7 4231 1237
PROJECT EMAIL	info@rps.com.au
PROJECT WEBSITE	www.rps.com.au

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



IMPORTANT NOTE

1. This plan was prepared to the satisfaction of the Council for the purposes of the Resource Management Act 1991. It is not intended to be used for any other purpose, and the Council does not accept any liability for any loss or damage arising from its use. The Council is not responsible for any errors or omissions in this plan, and the user should verify the accuracy of the information contained herein.

2. The Council is not responsible for any loss or damage arising from the use of this plan for any purpose other than that for which it was prepared.

3. The Council is not responsible for any loss or damage arising from the use of this plan for any purpose other than that for which it was prepared.

4. The Council is not responsible for any loss or damage arising from the use of this plan for any purpose other than that for which it was prepared.

5. The Council is not responsible for any loss or damage arising from the use of this plan for any purpose other than that for which it was prepared.

6. The Council is not responsible for any loss or damage arising from the use of this plan for any purpose other than that for which it was prepared.

7. The Council is not responsible for any loss or damage arising from the use of this plan for any purpose other than that for which it was prepared.

SCALE 1:1000 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE (A3)

0 10 20 30 40 50 METRES

RPS
RPS CONSULTANTS
105 AUCKLAND
PO BOX 9408
DUNEDIN 9100
T 03 477 4333
F 03 477 4333
WWW.RPS.CO.NZ

Calma Hardware Pty Ltd
Stage 2
Proposed Lots 2-6 Cancelling
Proposed Lot 2 on plan PR126133-4

PR126133-5

DATE: 07/09/15
SCALE: 1:1000
SHEET: 1 OF 1

PROJECT NUMBER	PR126133-5
CHECKED BY	PR126133-5
DATE	07/09/15
PROJECT SIZE	1 SHEET
SHEET NO.	1
SHEET SIZE	A3

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Eastern Elevation
Superseded by
126133_03 – Project,
Locality Landscape
Vision, Prepared by
RPS, Dated 03/06/15

FRONT (North) ELEVATION
Facing Charlotte Street

SIDE (West) ELEVATION

REAR (South) ELEVATION

<p>BRAD OWENS DESIGN & DRAFTING 100-100 Hargreaves Street, Hargreaves, QLD 4017 Tel: 07 5533 3333 www.bradowens.com.au</p>	<p>PROJECT INFORMATION</p> <p>PROJECT NAME: COOKTOWN HARDWARE PROJECT ADDRESS: 126133_03 - PROJECT, LOCALITY LANDSCAPE VISION, PREPARED BY RPS, DATED 03/06/15 DATE: 15/07/15</p>	<p>CLIENT INFORMATION</p> <p>CLIENT: COOKTOWN HARDWARE PTY LTD CONTACT: CHARLOTTE STREET & HARGREAVES STREET, COOKTOWN</p>
---	--	---

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

‘Appendix B’

Our ref: LM:DA/3458
Your ref: PR126133

22 September 2015

Cairns Hardware Company Pty Ltd
c/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS QLD 4870
Attention: Owen Dalton

Dear Mr Dalton

ADOPTED INFRASTRUCTURE CHARGES NOTICE
DEVELOPMENT APPLICATION DA/3458
48 CHARLOTTE STREET, COOKTOWN

Proposal: Reconfiguring a Lot (1 into 6 lots) and Material Change of Use (Shop)

Applicant: Cairns Hardware Company Pty Ltd
c/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Location of Site: 48 Charlotte Street, Cooktown

Real Property Description: Lot: 201 on C17915

Type of Development: Reconfiguring a Lot & Material Change of Use

1) Reconfiguring a Lot (Stage 1)

Infrastructure Charges Calculation:

Development Class	Charge	Unit of Measure	No of Units	Amount of Charge
Reconfiguring a Lot	\$1,700 (Water)	Lots/deemed number of equivalent domestic connections	2	\$3,400.00
Reconfiguring a Lot	\$1,420 (Sewer)	Lots/deemed number of equivalent domestic connections	2	\$2,840.00

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Reconfiguring a Lot	\$900 (Open Space)	Lots/deemed number of equivalent domestic connections	2	\$1,800.00
Total Charges				\$8,040.00

Credit Calculation:

Development Class	Charge	Unit of Measure	No of Units	Amount of Charge
Reconfiguring a Lot	\$1,700 (Water)	Lots/deemed number of equivalent domestic connections	1	\$1,700.00
Reconfiguring a Lot	\$1,420 (Sewer)	Lots/deemed number of equivalent domestic connections	1	\$1,420.00
Reconfiguring a Lot	\$900 (Open Space)	Lots/deemed number of equivalent domestic connections	1	\$900.00
Total Credit				\$4,020.00

Net Adopted Infrastructure Charges Summary:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$8,040.00	\$4,020.00	\$4,020.00

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

2) Reconfiguring a Lot (Stage 2)

Infrastructure Charges Calculation:

Development Class	Charge	Unit of Measure	No of Units	Amount of Charge
Reconfiguring a Lot	\$1,700 (Water)	Lots/deemed number of equivalent domestic connections	5	\$8,500.00
Reconfiguring a Lot	\$1,420 (Sewer)	Lots/deemed number of equivalent	5	\$7,100.00

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

		domestic connections		
Reconfiguring a Lot	\$900 (Open Space)	Lots/deemed number of equivalent domestic connections	5	\$4,500.00
Total Charges				\$20,100.00

Credit Calculation:

Development Class	Charge	Unit of Measure	No of Units	Amount of Charge
Reconfiguring a Lot	\$1,700 (Water)	Lots/deemed number of equivalent domestic connections	1	\$1,700.00
Reconfiguring a Lot	\$1,420 (Sewer)	Lots/deemed number of equivalent domestic connections	1	\$1,420.00
Reconfiguring a Lot	\$900 (Open Space)	Lots/deemed number of equivalent domestic connections	1	\$900.00
Total Credit				\$4,020.00

Net Adopted Infrastructure Charges Summary:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$20,100.00	\$4,020.00	\$16,080.00

3) Material Change of Use

Development Class	Charge	Unit of Measure	No of Units	Amount of Charge
Material Change of Use	\$1,700 (Water)	Deemed number of equivalent domestic connections	22.62	\$38,454.00
Material Change of Use	\$1,420 (Sewer)	Deemed number of equivalent domestic connections	0.5	\$710.00
Total Charges				\$39,164.00

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Credit Calculation:

Development Class	Charge	Unit of Measure	No of Units	Amount of Charge
Material Change of Use	\$1,700 (Water)	Lots Deemed number of equivalent domestic connections	1	\$1,700.00
Material Change of Use	\$1,420 (Sewer)	Deemed number of equivalent domestic connections	1	\$1,420.00
Total Credit				\$3,120.00

Net Adopted Infrastructure Charges Summary:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$39,164.00	\$3,120.00	\$36,044.00

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

Due Date for Payment:

Payment of the total infrastructure charge must be made at the time the Plan of Survey is provided to Council for its endorsement (Reconfiguring a Lot per stage) or at the time of application to carry out building works on the subject site (Material Change of Use)

Payment Details:

Payment of the adopted infrastructure charge must be made to Cook Shire Council

Goods and Services Tax

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

Adopted Infrastructure Charge is Subject to Price Variation

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

This notice will lapse if the development approval stops having effect

RIGHTS OF APPEAL:

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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

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

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

Yours faithfully

Mark Marziale
Director Planning and Environment Services

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

PE2	REQUEST FOR NEGOTIATED DECISION - APPLICATION FOR A DEVELOPMENT PERMIT - DA/3379 - FOR RECONFIGURING A LOT (1 INTO 2 LOTS) LOCATED AT MT AMOS ROAD, MT AMOS (LOT 1 ON RP902192), COOKTOWN	
	<i>Report No.D15/16377 from Reel Planning Consultants</i>	

Applicant: Marilyn Clark
C/- PRP Planning
PO Box 4751
CAIRNS QLD 4870

Owner: Barry, Susan, Eric and Marilyn Clark

Location: 41 Mt Amos Road, Cooktown Qld 4895

RPD: Lot 1 on RP902192

Area: 227.8 Hectares

Zone: Rural

Proposed Use: Development Permit for Reconfiguring a Lot (1 into 2 lots)

Referral Agencies: Nil

REPORT

Following Council's approval of the application for a Development Permit for Reconfiguring a Lot located at 41 Mt Amos Road, Cooktown (Lot 1 on RP902192) on 19 May 2015, the Applicant (via letter dated 15 June 2015) has requested a Negotiated Decision Notice. Representations have been made by the Applicant in respect of Conditions 2, 5 and 6 of the Council's approval.

BACKGROUND

The application is for a Development Permit for Reconfiguring a Lot (1 into 2 Lots) to create one additional allotment. Proposed lots 1 and 2 are 108 hectares and 119.8 hectares respectively. The parent parcel is located approximately 20kms south of the urban area of Cooktown, is currently used for a hard rock quarry and is accessed via Mt Amos Road. The existing quarry will be contained on proposed Lot 1 and will retain its existing access while proposed Lot 2 will also gain access to Mt Amos Road via a new 20m wide access road (refer to figure 1).

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

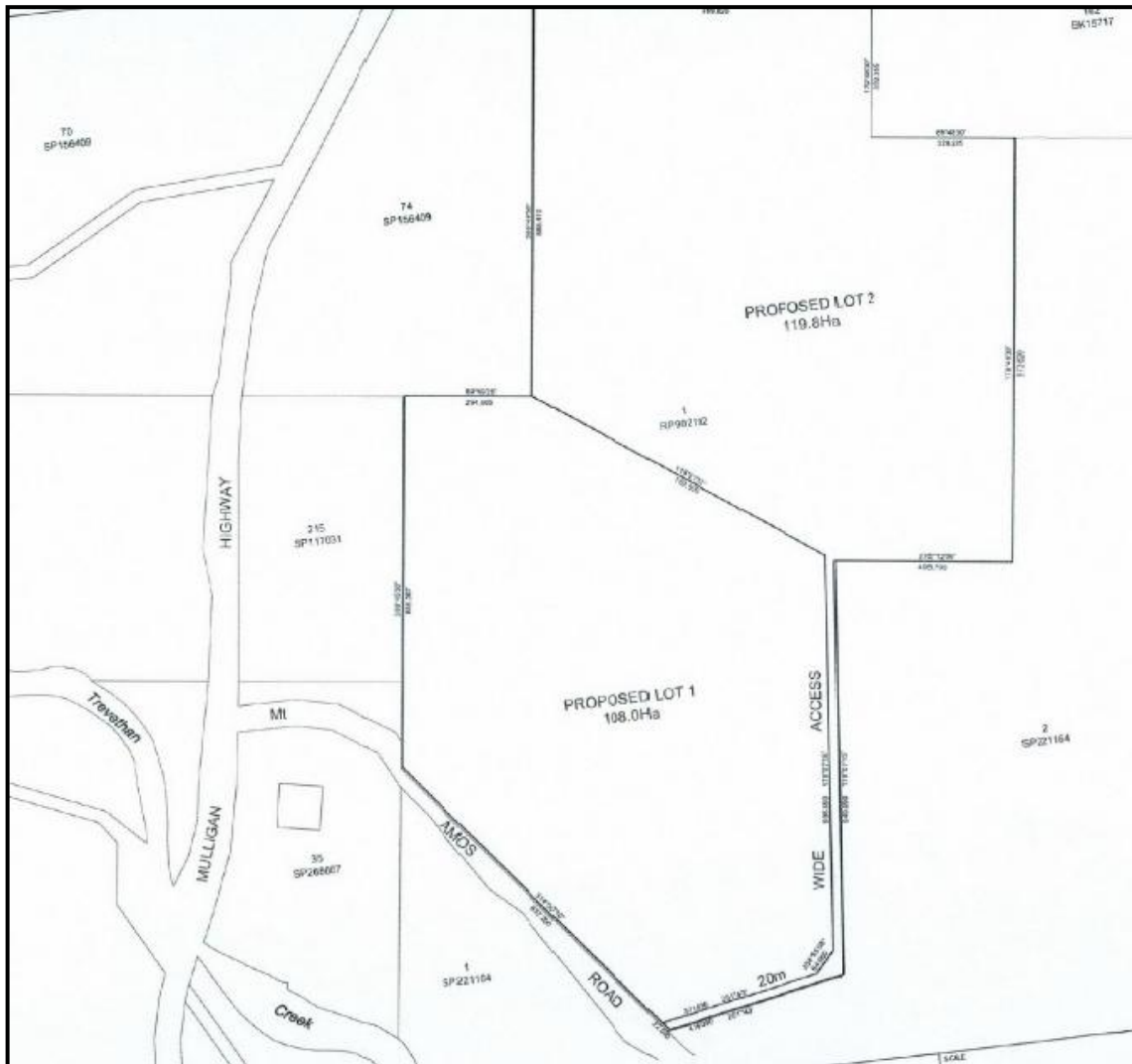


Figure 1: Proposal Plan

The conditions the Applicant is seeking to change are outlined in full below together with a summary of the representations made and our response.

COMMENT ON CONDITIONS

Condition 2 (Building Location Envelope)

A Building Location Envelope is to be shown on proposed Lot 2. The envelope is to be a minimum distance of 500 metres from the boundary of proposed Lot 1 and the boundary of Lot 74 on SP156409.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

In the event that the applicant/property owner wishes to locate a house on proposed Lot 2 outside of the approved Building Location Envelope, the applicant/property owner must demonstrate, to the satisfaction of the Director Planning and Environment, that no potential adverse amenity impacts on the future residents of that house will result from extraction of existing or known quarry resources (on proposed Lot 1 and Lot 74 on SP156409). Where it has been demonstrated through supporting technical reports that there is no potential for residential amenity impacts, the house may be sited outside of the Building Location Envelope.

Response

To summarise the representations made in respect of this condition, the applicant seeks that the condition be deleted allowing a dwelling to be constructed on any part of proposed Lot 2. As a compromise, they proposed that any future dwelling be proposed east of a line, purported to define the closest ridgeline to Lot 74.

By way of background, the following passages are repeated from the Council's town planning report prepared when the application was first assessed by Council in May 2015:

“As noted earlier in this report, there is an existing hard rock quarry located on proposed Lot 1 and a known resource adjoining proposed Lot 2 to the west.

Through its information request, to demonstrate compliance with PC6 of the Rural Zone Code, Council officers sought for the applicant to identify a building envelope on proposed Lot 2 outside a 500m buffer to proposed Lot 1 and the adjoining Lot 74. As an alternative, Council indicated it would accept a lesser setback for a future house if the applicant was able to demonstrate through lodgement of technical reporting that a future residence would not be affected by noise dust and vibration impacts from existing and potential extractive industry on the land. In response, the applicant argues a 500m buffer to the approved workings of the existing quarry is all that should be applied. This was not backed with any technical supporting information such as the requested noise/dust/vibration assessments.

The applicant's position is that the future owners of Lot 2 will be aware of the existence of existing and future extractive industry in the locality and will therefore have no rights of complaint. In our experience though inevitably any future complaints will be made to (and be the responsibility of) Council, rather than the vendor of the allotment. In the opinion of Council officers, it would be inappropriate to create the potential for such a land use conflict.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

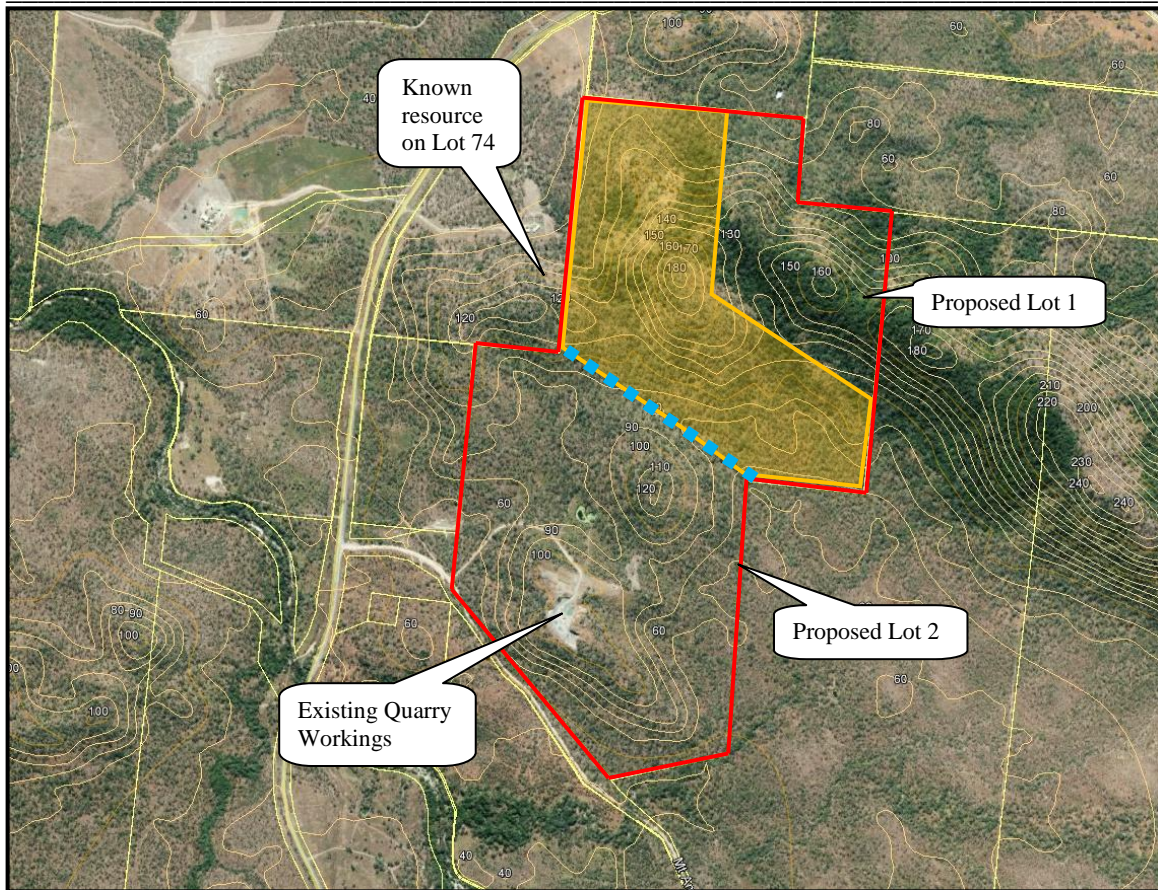
The philosophy of the 500m buffer referenced in PC12 of the Reconfiguring a Lot Code is to create a separation between extractive industry and other sensitive land uses. The purpose is twofold, firstly to protect the amenity of future residents and secondly to protect extractive industry from complaints from those future residents. On the latter point, the shire has a limited amount of extractive resources and it would be inappropriate to compromise an existing or potential resource in circumstances where there is not a demonstrated need for additional subdivision in the rural zone.

With the exception of the 500 metre buffer issue, our assessment of the proposal indicates compliance with the relevant provisions of the Planning Scheme. For this reason, it is considered appropriate in the circumstances to approve the development subject to a condition requiring the identification of a building location envelope for a future house on proposed lot 2. Figure 3 below provides an indication of the area of proposed Lot 2 within a 500m buffer from proposed lot 1 and the adjoining lot with a known resource. A conservative estimate is that an over of over 50ha remains available for a future dwelling house to be sited.

As an alternative, it is recommended that the requirement for a building location envelope be waived in circumstances where the applicant is able to demonstrate (through lodgement of appropriate supporting information) that no adverse amenity impacts will result from the operation of the existing quarry and the operation of the adjacent potential quarry, on the future residents of a dwelling on proposed Lot 2, should the owner seek to locate the house within the 500 metre buffer.”

For Council’s benefit Figure 3 from the original assessment report is included below.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



The applicant has repeatedly been given the opportunity (in the information request and the condition of approval) to demonstrate that a lesser setback from surrounding lots is appropriate. The current request for negotiated decision is supported by a commentary (by the applicant's town planning consultant) which (in summary) argues that:

1. The resource is not scarce, nor significant and worthy of protection;
2. There is no logic to the 500m buffer from the property boundaries;
3. The Joint Experts Report from the Planning and Environment Court Appeal 3628 dealing with acoustic issues was flawed; and
4. The quarry on Lot 74 existed prior to the subdivision, so will be protected from any future complaints from an owner of proposed Lot 2.

It is not intended to repeat the reasons for the inclusion of the condition however a brief response to each point is included below:

1. The request from the applicant includes geological mapping indicating that the resource exists elsewhere, however Council notes that not all material is accessible and not all land has the appropriate tenure to facilitate extraction. For this reason, and because the resource has been established on Lot 74 and 72 (the known resources) this is not considered grounds for removal of the separation requirement.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

2. The logic of the 500m buffer was explained in the original assessment report. In the absence of information from the applicant (prepared by suitably qualified persons) to demonstrate that a lesser setback is appropriate, Council relies on the acceptable solution to PC12 of the Reconfiguring a Lot Code.
3. The Joint Expert Report referenced from the Planning and Environment Court Appeal 3628 was prepared by highly experienced and qualified acoustic experts whose duty was to assist the Court. Information provided by the applicant in this request has been prepared by a town planning consultant with various references to guidelines from another country. For these reasons the information provided with respect to acoustic matters is unconvincing.
4. As indicated in the original assessment report, experience has shown that noise complaints between conflicting land uses inevitably become the responsibility of Council to resolve. In the absence of information (prepared by suitably qualified experts) demonstrating that impacts are within applicable guidelines, Council is not willing to allow such uses to develop.

The above discussion needs to be considered in light of the underlying rural zoning which seeks to protect known resource bodies from encroachment of incompatible land uses.

For the above reasons it is recommended that the proposed condition remains unchanged.

Condition 5 (Access)

The applicant shall submit to the satisfaction of the Director Engineering Services, a design for the access driveway within the battle axe of proposed Lot 2, demonstrating that all weather access is available.

Response

The applicant seeks that the condition be changed to:

The applicant is to demonstrate to Council that safe, serviceable rural access is available along the access strip in proposed Lot 2. In this context, serviceable means generally:

- *Trafficable by conventional vehicles in dry weather and minor showery weather;*
and
- *Trafficable by high clearance four wheel drive vehicles up to about the 1 in 1 year ARI rainfall event.*

The applicant argues that all weather access is undefined and that submission of a design would likely require survey information and production of drawings which is time consuming and expensive. The applicant indicates that Council's Engineer should be able to inspect the works and determine (based on expertise and experience) that works are satisfactory.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

It is considered that the condition suggested by the applicant raises more uncertainty than that imposed by Council, specifically as to the meaning of safe, minor showery weather and high clearance four wheel drive vehicles. The condition does not require a formal operational works application, nor does it require submission of engineering certified drawings. It is considered that the standard of design and standard of driveway can be determined following discussions with Council's Director Engineering Services. On this basis no change is recommended to the condition but the applicant should be advised that Council officers are happy to work with them to effect a reasonable and practical outcome for access to the site.

Condition 6 – (Effluent Disposal)

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

Response

The applicant seeks that the requirement be deferred to a building application stage similar to other conditions (e.g. those relating to water supply and electricity connection. As indicated by the applicant the effluent disposal report is only relevant if and when a dwelling is to be constructed. It is recommended that the requested change be accepted.

1. Recommendation

i) That the request for a Negotiated Decision Notice by Marilyn Clark C/- PRP Planning for the issue of a Development Permit for Reconfiguring a Lot located at 41 Mt Amos Road, Cooktown (Lot 1 on RP902192) be approved (in part) as follows:

- Condition 2 to remain unchanged.
- Condition 5 to remain unchanged - see Assessment Manager (Council) Advice Part (a).
- Condition 6 to be amended as requested.

ii) That the Applicant be issued with the following conditions of approval within the Negotiated Decision Notice:

A. Assessment Manger (Council) Conditions

Approved Plan

- 1) The development must be carried out generally in accordance with plan 514-003-SK1, dated 13 January 2015, prepared by Projex Partners, except for any variation required to comply with these Conditions of approval.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Building Location Envelope

- 2) A Building Location Envelope is to be shown on proposed Lot 2. The envelope is to be a minimum distance of 500 metres from the boundary of proposed Lot 1 and the boundary of Lot 74 on SP156409.

In the event that the applicant/property owner wishes to locate a house on proposed Lot 2 outside of the approved Building Location Envelope, the applicant/property owner must demonstrate, to the satisfaction of the Director Planning and Environment, that no potential adverse amenity impacts on the future residents of that house will result from extraction of existing or known quarry resources (on proposed Lot 1 and Lot 74 on SP156409). Where it has been demonstrated through supporting technical reports that there is no potential for residential amenity impacts, the house may be sited outside of the Building Location Envelope.

Access

- 3) Access to proposed Lot 1 must remain via the existing quarry access from Mt Amos Road.
- 4) Access to proposed Lot 2 must be from Mt Amos Road. Access between the road pavement and the lot boundary shall be constructed to the requirements of the FNQROC Manual prior to the endorsement of the plan of survey.
- 5) The applicant shall submit to the satisfaction of the Director Engineering Services, a design for the access driveway within the battle axe of proposed Lot 2, demonstrating that all weather access is available.

Effluent Disposal

- 6) At the time of lodging a building application for a house, an application for wastewater treatment and disposal must also be lodged. This application must include details of the proposed wastewater disposal systems and calculation demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS1547:2000 – ‘On-site domestic wastewater management’.

Water Supply

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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Fire Management

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

Electricity Supply

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

Public Utilities

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

Compliance

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

Outstanding Charges

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

Signing and Sealing

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

B. Assessment Manager (Council) Advice

- a. The applicant is advised that an operational works application is not required to satisfy Condition 5. The applicant is encouraged to contact Council’s Director Engineering Services to determine the level of information needed to demonstrate compliance with this condition.

Appendix A: Approved Plan

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

PE3	APPLICATION FOR A DEVELOPMENT PERMIT - DA/3393 - RECONFIGURATION FOR THE PURPOSE OF A LEASE (LEASE 'A') WITHIN LOT 26 ON SP193139, 7725 MULLIGAN HIGHWAY, LAKELAND	
	<i>Report No.AD2015/0002623 from Development Coordinator</i>	

Précis

Applicant:	Lakeland Horse Sports Association c/- U&i Town Plan PO Box 426 Cooktown Qld 4895
Owner:	Troy and Erica D'Addona
Location:	7725 Mulligan Highway, Lakeland
RPD:	Lot 26 on Plan SP193139
Area:	6,627.45 hectares
Zone:	Rural Zone
Proposed Use:	Reconfiguration of a lot for the purpose of a lease > 10 years
Minimum Lot Size:	2.53 hectares
Referral Agencies:	Department of Transport and Main Roads (Concurrence Agency- is within 25metres of a Controlled Road) Ergon (Advice – Power Easement)

Report

The Application was received by Council on 4 March 2015 (as valid) under the current IPA Planning Scheme for the issue of a Development Permit for Reconfiguration of a lot for the purpose of a lease > than 10 years within Lot 26 on SP193139, 7725 Mulligan Highway, Lakeland.

An Acknowledgement Notice was issued on 18 March 2015 identifying the Department of Transport and Main Roads (DTMR) as a Concurrence Agency – via the State Assessment and Referral Agency (SARA). An information request was also issued on 18 March 2015 by Council requesting:

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

1. The applicant must provide evidence that all structures and buildings have obtained compliance with the requirements of the *Building Act 1975* and referred legislation.
2. The applicant must ensure that the internal driveway is completely located within the proposed Lease area on Lot 26 PT: ZZ on SP193139.

Further correspondence from SARA on 20 April 2015 also flagged that Ergon Energy were an Advice Agency for the purpose of this application.

- The Applicant responded to Council's Information Request 17 April 2015.
- DTMR through SARA issued the Applicant with an Information Request 29 April 2015.

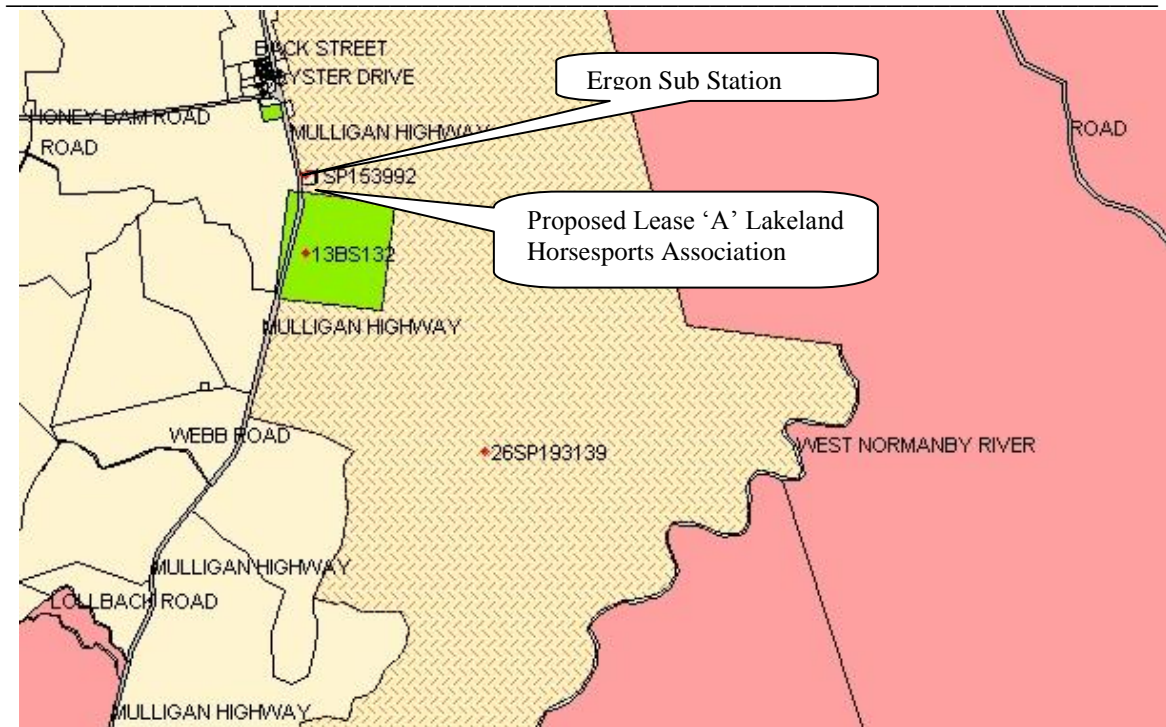
Proposal

The application is to allow for a 2.53 hectare lease within Lot 26 on SP193139 to accommodate the Lakeland Horse Sports Association and facilities. Lot 26 has a total area of 6,627.45 hectares. Access will be to the requirements of the Department of Transport and Main Roads who were a Referral Agency for this proposal. The application is for subdivision (by lease) only and there is no application at this point for material change of use or building work associated with the proposal.

In the report accompanying the application the applicant states that the proposed Lease 'A' site has "*been utilised by the Lakeland Horse Sports Association for the last 25 years.*" This statement is not entirely correct as current facilities and infrastructure used by the Lakeland Horse Sports Association are mostly situated on Lot 13 BS132 (leasehold) which is a Reserve for Camping in the trusteeship of Cook Shire Council, with a Special Lease over Lot 13 (R10, L13 BS132) for the purpose of grazing, reserve, road or stock route. The Special Lease is registered to Troy and Erica D'Addona.

The Site

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



Lot 26 on SP193139 is 'Butcher's Hill Station' a freehold rural property in the ownership of Troy and Erica D'Addona. Lot 26 has bitumen road frontage to the Mulligan Highway and is used for rural purposes. To the southern side of the Horse Sports proposal area Council is trustee over a reserve for camping purposes (Lot 13 on BS132 – which also currently has a lease arrangement for grazing purposes approved by DERM in 1989 for a 30 year period). An Ergon Energy Sub Station exists on the northern side of the proposed lease area with an Easement for power lines running through Lot 26 (see Google image below).

The proposed lease area already has basic infrastructure including a constructed Ablution Block, Council cannot find record of a Council Building or Plumbing approval for this structure.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



The subject area has not been used for agricultural purposes and the land is not considered to be ‘good quality agricultural land’.

Town Planning Considerations

Lot 26 is zoned Rural under the Cook Shire Planning Scheme and reconfiguration of the lot is Code Assessable.

Rural Zone

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;*

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

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

The proposal is consistent with the purpose of the Rural Zone Code in that:

- It is associated with a community use that has location requirements necessitating it being situated in a Rural Area;
- The site is not identified as Good Quality Agricultural Land; and
- It will not permanently fragment the land or compromise the potential for other rural activities on the site itself or adjoining land.

The proposal is also consistent with the acceptable solutions and performance criteria of the Rural Zone Code.

Other Applicable Codes

Council’s Planning Scheme identifies the following Codes as being applicable to reconfiguring a lot in the Rural Zone, however not all these codes are triggered by the proposed development.

Applicable Codes (General)	Codes Relevant to DA/3393
• Cultural Features Code	Not Applicable
• Reconfiguring a Lot Code	Applicable
• Works, Services and Infrastructure Code	Applicable
• Natural Hazards Code	Not Applicable
• Aviation Facilities & Oper. Airspace Overlay Code	Not Applicable

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

The primary area of non compliance is with the minimum lot size requirements of the Reconfiguring a Lot Code, as described below:

PC1 of the Reconfiguring a Lot Code 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 unit, unless over-riding public benefit can be demonstrated.”

AS1 States:

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

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

Minimum lot size - 100 hectares
Minimum frontage -100 metres
Maximum depth to frontage ratio – 5:1

While the area of proposed Lease A does not comply with the minimum lot size, it is considered appropriate in the circumstances. In particular the use for the Horse Sports Association is necessarily located in a rural area and serves a community purpose close to the township of Lakeland. The site is not currently used for any rural activities and is not identified as strategic cropping land. On this basis, the creation of the lease is unlikely to result in the loss of good quality agricultural land.

Council Officers therefore consider that the proposed reconfiguration complies with PC1 of the Reconfiguration of a Lot Code.

Referral Agencies

The application required referral to Dept. Transport and Main Roads and Ergon Energy (via Dept of Infrastructure, Local Government and Planning through SARA) due to the proximity to a State Controlled Road (the Mulligan Highway) and the Ergon Energy Easement across the portion of Lot 26 that proposes to encompass Lease ‘A’. The Department responded via correspondence dated 29 April 2015 issuing the applicant with an Information Request, and a subsequent Concurrence agency response – with conditions - dated 3 August 2015.

Discussion

The proposed development is considered to be consistent with the intent of the Rural Zone and complies with the relevant Performance Criteria and Acceptable Solutions of the applicable Codes. The proposed reconfiguration is for the purpose of creating a lease area within existing Lot 26 on SP193139 for the Lakeland Horse Sports Association and is recommended for approval with conditions.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Recommendation

That the application by Lakeland Horse Sports Association for a Development Permit for Reconfiguration of a lot for the purpose of a lease within Lot 26 on SP193139 located at Mulligan Highway, Lakeland be approved subject to the following conditions:

B. Assessment Manager (COUNCIL) Conditions

Approved Plan

2. The development must be carried out generally in accordance with the 'Figure 1: Proposal Plan', submitted with the application (see Appendix 'A').

Fire Control

3. The lease area must be maintained in a state so as not to create a fire hazard.

Access

3. Proposed Lease A must take access from the Mulligan Highway as per the requirements of the Department of Transport and Main Roads (see Concurrence Agency Response Appendix "B").

Building and Plumbing Permits

4. Building and Plumbing Permits must be provided to Council for the existing Ablution Block at the time of lodgement of the Plan of Survey for Council endorsement.

Public Utilities

5. The applicant is responsible for the cost of any alterations to public utilities as a result of complying with the conditions of this development permit.

Outstanding Charges

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

Compliance

7. All relevant Conditions of this Development Permit are to be complied with prior to the Plan of Survey being submitted to Council for endorsement.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Appendix 'B'



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0315-019331
Your reference: LM:DA/3393-AS2015/0000317

3 August 2015

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

Att: Lisa Miller

Dear Sir / Madam

Concurrence agency response—with conditions

Development application for a reconfiguration of a lot (1 lot into 2 lots) to create a lease in excess of 10 years on land situated at 7281 Mulligan Highway, Lakeland and more particularly described as Lot 26 on SP193139 in the Cook Shire
(Given under section 285 of the Sustainable Planning Act 2009)

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

Applicant details

Applicant name: Lakeland Horse Sports Association
c/- U&I Town Plan
Applicant contact details: PO Box 426
Cooktown QLD 4895
ramon.samanes@gmail.com

Site details

Street address: 7281 Mulligan Highway, Lakeland
Lot on plan: Lot 26 on SP193139
Local government area: Cook Shire Council

Page 1	Far North Queensland Regional Office Ground Floor, Cairns Port Authority PO Box 2350 Cairns QLD 4870
--------	---

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0315-019331

Application details

Proposed development: Development permit for reconfiguration of a lot (1 lot into 2 lots) to create a lease in excess of 10 years

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	Lot Creation – One (1) Into Two (2) Rural Lots, for the purpose of creating a lease exceeding 10 years.	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(5) 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: Reconfiguration of a lot (1 lot into 2 lots) to create a lease in excess of 10 years				
Lease A in Lot 26 on SP193139	David Thompson	1.9.2008	07-137-01	-
TMR Layout Plan (34B – 143.12km)	Department of Transport and Main Roads	23/07/2015	220/34B (500-840)	A
TMR Layout Plan (34B – 143.12km) Figure 7.2 outline	Department of Transport and Main Roads	23/07/2015	220/34B (500-840)	A

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0315-019031

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



Tony Croke
A/Manager (Planning)

cc: Lakeland Horse Sports Association c/- U&I Town Plan, email: 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
22 SEPTEMBER 2015

SDA-0315-019331

Our reference: SDA-0315-019331
Your reference: R6/14

Attachment 1—Conditions to be Imposed

No.	Conditions	Condition timing
Reconfiguration of a lot (1 lot into 2 lots) to create a lease in excess of 10 years		
Schedule 7, Table 2, Item 2: State-controlled road —Pursuant to section 255D of the Sustainable Planning Act 2000, 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):		
In accordance with approved plans		
1.	The development must be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> • Proposal Plan - Lease A in Lot 26 on SP193139 prepared by David Thompson (Surveys), dated 1.9.2008, Plan Number 07-137-01. • TMR Layout Plan (34B – 143.12km) prepared by Transport and Main Roads, dated 23/07/2015, File Ref: 220/34B (500-840), Issue A. • TMR Layout Plan (34B – 143.12km) Figure 7.2 outline prepared by Transport and Main Roads, dated 23/07/2015, File Ref: 220/34B (500-840), Issue A. 	At all times
Location of the direct vehicular access to the state-controlled road		
2.	The permitted road access location, for which approval under section 62 of the Transport Infrastructure Act 1994 must be obtained, is to be located between Lease A in Lot 26 on SP193139 and the Mulligan Highway generally in accordance with TMR Layout Plan (34B – 143.12km) prepared by Transport and Main Roads, dated 23/07/2015, Ref File: 220/34B (500-840), Issue A.	At all times
3.	Direct access is not permitted between the Mulligan Highway and the subject site at any location other than the permitted road access location (for which approval under section 62 of the Transport Infrastructure Act 1994 must be obtained).	At all times
Design vehicle and traffic volume		
4.	Road access works comprising of a sealed rural property access to the development, for which approval under section 33 of the Transport Infrastructure Act 1994 must be obtained, at the permitted road access location, must be provided generally in accordance with TMR Layout Plan (34B – 143.12km) Figure 7.2 outline prepared by Transport and Main Roads, dated 23/07/2015, File Ref: 220/34B (500-840), Issue A. The road access works must be designed and constructed in accordance with Guide to Road Design - Part 4 of Austroads: Intersections and Crossings - General, Figure 7.2 (rural property access – single or dual carriageway (conditional)).	Prior to submitting the Plan of Survey to the local government for approval.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0315-019331

Our reference: SDA-0315-019331
Your reference: R6/14

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
- to ensure the development achieves the outcomes in 19.1 Access to state-controlled roads state code in the State Development Assessment Provisions version 1.5

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0315-019331

Our reference: SDA-0315-019331
Your reference: LM:DA/3393:AS2015/0000317

Attachment 3—Further advice

General 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 Natural hazards, risk and resilience, and to the extent it is relevant to the proposed development.
Advertising device	
2.	<p>A local government should obtain Department of Transport and Main Roads advice if it intends to approve the erection, alteration or operation of an advertising sign or another advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.</p> <p>Note: Department of Transport and Main Roads has powers under section 111 of the <i>Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2005</i> to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p>
Further development permits, compliance permits or compliance certificates	
Road access works approval	
3.	<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 Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction</p>

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

SDA-0015-010001



**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

SDA-0015-01001



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

PE4	APPLICATION FOR A DEVELOPMENT PERMIT - DA/3417 – RECONFIGURATION OF LOT 1 ON PLAN SP221164, MT AMOS ROAD VIA COOKTOWN INTO THREE (3) LOTS	
	<i>Report No.AD2015/0002604 from Senior Town Planning Officer.</i>	

Applicant: David & Rachel Bass
C/- U&i Town Plan
PO Box 426
Cooktown Qld 4895
Attention : Ramon Samanes

Owner: David J Bass

Location: Mt Amos Road Cooktown

R.P.D. Lot 1 on Plan SP221164

Area: 126.1Hectares

Zone: Rural

Proposed Uses: Reconfiguration into three (3) lots

Use Classification: Reconfiguration

Referral Agencies: State Assessment & Referral Agency (SARA)
Dept. of Infrastructure, Local Government &
Planning (Vegetation Clearing)

Submissions: Not applicable

Report

Application has been made to Council for the issue of a Development Permit for the Reconfiguration of Lot 1 on Plan SP221164 located at Mt Amos Road via Cooktown into three (3) lots. It must be noted that Council in June 2014 approved a two (2) lot reconfiguration of this lot that has not yet been acted upon. This application is in addition to that previous approval.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Proposal

The application proposes the Reconfiguration of Lot 1 on Plan SP221164, located at Mt Amos Road via Cooktown into three (3) lots. The areas of the proposed lots are as follows:

- Proposed Lot 1 - 87.097 Hectares
- Proposed Lot 2 - 14.208 Hectares
- Proposed Lot 3 - 14.309 Hectares

In addition to the above lots, Council issued a Development Permit dated 19 June 2014 for reconfiguration of Lot 1 on SP221164 into two (2) lots:

- Proposed Lot 1 - 115.6 Hectares (Balance area and the subject of this application)
- Proposed Lot 2 - 11.6 Hectares

This approval has not yet been acted upon, but is still current.

All proposed lots will take access from Mt Amos Road which is gravel sealed.

The Site

Lot 1 is located on Mt Amos Road approximately twenty three (23) kilometres south of Cooktown. The site still has an area of 126.1 hectares as the June 2014 approval has not yet been progressed (the balance area of the June 2014 approval is the subject of this application). Lot 1 is not within the Reticulated Water or Sewerage Area but is within the reticulated electricity area. The site is currently vacant.

Town Planning Considerations

Lot 1 on Plan SP221164 is zoned Rural under the Cook Shire Planning Scheme and 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 agriculture, animal husbandry, forestry, aquaculture and supporting uses which strengthen the rural economy and service the rural community while preserving the amenity and character of rural land;*
- *Good Quality Agricultural Land is protected and is not alienated or fragmented;*
- *Rural zoned land identified as Future Urban Land provides for the long-term expansion of the township and is protected from inappropriate subdivision or changes of use, which could jeopardise its functionality as Future Urban Land. Subdivision of Future Urban Land for urban purposes only occurs where there is a demonstrated community need;*

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- *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/3417, Reconfiguration of Lot 1 on Plan SP221164 into three (3) lots:

- Rural Zone Code
- Reconfiguration of a Lot Code
- Works, Services and Infrastructure Code
- Parking and Access 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 those 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 – 100 metres

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Maximum depth to frontage ratio – 5:1

While proposed Lots 1, 2 and 3 comply with the minimum frontage for Rural Reconfiguration, only proposed Lot 1 complies with minimum lot size and depth to frontage ratio. Proposed Lots 2 and 3 have areas of only 14.2 and 14.3 hectares respectively. It should be noted that the average depth to frontage ratio for proposed Lots 2 and 3 does comply with the above Schedule 1 requirement.

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 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. Decisions to approve lots under 100 hectares have only occurred when one or more of the following criteria have been met:

- Where it could be demonstrated 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:

- Lots between ten (10) and fifty (50) hectares have been previously approved in the surrounding Idress Drive and Helenvale areas;
- The proposed reconfiguration is located within five hundred (500) metres of the boundary of Lot 1 on Plan RP 902192, the location of the Mount Amos quarry. However proposed Lots 2 (14.21hectares) and 3 (14.31hectares) are located approximately one (1) kilometre from the Mount Amos quarry property boundary. The balance area being proposed Lot 1 (approximately 87 hectares) has an identified cleared area suitable for a house site, outside the five hundred (500) metres setback from the quarry lot boundary. No residential dwellings will be allowed within this setback. The proposed development complies with both PC12 of the Reconfiguration of a Lot Code, and PC 6 of the Rural Zone Code (relating to extractive industry) and will have no impact on rural industries;
- The development site is not identified as GQAL, nor is it identified as a viable agricultural unit;

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

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

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

Referral Agencies

The Department of Infrastructure, Local Government and Planning is a Concurrence Agency (Vegetation Clearing) for the purpose of this application as the development is for Reconfiguration of a lot where two (2) of the lots created are less than twenty five (25) hectares in area.

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 David & Rachel Bass (C/- U&i Town Plan) for a Development Permit for Reconfiguration of Lot 1 on Plan SP221164 located at Mount Amos Road via Cooktown into three (3) lots be approved subject to the following conditions:

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with Proposal Plan PR126742-1 Issue A dated 31/03/2015 (Appendix "A") and relevant documentation submitted with the application , except for minor variations required to comply with the conditions of this approval.

Access

2. Access to proposed Lots 1, 2, and 3 must be from the Mount Amos Road and must be constructed prior to endorsement of the Plan of Survey.
3. Access between the existing road pavement and the property boundary must be gravel sealed and constructed to the requirements of the FNQROC Manual. Plans including access location, must be submitted for approval by Council's Director Engineering Services as part of an Operational Works application prior to works commencing.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Effluent Disposal

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

Water Supply

5. 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 permit to carry out building work.

Electricity

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

Residential Setback

7. Any residential dwelling on proposed Lot 1 must not be constructed within five hundred (500) metres of the Mount Amos quarry property boundary (Lot 1 on Plan RP902192).

Fire Management

8. A minimum six (6) metre wide fire trail must be provided where practical along all property boundaries. Such fire trails are to provide access to fire fighting vehicles at all times and are to be maintained by the property owners for this purpose at all times. Where riparian vegetation is involved, such fire trails are to be provided along the edge of such vegetation. Lots are to be maintained at all times so as not to create a fire hazard.
9. 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.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Operational Works

10. Prior to the commencement of construction of external works, an application must be submitted for a development permit for Operational Works for the following:

- Access work to Mount Amos Road (refer Condition 3)
- Erosion and Sediment control

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

Council will require that one (1) copy of the design drawings be submitted to Council for preliminary assessment. Three (3) copies of the final design are to be submitted to Council for approval prior to the commencement of the works. On completion of the works, the Council shall require a Certificate of Completion from a Registered Professional Engineer.

Public Utilities

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

Compliance

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

Outstanding Charges

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

Endorsement

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 the approval will lapse.

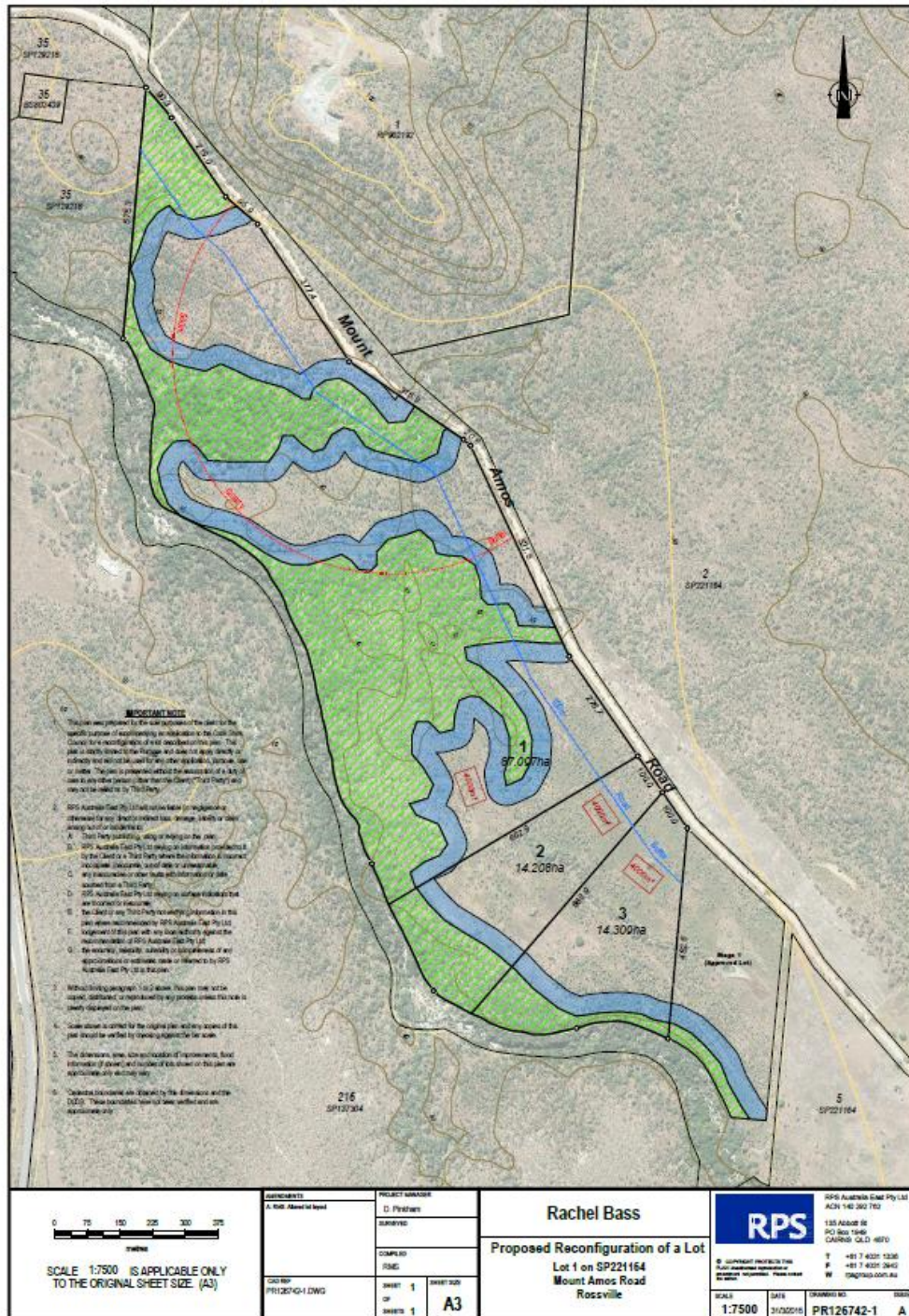
15. The registration of the Plan of Survey for the 19th June 2014 approval, must be completed, prior to the submission of the Plan of Survey relevant to this approval for endorsement.

B. Concurrence Agency (Department of Infrastructure, Local Government and Planning) Response and Conditions (Appendix "B")

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

See attached Concurrence Agency Response with Conditions from the Department of Infrastructure, Local Government and Planning dated 5th August 2015.

Appendix 'A'



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Appendix 'B'



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0515-020805
Your reference: LM:DA/3417:AD2015/0001251

5 August 2015

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

Attn: Lisa Miller

Dear Sir / Madam

Concurrence agency response—with conditions

Reconfiguring a lot (1 lot into 3 lots) at Mount Amos Road, Cooktown and more particularly described as Lot 1 on SP221164

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

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 16 June 2015.

Applicant details

Applicant name: David & Rachel Bass
Applicant contact details: (C/- U&i Town Plan)
PO Box 426
Cooktown Qld 4895
ramon.samanes@gmail.com

Site details

Street address: Mount Amos Road, Cooktown
Lot on plan: Lot 1 on SP221164
Local government area: Cook Shire Council

Page1	Far North Queensland Regional Office Ground Floor, Calms Port Authority PO Box 2358 Calms QLD 4870
-------	---

AGENDA AND BUSINESS PAPERS

22 SEPTEMBER 2015

SDA-0515-020805

Application details

Proposed development: Development permit for reconfiguring a lot (1 lot into 3 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	One (1) lot into three (3) 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 4—Clearing vegetation

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 (1 lot into 3 lots)				
Referral Agency Response (Vegetation) Plan	Queensland Government (DNRM)	23 July 2015	RARP SDA-0515-020805	N/A

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

For further information, please contact Bec Turner, A/ Planning Officer, SARA Far North QLD on 4037 3208, or email bec.turner@dilgp.qld.gov.au who will be pleased to assist.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Yours sincerely

SDA-0515-020805



Tony Croke
A/ Manager (Planning)

cc: David & Rachel Bass , 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
22 SEPTEMBER 2015

SDA-0515-020805

Our reference: SDA-0515-020805
Your reference: LM:DA/3417:AD2015/0001251

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Reconfiguration of a lot (1 lot into 3 lots)		
Schedule 7, Table 2, Item 4 – Clearing vegetation:—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i>, the chief executive administering the Act nominates the Director-General of Department of Natural Resources and Mines to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The permit holder is responsible for ensuring that: (a) a full copy of the permit is held by; and (b) that the extent of clearing authorised by this permit is properly understood by, any person(s) engaged or employed to carry out the clearing of the vegetation under this permit.	At all times
2.	No clearing as a result of reconfiguring Lot 1 on SP221164 is to occur within the area shown as Area A on the attached Referral Agency Response Plan (RARP) SDA-0515-020805 dated 23 July 2015.	At all times
3.	No infrastructure – including, but not limited to, buildings, fences and roads – is to be established or located within the area shown as Area A on the attached Referral Agency Response Plan (RARP) SDA-0515-020805 dated 23 July 2015.	At all times
4.	No infrastructure – except fences, roads and underground services – is to be established or located within the area shown as Area B on the attached Referral Agency Response Plan (RARP) SDA-0515-020805 dated 23 July 2015.	At all times

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0515-020805

Our reference: SDA-0515-020805
Your reference: LM:DA/3417:AD2015/0001251

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- to ensure the person undertaking the clearing works is aware of, and understands, all of the requirements and conditions associated with the carrying out of the works,
- to ensure the development achieves the performance outcomes within the State Development Assessment Provisions – Module 8

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0515-020805

Our reference: SDA-0515-020805
Your reference: LM:DA/3417:AD2015/0001251

Attachment 3—Further advice

General 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 Natural hazards risk and resilience and the extent it is relevant to the proposed development.

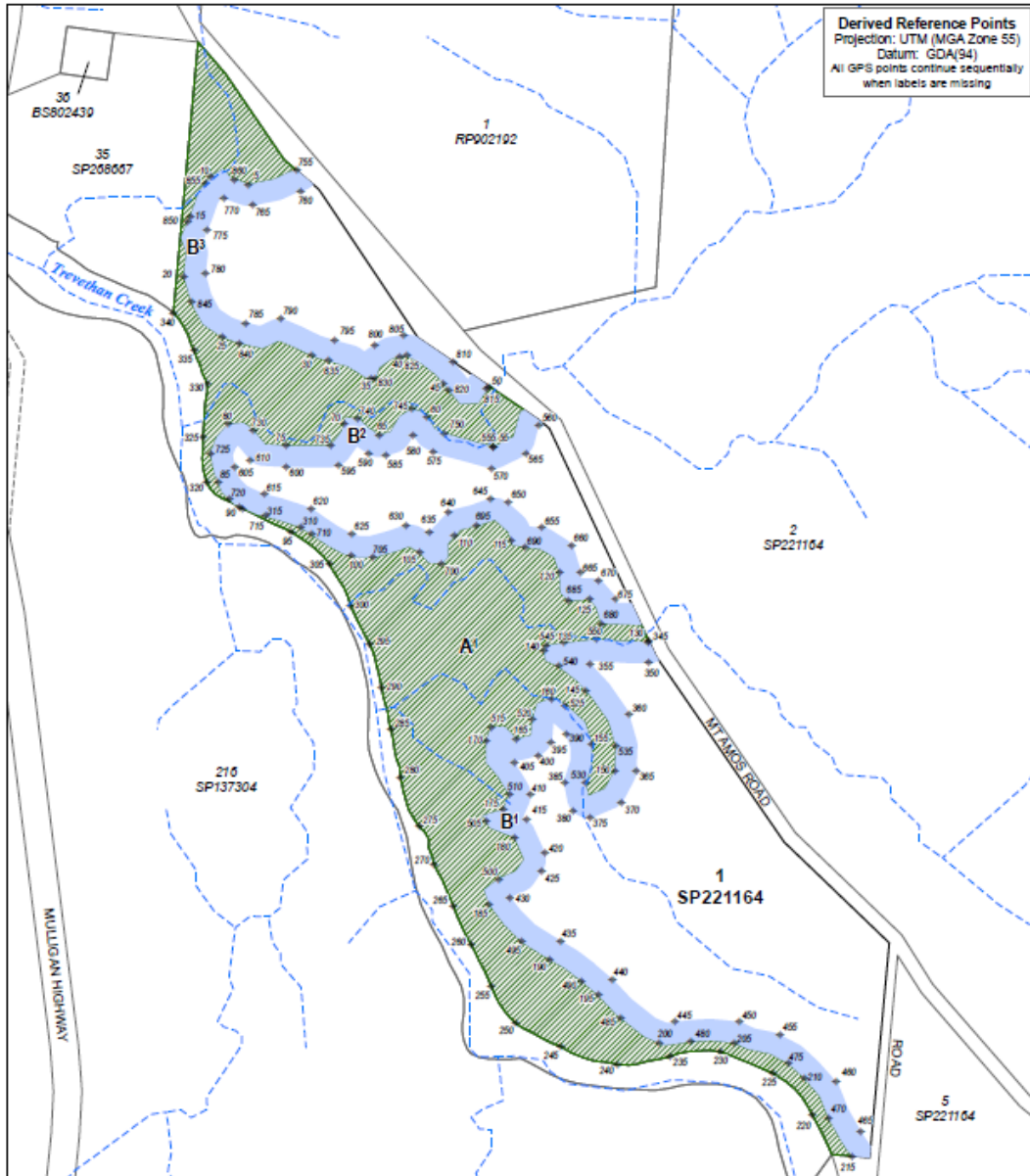
AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0515-020805

Our reference: SDA-0515-020805
Your reference: LM:DA/3417:AD2015/0001251

Attachment 4—Approved plans and specifications

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



Derived Reference Points
Projection: UTM (MGA Zone 55)
Datum: GDA(94)
All GPS points continue sequentially
when labels are missing

1:8000 @ A3 size
0 50 100 200 300 400 500 600 700 m
Projection: UTM (MGA Zone 55) Datum: GDA94

Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.
Note: This plan must be read in conjunction with Referral Agency Response SDA-0515-020805

LEGEND + Derived Reference Points for GPS (See Attachment to Plan) Subject Lot(s) Area A Area B Watercourse Digital Cadastral Database (DCDB) Land Parcels Easements	Referral Agency Response (Vegetation) Plan Plan of Area A (Part A1) and Area B (Parts B1 - B3) in Lot 1 on SP221164	 Queensland Government
	CENTRE: MAREEBA LOCALITY OF COOKTOWN Map Reference: 7966 File Reference: eLVA6 2015/003634	REGION: NORTH LOCAL GOVT: COOK SHIRE Compiled from: DCDB, PUMP & VMO Notes Prepared by: SAK, EMR JS227 Date: 23 July 2015

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Attachment to Plan: SDA-0515-020805

Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 55

Note: Derived Reference Points are provided to assist in the location of the permitted boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response SDA-0515-020805. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
B1	1	310594	8271509	B1	61	310487	8271139	B1	121	310376	8271190
B1	2	310625	8271509	B1	62	310483	8271140	B1	122	310376	8271186
B1	3	310626	8271512	B1	63	310479	8271142	B1	123	310376	8271182
B1	4	310642	8271479	B1	64	310476	8271144	B1	124	310376	8271178
B1	5	310648	8271470	B1	65	310472	8271146	B1	125	310375	8271174
B1	6	310644	8271468	B1	66	310469	8271148	B1	126	310374	8271170
B1	7	310641	8271467	B1	67	310466	8271151	B1	127	310373	8271168
B1	8	310637	8271465	B1	68	310464	8271154	B1	128	310367	8271155
B1	9	310633	8271465	B1	69	310461	8271157	B1	129	310360	8271137
B1	10	310629	8271464	B1	70	310459	8271160	B1	130	310362	8271136
B1	11	310625	8271464	B1	71	310457	8271164	B1	131	310365	8271135
B1	12	310625	8271464	B1	72	310456	8271167	B1	132	310368	8271133
B1	13	310594	8271464	B1	73	310455	8271171	B1	133	310371	8271130
B1	14	310591	8271464	B1	74	310454	8271175	B1	134	310374	8271128
B1	15	310577	8271465	B1	75	310449	8271203	B1	135	310377	8271125
B1	16	310516	8271469	B1	76	310448	8271207	B1	136	310379	8271122
B1	17	310497	8271467	B1	77	310448	8271211	B1	137	310381	8271118
B1	18	310503	8271462	B1	78	310448	8271215	B1	138	310384	8271114
B1	19	310503	8271461	B1	79	310448	8271219	B1	139	310404	8271068
B1	20	310506	8271459	B1	80	310449	8271222	B1	140	310405	8271065
B1	21	310508	8271457	B1	81	310450	8271225	B1	141	310407	8271061
B1	22	310527	8271437	B1	82	310461	8271259	B1	142	310407	8271058
B1	23	310539	8271424	B1	83	310461	8271286	B1	143	310408	8271054
B1	24	310540	8271423	B1	84	310451	8271314	B1	144	310408	8271050
B1	25	310543	8271419	B1	85	310430	8271333	B1	145	310408	8271046
B1	26	310578	8271368	B1	86	310425	8271338	B1	146	310408	8271042
B1	27	310580	8271365	B1	87	310424	8271336	B1	147	310407	8271038
B1	28	310582	8271361	B1	88	310422	8271310	B1	148	310406	8271034
B1	29	310584	8271358	B1	89	310422	8271308	B1	149	310404	8271031
B1	30	310585	8271354	B1	90	310422	8271307	B1	150	310402	8271027
B1	31	310600	8271300	B1	91	310422	8271304	B1	151	310400	8271024
B1	32	310601	8271296	B1	92	310421	8271300	B1	152	310382	8270998
B1	33	310602	8271292	B1	93	310420	8271296	B1	153	310380	8270995
B1	34	310602	8271288	B1	94	310418	8271293	B1	154	310377	8270992
B1	35	310602	8271286	B1	95	310416	8271289	B1	155	310374	8270989
B1	36	310600	8271254	B1	96	310414	8271286	B1	156	310371	8270987
B1	37	310599	8271235	B1	97	310412	8271283	B1	157	310368	8270985
B1	38	310599	8271229	B1	98	310409	8271280	B1	158	310363	8270982
B1	39	310598	8271225	B1	99	310407	8271277	B1	159	310363	8270982
B1	40	310597	8271222	B1	100	310403	8271275	B1	160	310334	8270970
B1	41	310596	8271219	B1	101	310400	8271272	B1	161	310356	8270940
B1	42	310594	8271216	B1	102	310397	8271271	B1	162	310366	8270930
B1	43	310574	8271177	B1	103	310393	8271269	B1	163	310386	8270910
B1	44	310573	8271176	B1	104	310388	8271268	B1	164	310423	8270888
B1	45	310571	8271173	B1	105	310357	8271260	B1	165	310439	8270878
B1	46	310569	8271170	B1	106	310355	8271259	B1	166	310452	8270870
B1	47	310566	8271167	B1	107	310351	8271259	B1	167	310474	8270857
B1	48	310563	8271164	B1	108	310347	8271259	B1	168	310478	8270854
B1	49	310560	8271162	B1	109	310343	8271259	B1	169	310511	8270828
B1	50	310557	8271159	B1	110	310339	8271259	B1	170	310513	8270827
B1	51	310554	8271158	B1	111	310337	8271260	B1	171	310513	8270827
B1	52	310552	8271157	B1	112	310343	8271253	B1	172	310531	8270812
B1	53	310516	8271142	B1	113	310345	8271250	B1	173	310549	8270796
B1	54	310514	8271141	B1	114	310347	8271247	B1	174	310553	8270793
B1	55	310510	8271139	B1	115	310370	8271209	B1	175	310582	8270761
B1	56	310506	8271139	B1	116	310370	8271208	B1	176	310589	8270754
B1	57	310502	8271138	B1	117	310372	8271205	B1	177	310594	8270750
B1	58	310498	8271138	B1	118	310373	8271201	B1	178	310641	8270714
B1	59	310494	8271138	B1	119	310374	8271197	B1	179	310665	8270703
B1	60	310491	8271138	B1	120	310375	8271194	B1	180	310682	8270705

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Attachment to Plan: SDA-0515-020805

Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 55

Note: Derived Reference Points are provided to assist in the location of the permitted boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response SDA-0515-020805. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
B1	181	310709	8270709	B1	241	310558	8270721	B1	301	310408	8271470
B1	182	310712	8270709	B1	242	310550	8270730	B1	302	310407	8271478
B1	183	310756	8270712	B1	243	310520	8270762	B1	303	310405	8271489
B1	184	310758	8270712	B1	244	310501	8270778	B1	304	310403	8271499
B1	185	310763	8270712	B1	245	310484	8270793	B1	305	310409	8271500
B1	186	310812	8270707	B1	246	310450	8270818	B1	306	310425	8271504
B1	187	310815	8270706	B1	247	310429	8270831	B1	307	310436	8271505
B1	188	310818	8270705	B1	248	310416	8270839	B1	308	310447	8271506
B1	189	310822	8270704	B1	249	310399	8270849	B1	309	310491	8271511
B1	190	310822	8270704	B1	250	310358	8270875	B1	310	310515	8271514
B1	191	310827	8270702	B1	251	310335	8270898	B1	311	310580	8271510
B1	192	310849	8270692	B1	252	310322	8270911	B2	312	310199	8271948
B1	193	310892	8270683	B1	253	310289	8270954	B2	313	310239	8271937
B1	194	310895	8270682	B1	254	310279	8270985	B2	314	310298	8271921
B1	195	310898	8270681	B1	255	310309	8271008	B2	315	310298	8271921
B1	196	310901	8270680	B1	256	310345	8271024	B2	316	310341	8271942
B1	197	310904	8270678	B1	257	310345	8271024	B2	317	310354	8271993
B1	198	310943	8270658	B1	258	310363	8271049	B2	318	310359	8271997
B1	199	310944	8270657	B1	259	310343	8271096	B2	319	310362	8271999
B1	200	310947	8270655	B1	260	310291	8271116	B2	320	310400	8271974
B1	201	310950	8270653	B1	261	310282	8271132	B2	321	310399	8271974
B1	202	310952	8270651	B1	262	310276	8271142	B2	322	310397	8271971
B1	203	310969	8270636	B1	263	310295	8271148	B2	323	310394	8271968
B1	204	310985	8270620	B1	264	310318	8271155	B2	324	310394	8271967
B1	205	310989	8270617	B1	265	310326	8271172	B2	325	310384	8271931
B1	206	311022	8270578	B1	266	310331	8271185	B2	326	310383	8271927
B1	207	311022	8270578	B1	267	310331	8271185	B2	327	310382	8271924
B1	208	311025	8270575	B1	268	310308	8271224	B2	328	310380	8271920
B1	209	311027	8270572	B1	269	310285	8271252	B2	329	310378	8271917
B1	210	311029	8270569	B1	270	310282	8271255	B2	330	310376	8271914
B1	211	311030	8270565	B1	271	310282	8271298	B2	331	310373	8271911
B1	212	311037	8270547	B1	272	310286	8271310	B2	332	310370	8271908
B1	213	311047	8270522	B1	273	310293	8271329	B2	333	310367	8271906
B1	214	311074	8270474	B1	274	310305	8271329	B2	334	310364	8271903
B1	215	311075	8270474	B1	275	310321	8271329	B2	335	310361	8271902
B1	216	311076	8270471	B1	276	310347	8271304	B2	336	310318	8271880
B1	217	311092	8270447	B1	277	310377	8271311	B2	337	310314	8271879
B1	218	311094	8270445	B1	278	310377	8271311	B2	338	310310	8271877
B1	219	311095	8270442	B1	279	310380	8271345	B2	339	310306	8271876
B1	220	311055	8270422	B1	280	310390	8271378	B2	340	310302	8271876
B1	221	311037	8270449	B1	281	310412	8271387	B2	341	310298	8271876
B1	222	311037	8270449	B1	282	310416	8271388	B2	342	310294	8271876
B1	223	311006	8270503	B1	283	310420	8271388	B2	343	310290	8271876
B1	224	310995	8270531	B1	284	310436	8271386	B2	344	310289	8271877
B1	225	310988	8270549	B1	285	310450	8271375	B2	345	310286	8271877
B1	226	310955	8270587	B1	286	310459	8271368	B2	346	310227	8271893
B1	227	310938	8270603	B1	287	310490	8271339	B2	347	310187	8271904
B1	228	310921	8270618	B1	288	310506	8271293	B2	348	310184	8271905
B1	229	310883	8270639	B1	289	310506	8271252	B2	349	310180	8271906
B1	230	310883	8270639	B1	290	310493	8271211	B2	350	310176	8271908
B1	231	310834	8270649	B1	291	310498	8271183	B2	351	310170	8271911
B1	232	310807	8270662	B1	292	310534	8271198	B2	352	310156	8271917
B1	233	310807	8270662	B1	293	310554	8271237	B2	353	310152	8271919
B1	234	310758	8270667	B1	294	310555	8271256	B2	354	310149	8271921
B1	235	310715	8270664	B1	295	310557	8271288	B2	355	310146	8271924
B1	236	310688	8270661	B1	296	310542	8271342	B2	356	310143	8271926
B1	237	310658	8270657	B1	297	310506	8271393	B2	357	310140	8271929
B1	238	310648	8270661	B1	298	310494	8271406	B2	358	310137	8271933
B1	239	310617	8270675	B1	299	310475	8271427	B2	359	310129	8271946
B1	240	310566	8270715	B1	300	310436	8271458	B2	360	310120	8271930

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Attachment to Plan: SDA-0515-020805

Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 55

Note: Derived Reference Points are provided to assist in the location of the permitted boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response SDA-0515-020805. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
B2	361	310118	8271927	B2	421	309773	8271842	B2	481	310304	8271813
B2	362	310115	8271924	B2	422	309777	8271838	B2	482	310308	8271812
B2	363	310113	8271921	B2	423	309780	8271837	B2	483	310312	8271811
B2	364	310110	8271919	B2	424	309814	8271821	B2	484	310316	8271810
B2	365	310107	8271916	B2	425	309827	8271818	B2	485	310319	8271809
B2	366	310103	8271914	B2	426	309853	8271812	B2	486	310323	8271807
B2	367	310100	8271912	B2	427	309856	8271811	B2	487	310326	8271805
B2	368	310096	8271911	B2	428	309858	8271810	B2	488	310329	8271803
B2	369	310096	8271911	B2	429	309864	8271808	B2	489	310331	8271801
B2	370	310095	8271910	B2	430	309865	8271808	B2	490	310360	8271774
B2	371	310071	8271902	B2	431	309904	8271795	B2	491	310364	8271770
B2	372	310068	8271901	B2	432	309904	8271794	B2	492	310367	8271767
B2	373	310065	8271901	B2	433	309905	8271794	B2	493	310369	8271764
B2	374	310061	8271900	B2	434	309909	8271793	B2	494	310371	8271760
B2	375	310057	8271900	B2	435	309912	8271791	B2	495	310372	8271757
B2	376	310053	8271900	B2	436	309915	8271789	B2	496	310373	8271754
B2	377	310049	8271900	B2	437	309917	8271788	B2	497	310373	8271753
B2	378	310045	8271901	B2	438	309919	8271787	B2	498	310400	8271751
B2	379	310041	8271902	B2	439	309927	8271782	B2	499	310405	8271751
B2	380	310038	8271904	B2	440	309939	8271773	B2	500	310408	8271750
B2	381	310034	8271906	B2	441	309970	8271753	B2	501	310412	8271749
B2	382	310031	8271908	B2	442	309999	8271737	B2	502	310416	8271747
B2	383	310010	8271923	B2	443	310010	8271734	B2	503	310419	8271745
B2	384	309991	8271897	B2	444	310015	8271732	B2	504	310421	8271744
B2	385	309990	8271896	B2	445	310037	8271732	B2	505	310451	8271725
B2	386	309989	8271895	B2	446	310078	8271744	B2	506	310455	8271722
B2	387	309987	8271892	B2	447	310105	8271754	B2	507	310458	8271720
B2	388	309984	8271889	B2	448	310109	8271755	B2	508	310461	8271717
B2	389	309981	8271887	B2	449	310113	8271756	B2	509	310463	8271714
B2	390	309977	8271885	B2	450	310117	8271756	B2	510	310465	8271710
B2	391	309974	8271883	B2	451	310120	8271757	B2	511	310467	8271707
B2	392	309970	8271881	B2	452	310124	8271756	B2	512	310469	8271703
B2	393	309967	8271880	B2	453	310128	8271756	B2	513	310470	8271701
B2	394	309963	8271879	B2	454	310132	8271755	B2	514	310479	8271672
B2	395	309959	8271879	B2	455	310136	8271754	B2	515	310480	8271669
B2	396	309955	8271878	B2	456	310140	8271753	B2	516	310481	8271665
B2	397	309955	8271878	B2	457	310143	8271751	B2	517	310482	8271661
B2	398	309936	8271878	B2	458	310145	8271750	B2	518	310483	8271655
B2	399	309906	8271878	B2	459	310162	8271739	B2	519	310483	8271643
B2	400	309861	8271878	B2	460	310164	8271742	B2	520	310487	8271643
B2	401	309858	8271879	B2	461	310167	8271746	B2	521	310499	8271644
B2	402	309812	8271881	B2	462	310168	8271747	B2	522	310501	8271644
B2	403	309808	8271882	B2	463	310172	8271752	B2	523	310505	8271644
B2	404	309804	8271883	B2	464	310182	8271763	B2	524	310509	8271643
B2	405	309800	8271884	B2	465	310184	8271765	B2	525	310513	8271643
B2	406	309796	8271885	B2	466	310195	8271777	B2	526	310517	8271641
B2	407	309793	8271887	B2	467	310197	8271779	B2	527	310520	8271640
B2	408	309790	8271889	B2	468	310199	8271781	B2	528	310524	8271638
B2	409	309786	8271891	B2	469	310202	8271783	B2	529	310527	8271636
B2	410	309784	8271894	B2	470	310205	8271785	B2	530	310530	8271634
B2	411	309781	8271897	B2	471	310209	8271787	B2	531	310533	8271631
B2	412	309780	8271898	B2	472	310212	8271789	B2	532	310536	8271628
B2	413	309760	8271923	B2	473	310215	8271790	B2	533	310536	8271628
B2	414	309758	8271924	B2	474	310218	8271790	B2	534	310550	8271612
B2	415	309752	8271918	B2	475	310250	8271798	B2	535	310552	8271609
B2	416	309746	8271903	B2	476	310285	8271810	B2	536	310554	8271606
B2	417	309749	8271890	B2	477	310289	8271811	B2	537	310556	8271602
B2	418	309751	8271880	B2	478	310292	8271812	B2	538	310557	8271599
B2	419	309758	8271864	B2	479	310296	8271813	B2	539	310558	8271596
B2	420	309762	8271852	B2	480	310300	8271813	B2	540	310559	8271592

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Attachment to Plan: SDA-0515-020805

Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 55

Note: Derived Reference Points are provided to assist in the location of the permitted boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response SDA-0515-020805. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
B2	541	310589	8271591	B2	601	309747	8271804	B3	661	309843	8272443
B2	542	310611	8271545	B2	602	309741	8271810	B3	662	309789	8272432
B2	543	310601	8271545	B2	603	309724	8271827	B3	663	309788	8272432
B2	544	310526	8271548	B2	604	309716	8271847	B3	664	309785	8272431
B2	545	310515	8271583	B2	605	309708	8271867	B3	665	309781	8272431
B2	546	310502	8271599	B2	606	309705	8271881	B3	666	309777	8272431
B2	547	310490	8271598	B2	607	309700	8271907	B3	667	309773	8272432
B2	548	310466	8271597	B2	608	309713	8271942	B3	668	309769	8272432
B2	549	310456	8271596	B2	609	309737	8271969	B3	669	309765	8272434
B2	550	310440	8271612	B2	610	309770	8271972	B3	670	309739	8272443
B2	551	310438	8271653	B2	611	309780	8271964	B3	671	309735	8272444
B2	552	310437	8271655	B2	612	309791	8271956	B3	672	309728	8272447
B2	553	310427	8271687	B2	613	309815	8271926	B3	673	309724	8272448
B2	554	310397	8271706	B2	614	309861	8271923	B3	674	309724	8272449
B2	555	310365	8271709	B2	615	309906	8271923	B3	675	309716	8272438
B2	556	310364	8271709	B2	616	309936	8271923	B3	676	309713	8272431
B2	557	310364	8271709	B2	617	309955	8271923	B3	677	309713	8272431
B2	558	310338	8271714	B2	618	309955	8271923	B3	678	309707	8272414
B2	559	310337	8271717	B2	619	309976	8271953	B3	679	309699	8272393
B2	560	310336	8271722	B2	620	309982	8271969	B3	680	309699	8272392
B2	561	310330	8271741	B2	621	309987	8271982	B3	681	309693	8272379
B2	562	310301	8271768	B2	622	310003	8271982	B3	682	309686	8272362
B2	563	310263	8271754	B2	623	310011	8271982	B3	683	309692	8272345
B2	564	310228	8271746	B2	624	310013	8271980	B3	684	309692	8272342
B2	565	310215	8271732	B2	625	310030	8271964	B3	685	309693	8272339
B2	566	310215	8271732	B2	626	310057	8271945	B3	686	309694	8272335
B2	567	310206	8271722	B2	627	310081	8271953	B3	687	309694	8272331
B2	568	310201	8271717	B2	628	310081	8271953	B3	688	309694	8272326
B2	569	310201	8271687	B2	629	310099	8271985	B3	689	309689	8272287
B2	570	310188	8271674	B2	630	310126	8272001	B3	690	309702	8272243
B2	571	310161	8271677	B2	631	310150	8271993	B3	691	309718	8272212
B2	572	310142	8271698	B2	632	310157	8271984	B3	692	309725	8272208
B2	573	310142	8271698	B2	633	310174	8271958	B3	693	309744	8272195
B2	574	310121	8271712	B2	634	310188	8271952	B3	694	309774	8272184
B2	575	310091	8271701	B2	635	310194	8271950	B3	695	309805	8272177
B2	576	310091	8271701	B3	636	309754	8272485	B3	696	309825	8272187
B2	577	310043	8271687	B3	637	309780	8272476	B3	697	309826	8272187
B2	578	310008	8271687	B3	638	309834	8272487	B3	698	309829	8272188
B2	579	309997	8271691	B3	639	309839	8272489	B3	699	309833	8272190
B2	580	309981	8271695	B3	640	309839	8272489	B3	700	309836	8272190
B2	581	309947	8271714	B3	641	309869	8272503	B3	701	309840	8272191
B2	582	309914	8271736	B3	642	309882	8272505	B3	702	309844	8272191
B2	583	309902	8271744	B3	643	309882	8272505	B3	703	309848	8272191
B2	584	309894	8271749	B3	644	309882	8272506	B3	704	309852	8272191
B2	585	309892	8271750	B3	645	309917	8272476	B3	705	309856	8272190
B2	586	309890	8271752	B3	646	309914	8272474	B3	706	309860	8272189
B2	587	309890	8271752	B3	647	309911	8272471	B3	707	309862	8272188
B2	588	309850	8271765	B3	648	309908	8272469	B3	708	309863	8272187
B2	589	309844	8271767	B3	649	309905	8272467	B3	709	309894	8272174
B2	590	309842	8271768	B3	650	309902	8272465	B3	710	309897	8272173
B2	591	309816	8271774	B3	651	309900	8272464	B3	711	309931	8272156
B2	592	309801	8271778	B3	652	309898	8272463	B3	712	309962	8272146
B2	593	309801	8271778	B3	653	309895	8272462	B3	713	310001	8272136
B2	594	309799	8271779	B3	654	309891	8272461	B3	714	310004	8272135
B2	595	309761	8271795	B3	655	309883	8272460	B3	715	310008	8272133
B2	596	309761	8271795	B3	656	309858	8272448	B3	716	310012	8272132
B2	597	309753	8271799	B3	657	309855	8272447	B3	717	310013	8272131
B2	598	309753	8271799	B3	658	309853	8272446	B3	718	310023	8272125
B2	599	309751	8271800	B3	659	309850	8272444	B3	719	310026	8272123
B2	600	309747	8271804	B3	660	309846	8272443	B3	720	310027	8272124

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Attachment to Plan: SDA-0515-020805

Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 55

Note: Derived Reference Points are provided to assist in the location of the permitted boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response SDA-0515-020805. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
B3	721	310030	8272126	B3	781	309761	8272141	A1	841	309845	8272146
B3	722	310031	8272127	B3	782	309724	8272154	A1	842	309845	8272146
B3	723	310032	8272128	B3	783	309700	8272170	A1	843	309845	8272146
B3	724	310047	8272138	B3	784	309692	8272176	A1	844	309877	8272133
B3	725	310058	8272145	B3	785	309684	8272181	A1	845	309915	8272114
B3	726	310060	8272147	B3	786	309660	8272227	A1	846	309949	8272103
B3	727	310064	8272149	B3	787	309644	8272283	A1	847	309989	8272092
B3	728	310068	8272151	B3	788	309649	8272331	A1	848	309999	8272087
B3	729	310071	8272152	B3	789	309640	8272358	A1	849	310032	8272066
B3	730	310075	8272153	B3	790	309638	8272363	A1	850	310040	8272066
B3	731	310076	8272153	B3	791	309641	8272370	A1	851	310048	8272066
B3	732	310093	8272156	B3	792	309652	8272397	A1	852	310057	8272090
B3	733	310098	8272157	B3	793	309657	8272409	A1	853	310057	8272090
B3	734	310108	8272158	B3	794	309664	8272429	A1	854	310073	8272101
B3	735	310112	8272159	B3	795	309671	8272446	A1	855	310083	8272108
B3	736	310115	8272159	B3	796	309671	8272446	A1	856	310101	8272111
B3	737	310119	8272159	B3	797	309676	8272460	A1	857	310105	8272112
B3	738	310123	8272158	B3	798	309690	8272479	A1	858	310116	8272114
B3	739	310127	8272157	B3	799	309690	8272479	A1	859	310142	8272100
B3	740	310131	8272156	B3	800	309694	8272484	A1	860	310166	8272083
B3	741	310136	8272154	B3	801	309700	8272492	A1	861	310177	8272074
B3	742	310137	8272153	B3	802	309727	8272508	A1	862	310192	8272056
B3	743	310138	8272152	B3	803	309735	8272499	A1	863	310204	8272041
B3	744	310213	8272101	B3	804	309743	8272489	A1	864	310228	8272012
B3	745	310226	8272085	B3	805	309750	8272487	A1	865	310251	8272014
B3	746	310239	8272070	A1	806	309882	8272506	A1	866	310266	8272015
B3	747	310239	8272070	A1	807	309882	8272505	A1	867	310284	8272043
B3	748	310244	8272064	A1	808	309882	8272505	A1	868	310288	8272050
B3	749	310246	8272067	A1	809	309869	8272503	A1	869	310362	8271999
B3	750	310250	8272074	A1	810	309839	8272489	A1	870	310359	8271997
B3	751	310251	8272075	A1	811	309839	8272489	A1	871	310354	8271993
B3	752	310288	8272050	A1	812	309834	8272487	A1	872	310341	8271942
B3	753	310284	8272043	A1	813	309780	8272476	A1	873	310298	8271921
B3	754	310266	8272015	A1	814	309754	8272485	A1	874	310298	8271921
B3	755	310251	8272014	A1	815	309750	8272487	A1	875	310239	8271937
B3	756	310228	8272012	A1	816	309743	8272489	A1	876	310199	8271948
B3	757	310204	8272041	A1	817	309735	8272499	A1	877	310194	8271950
B3	758	310192	8272056	A1	818	309727	8272508	A1	878	310188	8271952
B3	759	310177	8272074	A1	819	309700	8272492	A1	879	310174	8271958
B3	760	310166	8272083	A1	820	309694	8272484	A1	880	310157	8271984
B3	761	310142	8272100	A1	821	309690	8272479	A1	881	310150	8271993
B3	762	310116	8272114	A1	822	309690	8272479	A1	882	310126	8272001
B3	763	310105	8272112	A1	823	309676	8272460	A1	883	310099	8271985
B3	764	310101	8272111	A1	824	309671	8272446	A1	884	310081	8271953
B3	765	310083	8272108	A1	825	309671	8272446	A1	885	310081	8271953
B3	766	310073	8272101	A1	826	309664	8272429	A1	886	310057	8271945
B3	767	310057	8272090	A1	827	309657	8272409	A1	887	310030	8271964
B3	768	310057	8272090	A1	828	309652	8272397	A1	888	310013	8271980
B3	769	310048	8272066	A1	829	309641	8272370	A1	889	310011	8271982
B3	770	310040	8272066	A1	830	309638	8272363	A1	890	310003	8271982
B3	771	310032	8272066	A1	831	309640	8272358	A1	891	309987	8271982
B3	772	309999	8272087	A1	832	309649	8272331	A1	892	309982	8271969
B3	773	309989	8272092	A1	833	309644	8272283	A1	893	309976	8271953
B3	774	309949	8272103	A1	834	309660	8272227	A1	894	309955	8271923
B3	775	309915	8272114	A1	835	309684	8272181	A1	895	309955	8271923
B3	776	309877	8272133	A1	836	309692	8272176	A1	896	309936	8271923
B3	777	309845	8272146	A1	837	309700	8272170	A1	897	309906	8271923
B3	778	309845	8272146	A1	838	309724	8272154	A1	898	309861	8271923
B3	779	309845	8272146	A1	839	309761	8272141	A1	899	309815	8271926
B3	780	309810	8272130	A1	840	309810	8272130	A1	900	309791	8271956

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Attachment to Plan: SDA-0515-020805

Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 55

Note: Derived Reference Points are provided to assist in the location of the permitted boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response SDA-0515-020805. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
A1	901	309780	8271964	A1	961	310438	8271853	A1	1021	310318	8271155
A1	902	309770	8271972	A1	962	310440	8271612	A1	1022	310295	8271148
A1	903	309737	8271969	A1	963	310456	8271596	A1	1023	310276	8271142
A1	904	309713	8271942	A1	964	310466	8271597	A1	1024	310282	8271132
A1	905	309700	8271907	A1	965	310490	8271598	A1	1025	310291	8271116
A1	906	309705	8271881	A1	966	310502	8271599	A1	1026	310343	8271096
A1	907	309708	8271867	A1	967	310515	8271583	A1	1027	310363	8271049
A1	908	309716	8271847	A1	968	310526	8271548	A1	1028	310345	8271024
A1	909	309724	8271827	A1	969	310601	8271545	A1	1029	310345	8271024
A1	910	309741	8271810	A1	970	310611	8271545	A1	1030	310309	8271008
A1	911	309747	8271804	A1	971	310626	8271512	A1	1031	310279	8270985
A1	912	309747	8271804	A1	972	310625	8271509	A1	1032	310289	8270954
A1	913	309751	8271800	A1	973	310594	8271509	A1	1033	310322	8270911
A1	914	309753	8271799	A1	974	310580	8271510	A1	1034	310335	8270898
A1	915	309753	8271799	A1	975	310515	8271514	A1	1035	310358	8270875
A1	916	309761	8271795	A1	976	310491	8271511	A1	1036	310399	8270849
A1	917	309761	8271795	A1	977	310447	8271506	A1	1037	310416	8270839
A1	918	309799	8271779	A1	978	310436	8271505	A1	1038	310429	8270831
A1	919	309801	8271778	A1	979	310425	8271504	A1	1039	310450	8270818
A1	920	309801	8271778	A1	980	310409	8271500	A1	1040	310484	8270793
A1	921	309816	8271774	A1	981	310403	8271499	A1	1041	310501	8270778
A1	922	309842	8271768	A1	982	310405	8271489	A1	1042	310520	8270762
A1	923	309844	8271767	A1	983	310407	8271478	A1	1043	310550	8270730
A1	924	309850	8271765	A1	984	310408	8271470	A1	1044	310558	8270721
A1	925	309890	8271752	A1	985	310436	8271458	A1	1045	310566	8270715
A1	926	309890	8271752	A1	986	310475	8271427	A1	1046	310617	8270675
A1	927	309892	8271750	A1	987	310494	8271406	A1	1047	310648	8270661
A1	928	309894	8271749	A1	988	310506	8271393	A1	1048	310658	8270657
A1	929	309902	8271744	A1	989	310542	8271342	A1	1049	310688	8270661
A1	930	309914	8271736	A1	990	310557	8271288	A1	1050	310715	8270664
A1	931	309947	8271714	A1	991	310555	8271256	A1	1051	310758	8270667
A1	932	309981	8271695	A1	992	310554	8271237	A1	1052	310807	8270662
A1	933	309997	8271691	A1	993	310534	8271198	A1	1053	310807	8270662
A1	934	310008	8271687	A1	994	310498	8271183	A1	1054	310834	8270649
A1	935	310043	8271687	A1	995	310493	8271211	A1	1055	310883	8270639
A1	936	310091	8271701	A1	996	310506	8271252	A1	1056	310883	8270639
A1	937	310091	8271701	A1	997	310506	8271293	A1	1057	310921	8270618
A1	938	310121	8271712	A1	998	310490	8271339	A1	1058	310938	8270603
A1	939	310142	8271698	A1	999	310459	8271368	A1	1059	310955	8270587
A1	940	310142	8271698	A1	1000	310450	8271375	A1	1060	310988	8270549
A1	941	310161	8271677	A1	1001	310436	8271386	A1	1061	310995	8270531
A1	942	310188	8271674	A1	1002	310420	8271388	A1	1062	311006	8270503
A1	943	310201	8271687	A1	1003	310416	8271388	A1	1063	311037	8270449
A1	944	310201	8271717	A1	1004	310412	8271387	A1	1064	311037	8270449
A1	945	310206	8271722	A1	1005	310390	8271378	A1	1065	311055	8270422
A1	946	310215	8271732	A1	1006	310380	8271345				
A1	947	310215	8271732	A1	1007	310377	8271311				
A1	948	310228	8271746	A1	1008	310377	8271311				
A1	949	310263	8271754	A1	1009	310347	8271304				
A1	950	310301	8271768	A1	1010	310321	8271329				
A1	951	310330	8271741	A1	1011	310305	8271329				
A1	952	310336	8271722	A1	1012	310293	8271329				
A1	953	310337	8271717	A1	1013	310286	8271310				
A1	954	310338	8271714	A1	1014	310282	8271298				
A1	955	310364	8271709	A1	1015	310282	8271255				
A1	956	310364	8271709	A1	1016	310285	8271252				
A1	957	310365	8271709	A1	1017	310308	8271224				
A1	958	310397	8271706	A1	1018	310331	8271185				
A1	959	310427	8271687	A1	1019	310331	8271185				
A1	960	310437	8271655	A1	1020	310326	8271172				

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

PE5	APPLICATION FOR A DEVELOPMENT PERMIT FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR AN UNDEFINED USE (HELICOPTER PAD AND ASSOCIATED STORAGE) AT 2622 ROSSVILLE BLOOMFIELD ROAD, BLOOMFIELD - LOT 3 ON RP906541 (DA/3432)
	<i>Report No.D15/16772 from Reel Planning - Council's Planning Consultants</i>

Applicant:	Ross Franz 2622 Rossville Bloomfield Road Bloomfield Qld 4985
Owner:	Ross Franz
Location:	2622 Rossville Bloomfield Road, Bloomfield Qld 4985
R.P.D.:	Lot 3 on RP906541
Area:	10.1ha
Zone:	Rural
Proposed Use:	Undefined Use (Helicopter Pad and Associated Storage)
Referral Agencies:	None
Submissions:	Four (4)

REPORT

An application was made to Council on 6 May 2015 seeking a development permit for a Material Change of Use for Outdoor Recreation (Helicopter Pad and Associated Storage) at 2622 Rossville Bloomfield Road, Bloomfield. An acknowledgement notice was issued on 20 May 2015, clarifying that:

- The proposal would be assessed as an Undefined Use (Helicopter Pad and Associated Storage); and
- The application required referral to the Department of Infrastructure, Local Government & Planning (DILGP) because the application involved clearing vegetation.

Correspondence from DILGP later clarified (via advice dated 13 July 2015) that based on the advice provided by the applicant, there was no referral required for vegetation clearing.

An information request was issued on 1 June 2015 requesting:

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- Setback details of the landing pad from the gazetted unconstructed road along the southern boundary of Lot 3;
- A report detailing any potential noise or amenity impacts on the residential component of surrounding lots by this proposed development;
- Details of quantity and method of fuel storage for this development;
- Details of emergency facilities that will be in place for the development;
- The anticipated frequency of air movements generated by the development; and
- The type and size of helicopter to be used by the development.

The applicant provided a response to the information request via an undated letter received by Council on 15 June 2015, which included the following responses:

- The setback from the helicopter pad to the unformed road reserve is 30m, which complied with the relevant Civil Aviation Advisory Publication;
- That Noise would be maintained in accordance with the Environmental Protection (Noise) Policy. That the activity had been located 220m north west from the southern neighbours. That operations would be carried out between 8am and 5pm with start up time limited to 15 minutes;
- Fuel storage is a maximum of two 44 gallon drums of JetA fuel on a concrete slab;
- That emergency facilities include a spill kit, fire extinguisher, hose connected to a water bore supply, first aid kit and communication equipment in the helicopter;
- That the helicopter would be used up to twice a week during daylight hours; and
- Details on the type of helicopter.

The applicant submitted a letter confirming that public notification had been undertaken in accordance with the requirements of the *Sustainable Planning Act 2009* (this is discussed later in this report). Four (4) submissions were lodged during the public notification period, one (1) in support of the proposal and three (3) objecting to the proposal.

PROPOSAL

The current proposal involves a Material Change of Use for an Undefined Use (Helicopter Pad and Associated Storage). It involves the use of an existing lot for the landing and storage of a helicopter. The land currently contains the Black Cockatoo Gallery (an art gallery) and the application describes the proposal as being associated with the gallery in that the owners will use it to travel to remote locations to teach art. The existing built form includes a house/gallery and ancillary structures such as sheds and a greenhouse. The proposed helicopter landing pad, storage shed and fuel storage is to be constructed west of the existing structures within a 33m by 44m (1,419m²) cleared area along the southern boundary approximately 34m from the existing house (see figure 1). The storage consists of a 6m by 12m (72m²) shed that is approximately 4.1m high to the peak of the roof. Fuel storage will be in a separate 3m by 3m fuel stand.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

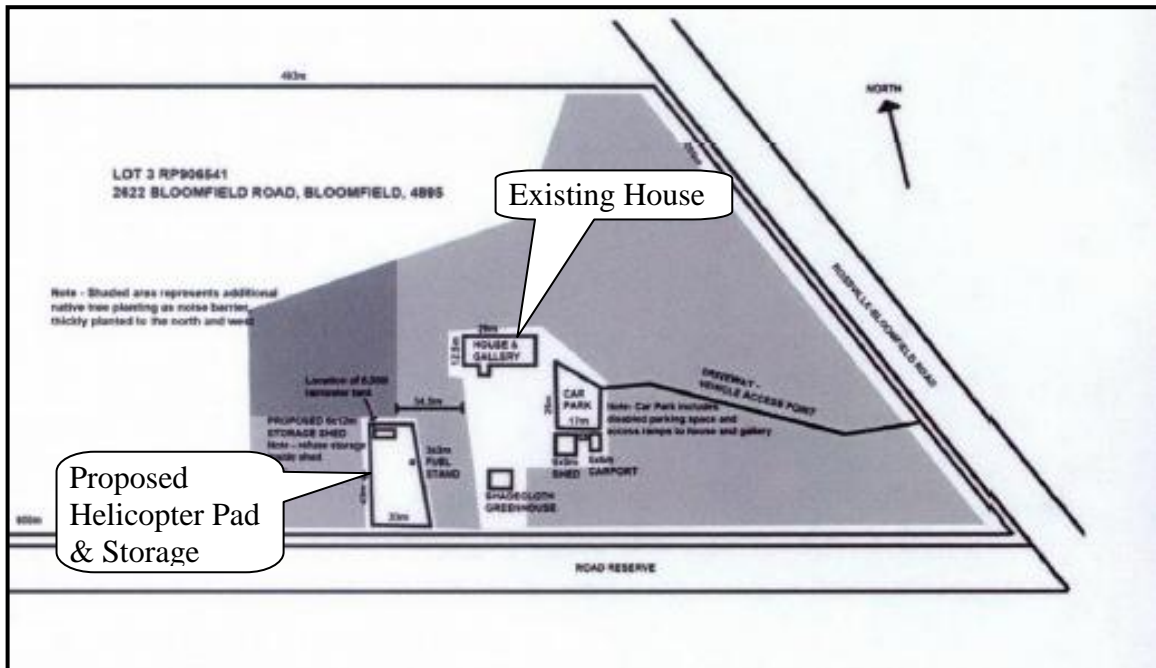


Figure 1: Proposed site plan

THE SITE

The subject land is located at 2622 Rossville Bloomfield Road, Bloomfield (better described as Lot 3 on RP906541) and has a 204m frontage to Rossville Bloomfield Road along the eastern boundary, a 610m frontage to an unformed road along the southern boundary and a 180m frontage to an unformed road reserve along the western boundary. The land is irregular in shape, 10.1ha in size and other than the existing house, gallery and ancillary structures is vacant and for the most part heavily vegetated. (refer to figure 2) The land slopes gently from west and east.

The site is located north west of the Ayton locality and is surrounded by rural allotments of a similar size, generally being used for rural living purposes where fronting Rossville Bloomfield Road. Land west of these allotments is heavily vegetated.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

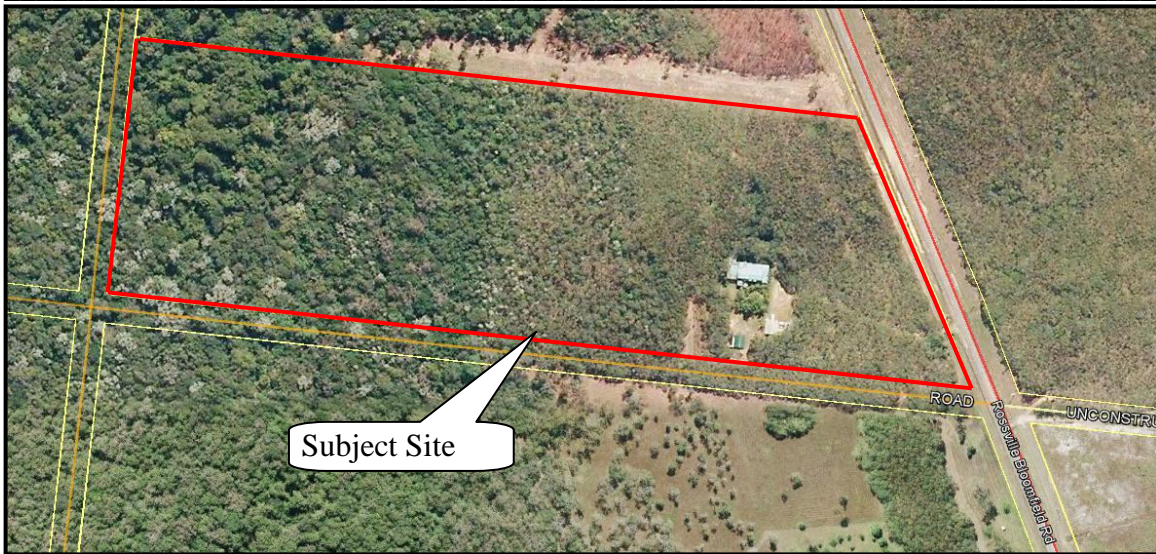


Figure 2: Subject Site



Figure 3: Subject Site

TOWN PLANNING CONSIDERATIONS

1. STATUTORY PLANNING CONTEXT

The site is zoned Rural under Cook Shire Council's Planning Scheme (refer to figure 4).

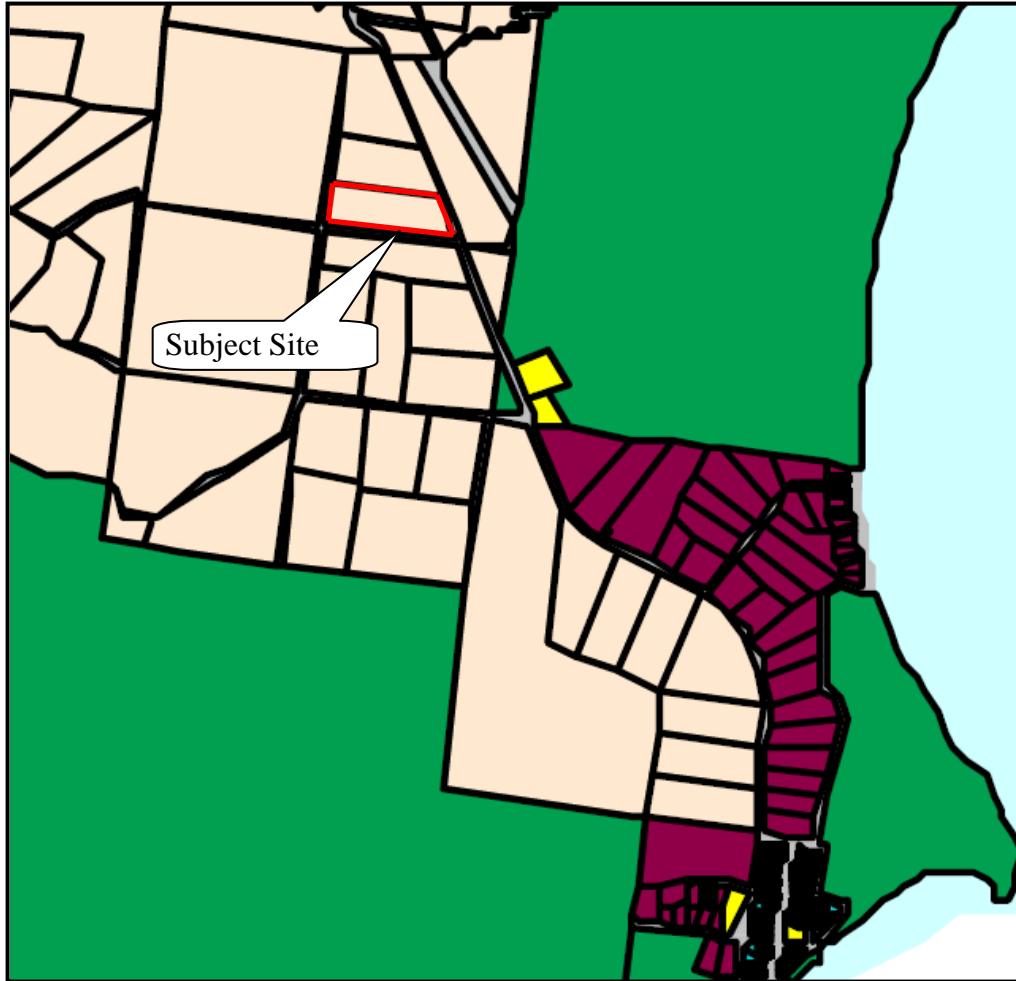


Figure 4: Zoning Map

Council officers have determined that the proposed Helicopter Pad and Associated Storage should be assessed as an undefined use. Undefined uses are subject to **impact assessment** regardless of the zone in which they are located, allowing Council to assess the proposal against the provisions of the Planning Scheme as a whole, including the strategic elements of the Planning Scheme. The following codes are also relevant:

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

2. COMPLIANCE WITH CODES AND POLICIES

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

(i) DEOs

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

9. Economy
10. Environment
11. Settlement Patterns
12. Transport & Communications
13. Community
14. Rural Prosperity
15. Heritage
16. Safety

Those DEOs with particular relevance to the proposal have been addressed below.

DEO 1: A Strong Economy

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

Response

The helicopter pad and associated storage was described in the application as being associated with the existing use of the site for an art gallery which plays a tourism role. The proposal therefore facilitates the ongoing use of the site as a tourism facility. However, in the context of potential character and amenity impacts and conflict with the code elements of the Planning Scheme (discussed in the context of submissions received below) the applicant has not demonstrated need for the facility and why it should not more reasonably be located at a designated airstrip.

3.1.2 DEO 2: A Healthy Environment

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

Response

The site is heavily vegetated although it is proposed to locate the helicopter pad and storage in an existing cleared area. For this reason there should be limited impacts to the natural environment.

DEO 3: Efficient Settlement

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

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

Response

It would not be appropriate to locate the proposed use in an existing town or township due to potential amenity and safety impacts. While the proposed use is outside the locality of Ayton, it is in a relatively closely settled rural area with small lots being used for residential purposes. The proposal does not therefore compromise the orderly development of the township of Ayton but it is not appropriately located in such a closely settled rural context adjacent to Ayton.

3.1.4 DEO 4: Good Transport and Communications

The Shire's transport and communications network, especially its roads and telecommunications, is continuously improved to help overcome the tyranny of distance. This provides the foundation for a strong economy, with better access by remote residents to urban services and facilities and improved educational outcomes.

Response

The applicant argued that the proposal demonstrated compliance with this DEO on the basis that the addition of a helicopter would assist the owners overcome large distances in order to reach remote communities. The proposal does assist with access to remote communities, however it is argued that there are more appropriate locations (such as existing airports/airfields) where helicopters can be accommodated without amenity impacts on surrounding residents.

(ii) Rural Zone Code

The overall outcomes of the Rural Zone Code are:

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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

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

Response

The proposal is considered to demonstrate only partial compliance with these overall outcomes:

- The site does not represent GQAL;
- The land is not identified as Future Urban Land;
- The site is serviced by adequate road infrastructure;
- Intensive rural activities are not proposed; and
- The proposal does not involve extractive industry.

However

- It has not been demonstrated how the proposal will strengthen the rural economy; and
- The proposal is likely to compromise the rural character of the land for existing residents and visitors. This is discussed later in this report.

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

○ Performance Criteria	○ Proposal Compliance
Land Use	
PC 1 Land use is primarily rural in nature. A range of non-rural uses are also located in this zone where they are complementary to the primary rural use (eg Roadside Stall) or where they have a direct and necessary connection to the wider rural community (eg. Veterinary Facility).	<p>The proposal is described by the applicant as an improvement to an existing tourism facility, however will likely be used for primarily private recreation purposes. The use is not complementary to a wider primary rural use of the land.</p> <p>This matter is discussed later in this report.</p>

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

○ Performance Criteria	○ Proposal Compliance
PC 2 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are recognised.	The land is not identified within or close to that identified in an ILUA
Scale and Density	
PC 3 Buildings are of a scale and design that is appropriate for a rural area.	The proposed helicopter storage shed is of a scale and design that is consistent and compatible with buildings in a rural area. The associated acceptable solution requires that buildings do not exceed 8.5m in height. The proposed building is approximately 4.1m high.
Amenity and Setbacks	
PC 4 Buildings and structures are setback from road frontages and adjoining sensitive uses and landscaping and other measures (eg earth mounds and solid fences) are provided within this setback to: Complement the character of the area; Minimise adverse impacts on roads and adjoining properties; and Minimise the impact of dust on residents of the rural lot.	The associated acceptable solution requires that where access is from a sealed road, buildings are setback a minimum of 50m. The new shed is more than 50m from Rossville Bloomfield Road.
Design	
PC 5 Advertising Devices: Consist of a single flat panel mounted on posts; and Are well maintained; and Do not create visual clutter; and Are designed so as not to impact on the amenity of the locality; and Are designed so as not to detract from the character and amenity of the locality or to create a traffic hazard.	No advertising devices are proposed as part of this application
Protection of Extractive Resources	
PC 6 Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.	The proposal does not involve, nor is it located in proximity to an extractive resource.
Erosion Prone Land	

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

○ Performance Criteria	○ Proposal Compliance
<p>PC 7 In an Erosion Prone Area, there are no adverse impacts on habitat, soil cover or water quality and no significant threats to public safety, infrastructure integrity or the economic value of the Erosion Prone Area.</p>	<p>The site is not in an erosion prone area.</p>
Watercourse Protection	
<p>PC 8 Where land uses or works occur adjacent to wetlands and/or watercourses identified on the Watercourses and Wetlands maps, there are no significant adverse effects on: Water quality; Ecological and biodiversity values; or Landscape quality.</p>	<p>There are no watercourses identified on the Watercourses and Wetlands Maps over the site.</p>
Acid Sulfate Soils	
<p>PC 9 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulfate soil by: Avoiding disturbance of such areas; or Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels, and Treating and managing surface and groundwater flows from areas of acid sulfate soils to minimise environmental harm.</p>	<p>The proposal does not affect any land at or below 5m AHD so will not have any effect on Acid Sulfate Soils.</p>
Pest Management	
<p>PC 10 Movement of State Declared or environmental pest plants and pest animals is prevented by: Not introducing any new declared or environmental pest plants or animals on to the property; and Not allowing seed or plant parts of declared or environmental pest plants to leave the property.</p>	<p>The applicant will be conditioned (as part of this application or a later application for building or operational work) so not to introduce any state declared or environmental pest plants or animals.</p>

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

(iv) Parking and Access Code

The Parking and Access Code seeks to achieve safe and convenient parking and access both internal and external to the site. The proposal involves the addition of a helicopter pad and storage facility which (due to it being for private use) is unlikely to generate any additional vehicle movements onto or off the site.

(v) Works, Services and Infrastructure Code

This code seeks to ensure infrastructure is designed and constructed to a suitable standard and that works, services an infrastructure do not cause environmental degradation or increase the risk of natural hazards. The proposal involves the addition of a helicopter pad and storage facility which does not require separate infrastructure connection beyond those already existing at the site.

(vi) Natural Hazards Code

The overall outcomes for the Natural Hazards Code seeks to ensure that development is compatible with natural hazards in affected areas of the Shire, with impacts on existing developed areas to be minimised and ensuring that development does not materially increase the extent or the severity of natural hazards. The site is identified in a high risk bushfire area and the applicant has not demonstrated how the proposed use (notably the outdoor fuel storage) will be protected from this risk.

3. REFERRAL AGENCIES

The application did not trigger any referral agencies.

4. PUBLIC NOTIFICATION

Public notification of the proposed development was required. This applicant has provided a notice stating that the application was publicly notified in accordance with Section 297 of the *Sustainable Planning Act 2009* (SPA). Notwithstanding this, SPA requires that the 15 business days of advertising commence after the last of the notification activities take place. Information from the applicant indicates that a sign was not placed on the land until the 8th of July, however the public notification period was noted (on the sign and newspaper ad) as running from the 3rd of July until the 24th of July. In this instance notification should have run from the 9th of July until the 30th of July.

Section 304 of the SPA allows an assessment manager to assess and decide an application even if some of the requirements have not been complied with, if the assessment manager is satisfied any noncompliance has not—

- (a) adversely affected the awareness of the public of the existence and nature of the application; or
- (b) restricted the opportunity of the public to make properly made submissions.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

There were four (4) submissions made in respect of the proposed development, so there appears to have been reasonable awareness of the application among the local community. The sign was also in place for longer than the prescribed 15 business days, despite the public notification period being listed incorrectly. On this basis it is recommended that the application be decided despite the non-compliance.

5. SUMMARY GROUNDS FOR SUBMISSIONS

The following summarises the major grounds raised within the three (3) submissions that objected to the proposal. Some of the grounds raised are not relevant to the town planning assessment of the application.

- 1. The submissions raise the potential for amenity impacts from the noise of the helicopter and the associated impacts on livestock.**

Response:

This is a valid concern. Despite Council's information request seeking an acoustic report to quantify the potential impact, the applicant has not provided any evidence demonstrating that acoustic impacts are within acceptable limits.

- 2. The submissions raise the potential for additional hazard from the storage of fuel in a bushfire prone area.**

Response:

This is a valid concern. As identified earlier in this report, the applicant has not demonstrated that fuel storage would be protected from bushfire hazard.

- 3. The submissions suggest that the Mt Louis airstrip is a more appropriate location.**

Response:

The Mt Louis airstrip is located approximately 2.5kms north west of the site. The operational requirements and capacity of the airstrip are unknown, however as an existing operating airfield it represents a more appropriate location to accommodate aviation facilities.

- 4. The proposed development will reduce property values.**

Response:

Property values are not a valid ground of objection.

5. DISCUSSION

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

The proposed development is for a helicopter pad and storage facility.

Land Use and Impacts

In the Rural zone, helicopters are commonly used by land owners on large isolated land parcels where travel by air is the most efficient way to manage the property holding or access services and facilities. In this case however, the land is located in a relatively closely settled rural environment where nearby lots are a similarly small in size and used for rural living purposes. Moreover, land to the south east is included in the Rural Residential zone where there is a higher expectation about character and amenity.

The applicant has not demonstrated with any quantifiable data what impact the helicopter movements will have on the immediate and surrounding land. The primary impact is likely to be acoustic related; however helicopter operations can be associated with the startling of livestock and safety concerns for nearby residents. The proposal conflicts with the Overall Outcomes of the Rural Zone Code in that it does not protect the rural character of the surrounding land. It also conflicts with the Overall Outcomes and Performance Criteria of the Rural Zone Code in that it is a non-rural use and it is not been demonstrated how it will strengthen or support the rural economy.

There is no association between the proposed use and the land, other than that it is owned by the applicant. That is, it is not necessarily located on this land to facilitate another activity, rather it is proposed on this land for the convenience of the applicant. It is a use that is better located at an existing airport/airstrip where aircraft movements and their impacts/hazards are acknowledged and able to be mitigated.

Hazards

The land is heavily vegetated and identified as being a high risk bushfire area and the applicant has not provided any meaningful information to demonstrate how the bushfire risk will be mitigated. Notably, the proposal introduces aviation fuel to the site and no information was submitted to demonstrate how this would be protected from bushfire hazard.

7. RECOMMENDATION

1. That Council refuse the development application submitted by Ross Franzi for a Material Change of Use - Undefined Use (Helicopter Pad and Storage Facility) over at 2622 Rossville Bloomfield Road, Bloomfield (Lot 3 on RP906541) on the following grounds:
 - The proposal conflicts with the overall outcomes and provisions of the Rural Zone Code as it fails to establish a use that is primarily rural in nature;
 - The proposal conflicts with the overall outcomes and provisions of the Rural Zone Code as it has the potential to significantly impact on the character and amenity of nearby land;

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- The proposal conflicts with the Natural Hazards Code in that it does not mitigate the existing bushfire hazard and increases that hazard through the storage of aviation fuel.
- The applicant has not demonstrated sufficient grounds to approve the proposal despite the conflict.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

PE6	RELEASE OF FUNDS – STAGE 1 OF COOKTOWN LANDFILL REHABILITATION	
	<i>Report No.D15/16757 from Waste Management Coordinator</i>	

Précis

Council to release funds from the Environmental Levy to commence works on stage 1 of Cooktown Landfill Rehabilitation – ‘Leachate Management Upgrade’.

Background/History

Cook Shire Council (Council) commissioned Golder Associates Pty Ltd to prepare a rehabilitation plan for Cooktown Landfill in accordance with relevant regulatory requirements, including conditions of Environmental Authority EPPR00722513.

Council was seeking to identify cost effective and sustainable long term solutions for the final capping and rehabilitation of Cooktown Landfill. Following projects were included into the rehabilitation plan:

- Assessment of the landfill site with respect to current and future potential environmental harm and risks to public health.
- Identification of proposed rehabilitation measures, including assessment of potential capping options, landfill gas and leachate management practices, re-vegetation and erosion/ sediment control, future land use and their associated costs.
- Proposed post-closure care measures detailing post closure procedures, maintenance costs and ongoing environmental and other monitoring requirements.

Scope of works:

- Stable final waste containment landform;
- Capping liner system;
- Leachate management;
- Landfill gas control and release;
- Surface water, erosion and sediment management;
- Operational and post closure site access;
- Ongoing closed landfill maintenance.

Detailed technical assessments are still required to be undertaken to support the preparation of design documentation that would be suitable for construction purposes.

As a result of severe weather events Council has breached EA licence conditions associated with leachate and stormwater management at least twice in 2014 and 2015.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

It is an offence under section 430 of the *Environmental Protection Act 1994* (the Act) to contravene a condition of an environmental authority and significant penalties apply.

Department of Environment and Heritage Protection have advised that there may be an infringement issued to the Council in response to those non-compliances.

Relevant regulatory requirements for leachate, stormwater and waste management (EPPR00755213):

Condition	Description
All Council operated sites	
P1-G2	All reasonable and practicable measures must be taken to minimise the likelihood of environmental harm being caused.
P1-WT1	Contaminants must not be released to groundwater.
P1-WT2	Other than as permitted within this Authority, contaminants must not be released to any waters or the bed and banks of any waters.
P1-WT3	Stormwater runoff must be diverted away from areas containing wastes or contaminants.
P1-WT4	Stormwater runoff that has been in contact with any contaminants at the site must not be released to any waters, roadside gutters or stormwater drains.
P1-L5	Erosion protection and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
Cooktown landfill specific conditions	
P5-L1	Leachate is not permitted to be directly or indirectly released to any land beyond authorized place.
P5-L2	All reasonable and practicable measures must be taken to minimise the generation of leachate.
P5-L3	Leachate or contaminated stormwater may only be disposed of: <ul style="list-style-type: none"> • By evaporation at the authorized place; • To sewer in accordance with a trade waste agreement; and • By recirculation back into the authorized place.
P5-L4	Any future waste storage areas must be constructed in a manner that prevents or minimises the release of leachate through the base and embankments.
P5-L5	Any disturbed land must be rehabilitated such that: <ul style="list-style-type: none"> • Native species of vegetation are planted and established; • Potential soil erosion is mitigated; • Water leaving the site does not contain contaminants that may cause environmental harm; and • The landform is stable and not likely to slump.
P5-WS3	Waste disposal activities must not extend beyond the boundary of the authorised place.

Between approximately 2005 and 2009, Council installed a number of leachate collection trenches and storage ponds in an attempt to address leachate breakouts that were occurring during periods of high rainfall. (Appendix 1).

Location	Leachate Management System	Key Issues Identified
Northern Slope	A leachate collection trench installed along the length of waste toe that gravity drains from east to west firstly into small open pit and then enclosed plastic tank.	Limited operations of the automatic leachate pump (failure of the automatic switch, power outages).

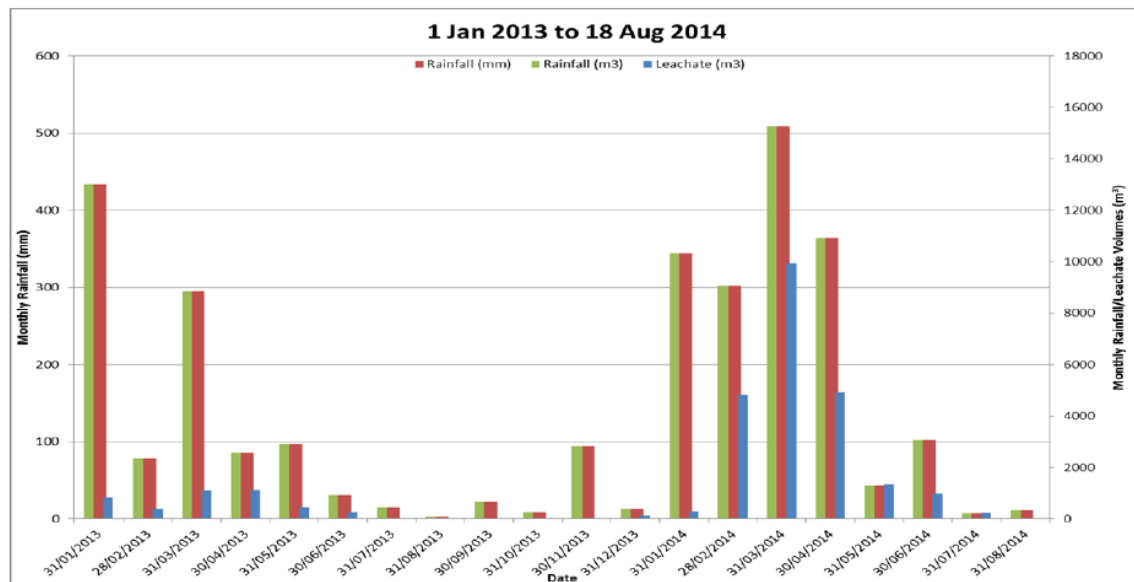
**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

	The tank is fitted with an automated electric pump to transfer collection leachate via rising main to leachate storage ponds located adjacent to the north eastern corner of landfill.	
	The leachate collection tank overflow into pipe that then drains into an adjacent sediment pond (No 3) located outside the north western property boundary.	As a result it is possible that most of the leachate collected in the tank may have overflowed into the adjacent sediment pond no 3 and released into the environment.
	Two secondary collection trenches were installed up the northern slope that gravity drain into the primary leachate trench. The secondary trenches drain series of localised side trenches that targeted identified leachate breakout areas.	
Eastern Slope	Two semi-parallel leachate collection trenches have been installed along the length of the waste toe. The lower leachate trench gravity drains from south to north into an open leachate storage pond (No 2). The adjacent upslope leachate trench gravity drains primarily from south to north into another open leachate storage pond (no 1).	High pressure surface breakouts have been observed along a section of the upslope leachate trench adjacent to the two leachate ponds. These breakout indicate insufficient soil cover and/or insufficient flow capacity within the trench.
	Leachate pond No 1 overflows into leachate pond No 2.	GCL material used to line leachate storage ponds is likely to have desiccated and lost its performance.
	Leachate pond no 1 is fitted with an automated electric pump to transfer collection leachate via rising main to an open reinjection pit located in the upper section of the landfill.	The open ponds collect direct rainfall and runoff from adjacent slope areas, increasing leachate volumes that require management.
		The ponds are not large enough to cope with the wet season flows.
South Western Slope	A small section of leachate collection trench was installed along the toe of this slope that gravity drains into an open unlined pit (No 3) that has been excavated into weathered rock. Leachate pond no 3 is not fitted with an automated pumping system and has to be pumped manually.	Absence of leachate interception system along the western slope, potentially resulting in undocumented leachate breakouts.
		The pond has been excavated into weathered rock and is unlined providing a potential seepage pathway to underlying groundwater.
		The open pond collects direct rainfall and runoff from adjacent slope areas, increasing leachate volumes that require management.
		The pond is not fitted with permanent pumping equipment, potentially allowing the pond to overflow

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

		and release leachate into an adjacent stormwater drain and into the environment.
Upper Landfill	Two leachate reinjection pits have been excavated within the upper section of the landfill. Both pits have been subsequently collapsed to a depth of approximately 2-3m.	The open pits collect direct rainfall and runoff from adjacent slope areas, increasing leachate volumes that require management.
		The pits have been partially collapsed, reducing the surface area available for seeping into surrounding waste material and potentially limiting infiltration into deeper sections of the waste mass.
Other Key Issues Identified	<p>There is no leachate interception/ collection system along the western and south eastern slopes of the landfill.</p> <p>Management of collected leachate is primarily limited to recycling with the waste mass. Over time there is a high risk that the waste will become fully saturated and form a large continuous leachate mound that could become difficult to contain.</p> <p>The relatively flat surface across the top of the landfill and existing interim soil capping is likely to be allowing relatively high rainfall infiltration rates and increasing the volume of leachate that needs to be managed over time.</p> <p>Existing stormwater control measures within the footprint of the landfill waste mound are relatively limited with existing infrastructure eroded, cracked and overgrown.</p> <p>Available survey and aerial photography currently indicates that buried waste material extends across the western site boundary into adjacent State Government Reserve Land that is managed by Council.</p>	

A flow meter was installed in the rising main from leachate pond 1 to leachate reinjection pit 1 at the beginning of 2013. Regular records of leachate volumes were kept from the time of installation until August 2014. Over 19 month period a total volume of 26,864m³ of leachate had been transferred.



AGENDA AND BUSINESS PAPERS

22 SEPTEMBER 2015

The graph above shows monthly totals of rainfall and leachate pumping volumes between January 2013 and August 2014. The rainfall volumes were based upon the rainfall total multiplied by the landfill surface area of approximately 3 ha.

Based upon experience at other similar landfill sites and information obtained from a 5 year landfill capping study at Stuart Landfill, rainfall infiltration into uncapped landfills would typically be in the general order of 10% in tropical climate conditions.

The above records indicate the following rainfall infiltration rates:

- 2013 wet season: 6% to 44%
- 2013/2014 wet season: 3% to 111%

There are a number of factors that are likely to result in the highly variable range of calculated infiltration rates that include:

- Adsorption of rainfall infiltration within unsaturated waste material.
- Loss of leachate into the surrounding environment through breakouts and seepage into underlying groundwater.
- Retention period within the waste material between rainfall events and subsequent drainage into leachate collection systems.
- Direct stormwater flows into open leachate ponds and pits and/or flows through localised landfill areas with limited or no interim soil cover.
- Groundwater recharge into the unlined waste material.
- The reinjection and recycling of leachate within the waste mass. The factor is likely to have the greatest influence on the very high leachate volumes recorded between February and July 2014.

Taking into account all of the above the upgrade of leachate management infrastructure is crucial to comply and maintain Councils environmental authority.

Leachate management is a significant part of the Cooktown Landfill rehabilitation and therefore it is proposed that upgrade of the leachate management infrastructure is considered as stage 1 of the rehabilitation. The construction and implementation of the new leachate management infrastructure must take place immediately to be in place before the coming wet season.

Proposed Leachate Management Infrastructure Upgrades (Appendix 2)

Upgrade works for the leachate management systems required to address the identified key leachate management issues can be divided into two general categories:

- Initial changes that can be undertaken by Council in the short term to address key system limitations independently of future landfill closure works.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- Long term changes that will need to be implemented in conjunction with the future landfill closure and capping works.

Identified Issue of Concern	Implementation program	
	Short Term	Long Term
Northern Slope		
Open pit adjacent to collection tank	<ul style="list-style-type: none"> • Replace the existing open pit and collection tank with an enclosed leachate collection sump. 	<ul style="list-style-type: none"> • Sump to be designed to integrate with future capping and other landfill closure works.
Leachate Pump	<ul style="list-style-type: none"> • Remove leachate overflow pipe connection to sediment pond no 3. • Incorporate a leachate management plan into the site operations plan to ensure that the pump operation is inspected daily during and following wet season. • Install a leachate overflow storage tank to provide additional capacity in the event of pumping equipment failure. 	<ul style="list-style-type: none"> • Overflow tank to be designed to integrate with future capping and other landfill closure works.
Eastern Slope		
Leachate trench breakouts	<ul style="list-style-type: none"> • Incorporate a leachate management plan into the site operations plan to ensure that this area is inspected daily during and following wet season. • Install localised additional leachate collection trenches in identified problem areas. 	<ul style="list-style-type: none"> • Installation of perimeter bund along the toe of the waste material with an additional engineered leachate collection trench to provide additional flow capacity.
Western Slope		
No leachate interception	<ul style="list-style-type: none"> • Incorporate a leachate management plan into the site operations plan to ensure that this area is inspected regularly during the wet season. 	<ul style="list-style-type: none"> • Installation of perimeter bund along the toe of the waste material with an engineered leachate collection trench that gravity drains into the new north western leachate sump.
Leachate storage ponds 1& 2		
Open storage ponds lined with GCL	<ul style="list-style-type: none"> • Decomission both storage ponds. • Replace the storage ponds with a number of enclosed storage tanks with designed capacity to hold leachate from both northern and eastern slope leachate trenches. • Modify eastern slope leachate trenches to gravity flow into 	<ul style="list-style-type: none"> • Monitor performance of leachate storage tanks and upgrade storage capacity during future capping and other landfill closure works (if required).

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

	<p>the new storage tanks.</p> <ul style="list-style-type: none"> • Incorporate a leachate management plan to the site operations plan to ensure that the pump operation is inspected daily during the wet season. 	
Leachate Reinjection Pits 1& 2		
Open, partially collapsed pits	<ul style="list-style-type: none"> • Decomission both reinjection pits. • Install at least one enclosed concrete lined reinjection sump in the upper landfill with a nominal depth of 5 m. • Incorporate a leachate management plan to the site operations plan to ensure that the sump operation is inspected daily during the wet season. 	<ul style="list-style-type: none"> • Reinjection sump to be designed to integrate with future capping and other landfill closure works.
Other Leachate Management Issues		
Rainfall Infiltration Rates	<ul style="list-style-type: none"> • Incorporate a leachate management plan to the site operations plan to ensure that the landfill is inspected regularly to identify areas that may have limited or no soli cover or are ponding water, 	<ul style="list-style-type: none"> • Reshaping the landfill mound to improve surface water drainage, particularly across the upper area currently used for waste transfer station purposes. • Installation of suitably engineered final capping to reduce reinfall infiltration from 10% to 1%.
Leachate Disposal	<ul style="list-style-type: none"> • Incorporate a leachate management plan to the site operations plan to include regular performance reviews of the upgrade leachate management systems. 	<ul style="list-style-type: none"> • Review the performance of the upgrade leachate management systems, taking into account the anticipated reduction in rainfall infiltration rates following reshaping and final capping. • If required, undertake feasibility study to identify the most cost effective method to dispose of or treat excess leachate.
Groundwater Impacts	<ul style="list-style-type: none"> • Update water quality monitoring program to ensure the collection of robust data. 	<ul style="list-style-type: none"> • Review the results of the water quality monitoring program regularly to identify potential impacts on groundwater. • Where potential impacts are identified, review and upgrade the monitoring program to support an environmental risk assessment. • If required, undertake a feasibility study to identify the

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

		most cost effective method to reduce and/ or contain groundwater impacts.
Stormwater Impacts	<ul style="list-style-type: none"> • Upgrade stormwater diversion system and sediment ponds to capture the whole water flow during the wet season. 	
Waste beyond landfill boundary	<ul style="list-style-type: none"> • Confirm the extent of the waste outside the western boundary and remove the waste if required. • Contract environmental auditors to assess the site to ensure no contamination is left behind. • Lodge incident report with DEHP. 	

Link to Corporate Plan

4.2 Environmental Wellbeing;

- Undertake the management of waste management facilities and services to a standard that ensures legislative compliance

Consultation

- Sheils Barra, EHO
- Mark Marziale, Director of Planning and Environment
- Ian Kuhl, Waste Advisor Cassowary Coast regional Council
- Ross Logan, Waste Management Operator
- James Begg, Golder Associates Pty Ltd

Legal Implications (Statutory, basis, legal risks)

- *Environmental Protection Act 1994*
- *Environmental protection Regulation 2008*

Policy Implications

NIL

Financial and Resource Implications (Budgetary)/Risk Assessment

- The maximum penalty for the contravention of the environmental authority to an individual under the Act is 4,500 penalty units totalling \$530,100.00.
- The maximum penalty for the contravention of the environmental authority to a corporation is 22,500 penalty units totalling \$2,650,500.00.
- Approximate funds required for completion of the leachate and stormwater management upgrade works and relocation of the potential waste located outside the property boundary: ~\$350,000.

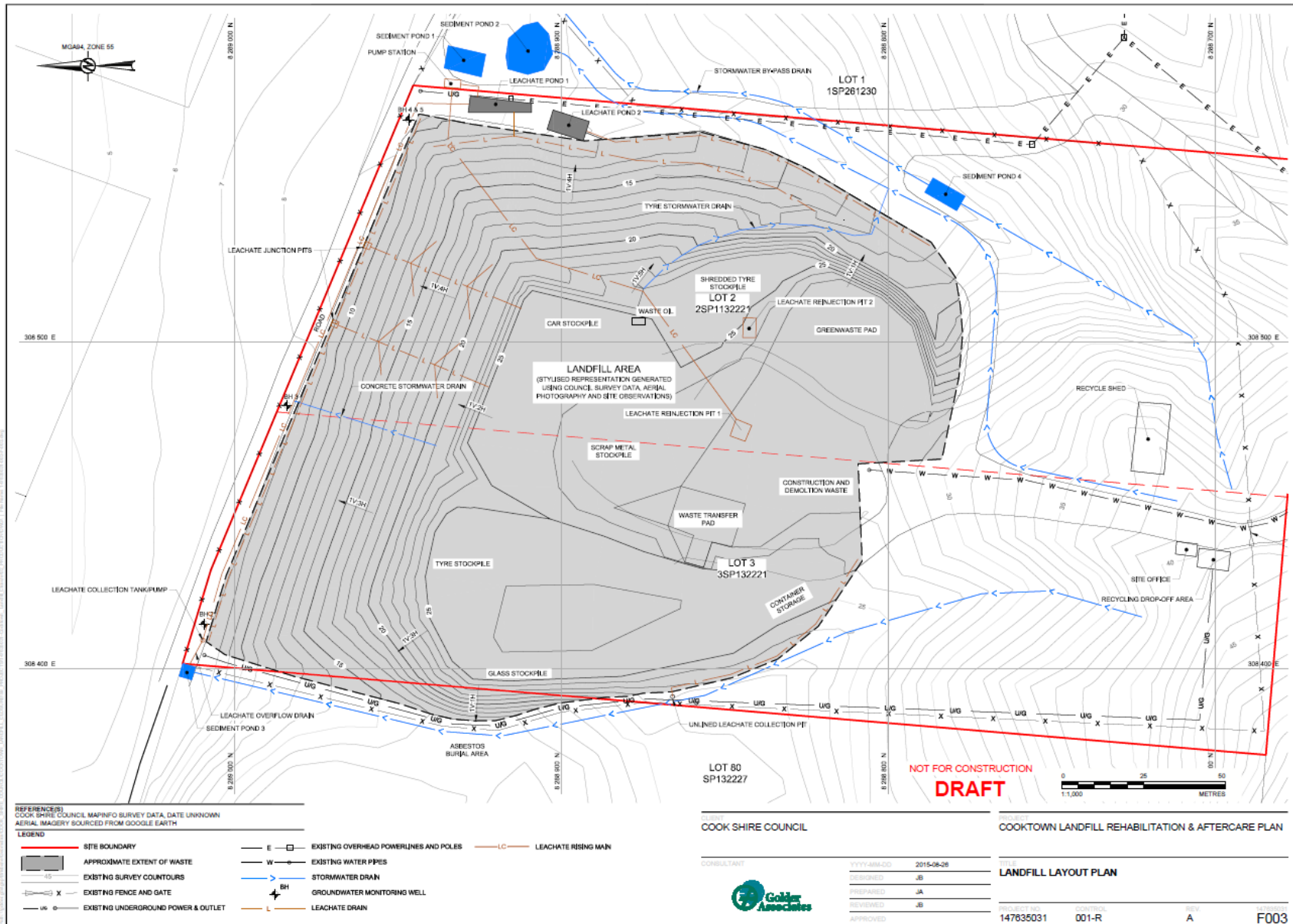
AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

RECOMMENDATION

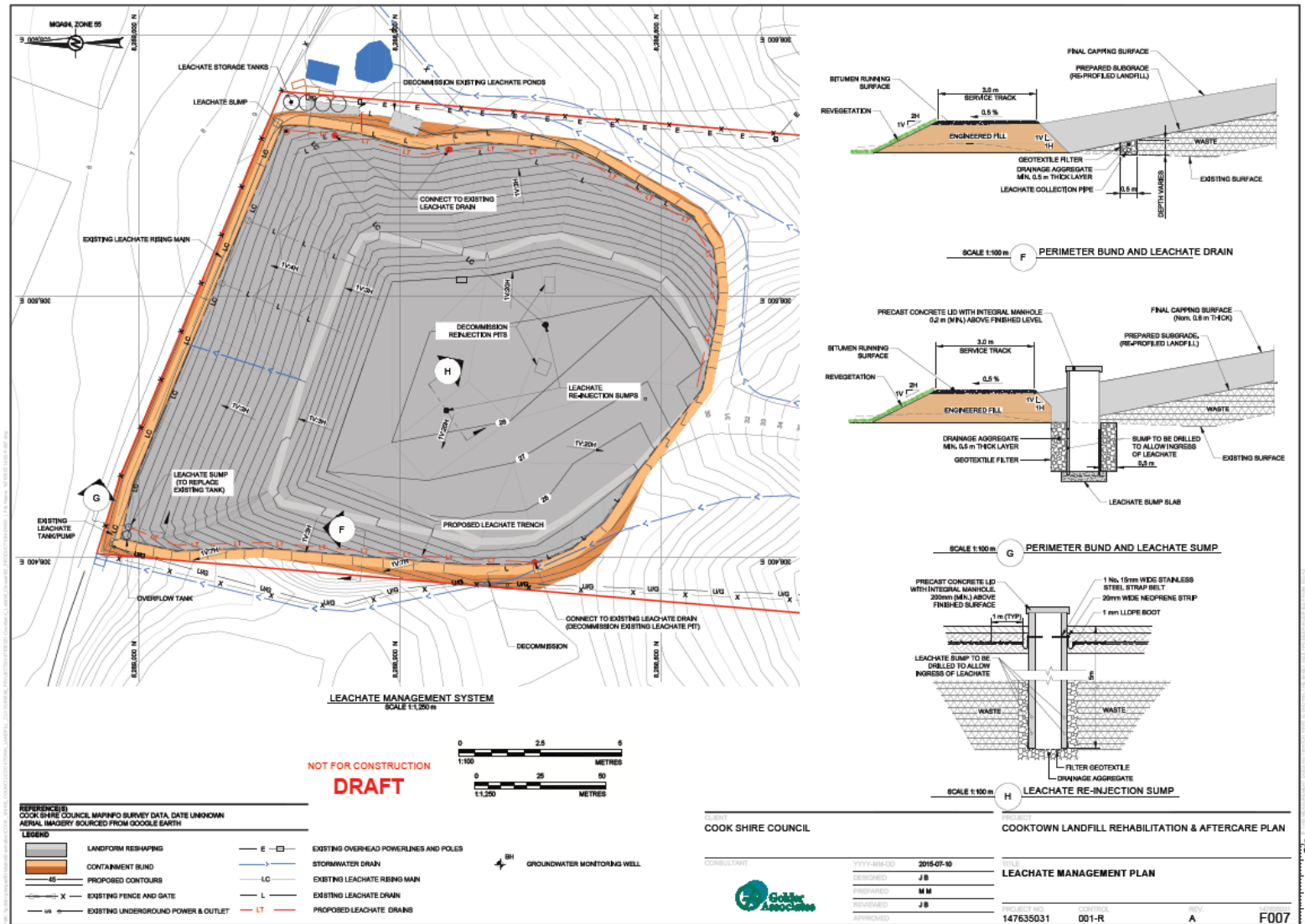
Council herein resolves to undertake the following actions and changes:

1. Commence with the proposed short term leachate management upgrade works effective immediately;
2. Commence with the proposed stormwater management upgrade works effective immediately;
3. Commence with the investigation to identify any waste deposited outside the Cooktown Landfill;
4. Relocate/ remove any waste deposited outside the Cooktown Landfill boundary if required;
5. Conduct an environmental audit of the site where the waste was deposited outside the landfill boundary if required;
6. Release funds from the environmental levy as required for completing the above recommendations.

Appendix 1 – Current Landfill Layout Plan



Appendix 2 – Proposed Leachate Management Plan



PE7	THE MAKING OF THE COOK SHIRE LOCAL LAWS 2015	
	<i>Report No. D15/16796 from Director of Planning & Environment September 2015 File No. D2015/ 16795</i>	

Précis - Purpose

1. To provide Council with a local law making process to be adopted in its entirety by resolution in accordance with recent amendments in legislation, the *Local Government Act 2009* (Qld) (“LGA”); and,
2. To provide Council with a process for it to delegate authority to the Chief Executive Officer of Council for the review process for possible anti-competitive provisions in the proposed local laws.

Background/History

3. The *Local Government Act 2009 Qld* (“LGA”) – *chapter 3, part 1*, makes it clear that it is the responsibility of each local government to make their local laws and to decide what process it will use to make them, so long as the process and the laws are consistent with the provisions of the *Local Government Act 2009*.
4. At its Meeting held 18-20 August 2014, Council resolved to release the Draft Local Laws 2014 for public consultation.
5. The proposed Draft Local Laws 2014 were advertised/ notified for public consultation for the month of November 2014, and interested persons were permitted and encouraged to make written submissions.
6. One public submission was received, during the public consultation period, and Council’s position with respect to the issues raised will be conveyed to the Submitter, when a determination is made with regards to the relevant Anti-Competitive elements of the Local Laws.
7. The local law making process has been provided by Preston Law, solicitors, who are undertaking the local law review project work for Council.
8. The subordinate local laws are now in a draft form that are able to be adopted by Council. Council must resolve to adopt the model local laws and subordinate local laws prior to an anti-competitive review being undertaken.
9. A written response to those who made written submission is required, and should address the details of the comments made. Council’s solicitors will prepare the response, when the Local Laws are adopted, and any anti-competitive provisions are assessed..

Link to Corporate Plan

10. Strategic Direction:

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

***NATURAL ENVIRONMENT, ENVIRONMENTAL HEALTH SERVICES
AND SUSTAINABLE DEVELOPMENT***

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

- b) Effective and appropriate local laws and their enforcement.
- c) Animal control in all townships and localities.
- d) Environmental health initiatives and services.

Consultation - External

- 11. Public Notice was given for 28 days public (entire month of November 2014) consultation period, to invite public comment and participation, and thereby enable proper consideration and inclusion of improvements and adjustments.
- 12. No further public consultation is required with respect to the adoption of Model Local Laws.
- 13. Legal Review of the Draft Model Local Laws was conducted by Preston Law.

Consultation - Internal

- 14. Review by Council Staff.

Legal Implications (Statutory, basis, legal risks)

- 15. Council, as a local government authority is responsible for the review and adoption of a current and legally viable set of Local Laws, and this is a requirement of the *Local Government Act 2009 – chapter 3, part 1*.
- 16. *Local Government Act 2009*, section 29 (Local Law Making Process)
- 17. *Local Government Act 2009*, section 121(1) (Removal of unsound decisions)
- 18. *Local Government Act 2009*, section 38 (Anti-competitive provisions)
- 19. *Local Government Act 2009*, section 257 (Delegation of local government powers)
- 20. *Local Government Regulation 2012*, section 14 (Local Law Register – Act, s31)
- 21. *Local Government Regulation 2012*, section 15 (Anti-competitive provisions and review procedures)
- 22. National Competition Policy – Guidelines for conducting and reviews of anti-competitive provisions in local laws- Version 1 2013

Policy Implications

- 23. Adoption of model local laws and making subordinate local laws in accordance with the principles of the Local Government Act 2009.

Financial and Resource Implications (Budgetary)

- 24. Funds to cover the drafting, public notice advertising, legal assessment, and reporting were allocated in the Council Budgets 2014-15 and 2015-16 Financial years.

Local Law Making Process

- 25. In accordance with section 29(1) of the LGA, the local government resolves to adopt a process for making each local law of Council as detailed below:-

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

26. The process—
- (a) applies to the making of—
 - (i) each local law that is an adopted model local law;
 - (ii) each local law that is a subordinate local law; and
 - (iii) each other local law;but
 - (b) does not apply to a local law that is an interim local law.

Making a Local Law that is an Adopted Model Local Law

27. The process (model local law making process) stated in this resolution must be used to make a local law that is an adopted model local law.
- Step 1 – By resolution propose to adopt the model local law;
 - Step 2 – If the model local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for a review of the anti-competitive provisions.
 - Step 3 – By resolution—
 - (a) Adopt the model local law; and
 - (b) If there is an existing local law about the matter that is inconsistent with what is adopted-amend or appeal the existing local law so that there is no inconsistency.
 - Step 4 – Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29(4) to (6) inclusive of the LGA.
 - Step 5 – As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.
 - Step 6 – Within 7 days after the notice is published in the gazette, give the Minister-
 - (a) a copy of the notice; and
 - (b) a certified copy of the local law; and
 - (c) a drafting certificate.
 - Step 7 – Update the local government's register of its local laws.

Making a Subordinate Local Law

28. The process (subordinate local law making process) stated in this resolution must be used to make a subordinate local law (a proposed subordinate local law). The local government may start the process of making a subordinate local law even though the process for making the local law (including a model local law) on which the subordinate local law is to be based (the proposed authorising local law) has not finished.
29. The Council may use steps 1 to 5 of the subordinate local law making process (other than actually making the subordinate local law) before the proposed authorising law is made if-
- (a) in making the proposed authorising local law, the local government has to satisfy-
 - (i) the model local law making process; or
 - (ii) the other local law making process; and

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- (b) the proposed authorising law is made under the other local law making process – the notice about the subordinate local law under step 2 of the subordinate local law making process is published no earlier than the notice about the proposed authorising local law under step 3 of the other local law making process is published.
30. For avoidance of any doubt, a subordinate local law made by the local government using the process detailed in the resolution may provide for local government to, from time to time, by resolution, reference or incorporate information.
31. For example, under the *Local Government Regulation 2012* (Qld) the “competition policy guidelines” for the identification of anti-competitive provisions are a document made by the department and available for inspection on the department’s website.
- Step 1 – By resolution, propose to make the proposed subordinate local law.
- Step 2 – If the proposed subordinate local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.
- Step 3 – By resolution, decide whether to-
- (a) make the proposed subordinate local law; or
 - (b) make the proposed subordinate local law with amendments; or
 - (c) not proceed with the making of the proposed subordinate local law.
32. If the local government resolves to proceed with the making of the proposed subordinate local law with amendments, and the amendments are substantial, the local government must again comply with the procedures prescribed under a regulation for a review of anti-competitive provisions for the amended provision.
- Step 4 – Let the public know that the subordinate local law has been made, by publishing a notice of making of the subordinate local law in accordance with the requirements of section 29(4) to (6) inclusive of the LGA.
- Step 5 – As soon as practicable after the notice is published in the gazette, ensure that a copy of the subordinate local law may be inspected and purchased at the local government’s public office.
- Step 6 – Within 7 days after the notice is published in the gazette, give the Minister –
- (a) a copy of the notice; and
 - (b) a certified copy of the subordinate local law; and
 - (c) a drafting certificate.
- Step 7 – Update the local government’s register of its local laws.

Making an “other” Local Law

The process (other local law making process) stated in this resolution must be used to make a local law (a proposed local law) other than –

- (a) a model local law; or
 - (b) an interim local law; or
 - (c) a subordinate local law.
- Step 1 – By resolution, propose to make the proposed local law.
- Step 2 – Consult with relevant government entities about the overall State interest in the proposed local law.
- Step 3 – **Anti-Competitive Provisions**

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- If the proposed local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for review of the anti-competitive provisions.
- Step 4 – Let the public know that the local law has been made by publishing a notice of the making of the local law in accordance with the requirements of section 29(4) to (6) inclusive of the LGA.
- Step 5 – As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government’s public office and the departments State office.
- Step 6 – Within 7 days after the notice is published in the gazette, give the Minister –
- (a) a copy of the notice; and
 - (b) a certified copy of the local law; and
 - (c) a drafting certificate for the local law.
- Step 11 – Update the local government’s register of its local laws.

Options for the Determination of Council

- (a) Consider this report and take no action.
- (b) Consider this report and resolve that Council—
 - (i) Adopts the proposed local law making process to adopt model local laws attached in **Annexure A** and the subsequent local laws attached in **Annexure B** in its entirety; and
 - (ii) Propose to adopt each of the model local laws listed in **Schedule 1**; and
 - (iii) Propose to make each of the proposed subordinate local laws listed in **Schedule 2**;
 - (iv) Propose to repeal the local laws listed in **Schedule 3** and the subordinate local laws listed in **Schedule 4**;
 - (v) Delegate authority to the CEO of Council to undertake a review of the possible anti-competitive provisions in the proposed local laws and subordinate local laws.

RECOMMENDATION

That Council resolves to—

1. adopt the proposed local law making process, as detailed in the above report;
2. propose to adopt each of the model local laws listed in **Schedule 1**; and
3. propose to make each proposed subordinate local law listed in **Schedule 2**;
4. delegates authority to the CEO to make any minor amendments, variations, corrections as is deemed necessary;
5. repeal the local laws listed in **Schedule 3** upon the adoption of the model local laws in **Schedule 1**;
6. repeal the subordinate local laws listed in **Schedule 4** upon the adoption of the subordinate local laws listed in **Schedule 2**.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

7. Pursuant to section 257 of the *Local Government Act 2009* (“the Act”), to delegate to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the *Local Government Regulations 2012* to decide—
- (a) how the review of the proposed local laws and proposed subordinate local laws particularised in **Schedule 1** and **Schedule 2** for anti-competitive provisions (“the Review”) is to be conducted; and
 - (b) the matters with which the Review of the local laws and subordinate local laws particularised in **Schedule 1** and **Schedule 2** must deal;
 - (c) the consultation process and how the process is to be used in the Review.

Schedule 1

- (i) *Model Local Law No. 1* (Administration) 2010 to be known as Local Law No. 1 (Administration) 2015;
- (ii) *Model Local Law No. 2* (Animal Management) 2010 to be known as Local Law No. 2 (Animal Management) 2015;
- (iii) *Model Local Law No. 3* (Community Environment Management) 2010 to be known as Local Law No. 3 (Community Environmental Management) 2015;
- (iv) *Model Local Law No. 4* (Local Government Controlled Areas, Facilities and Roads) 2010 to be known as Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015;
- (v) *Model Local Law No. 5* (Parking) 2010 to be known as Local Law No. 5 (Parking) 2015.

Schedule 2

- (i) *Subordinate Local Law No. 1* (Administration) 2015;
- (ii) *Subordinate Local Law No. 2* (Animal Management) 2015;
- (iii) *Subordinate Local Law No. 3* (Community Environmental Management) 2015;
- (iv) *Subordinate Local Law No. 4* (Local Government Controlled Areas, Facilities and Roads) 2011;
- (v) *Subordinate Local Law No. 5* (Parking) 2011.

Schedule 3

Local Laws Repealed

This local law repeals each of the following local laws;

- (i) *Local Law No. 1* (Administration);
- (ii) *Local Law No. 2* (Libraries);
- (iii) *Local Law No. 3* (Temporary Homes);
- (iv) *Local Law No. 4* (Commercial Recreational Activities);
- (v) *Local Law No. 5* (Control of Nuisances);
- (vi) *Local Law No. 6* (Keeping and Control of Animals) 2008;
- (vii) *Local Law No. 7* (Foreshores);
- (viii) *Local Law No. 8* (Extractive Industries);
- (ix) *Local Law No. 9* (Entertainment Venues);
- (x) *Local Law No. 10* (Jetties, Barge Loading Ramps and Boat Ramps);
- (xi) *Local Law No. 11* (Control of Advertisement);
- (xii) *Local Law No. 12* (Parks and Reserves);
- (xiii) *Local Law No. 13* (Rental Accommodation with Shared Facilities);

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- (xiv) *Local Law No. 14* (Control of Pests);
- (xv) *Local Law No. 15* (Impounding of Animals);
- (xvi) *Local Law No. 17* (Public Conveniences);
- (xvii) *Local Law No. 18* (Gates and Grids);
- (xviii) *Local Law No. 19* (Waste Management);
- (xix) *Local Law No. 20* (Domestic Water Carriers);
- (xx) *Local Law No. 21* (Meetings);
- (xxi) *Local Law No. 22* (Caravan Parks and Camping);
- (xxii) *Local Law No. 23* (Cemeteries) 2001;
- (xxiii) *Local Law No. 24* (Commercial Use of Roads) 2001;
- (xxiv) *Local Law No. 25* (Roads) 2001

Schedule 4

Subordinate Local Laws Repealed

- (i) *Subordinate Local Law No. 2* (Libraries) 2001;
- (ii) *Subordinate Local Law No. 3* (Temporary Homes) 2001;
- (iii) *Subordinate Local Law No. 4* (Commercial Recreational Activities) 2001;
- (iv) *Subordinate Local Law No. 5* (Control of Nuisances) 2001;
- (v) *Subordinate Local Law No. 6* (Keeping and Control of Animals) 2008;
- (vi) *Subordinate Local Law No. 8* (Extractive Industries) 2001;
- (vii) *Subordinate Local Law No. 9* (Entertainment Venues) 2001;
- (viii) *Subordinate Local Law No. 11* (Control of Advertisement) 2001;
- (ix) *Subordinate Local Law No. 12* (Parks and Reserves) 2001;
- (x) *Subordinate Local Law No. 13* (Rental Accommodation with Shared Facilities) 2001;
- (xi) *Subordinate Local Law No. 15* (Impounding of Animals) 2001;
- (xii) *Subordinate Local Law No. 18* (Gates and Grids) 2001;
- (xiii) *Subordinate Local Law No. 20* (Domestic Water Carriers) 2001;
- (xiv) *Subordinate Local Law No. 21* (Meetings) 2001;
- (xv) *Subordinate Local Law No. 22* (Caravan Parks and Camping);
- (xvi) *Subordinate Local Law No. 23* (Cemeteries) 2001;
- (xvii) *Subordinate Local Law No. 24* (Commercial Use of Roads) 2001;
- (xviii) *Subordinate Local Law No. 25* (Roads) 2001.

END

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

APPLICATION FOR A DEVELOPMENT PERMIT – DA/3485 - FOR RECONFIGURING A LOT (1 INTO 2 LOTS) AND A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A PUBLIC UTILITY AT 7725 MULLIGAN HIGHWAY, LAKELAND - LOT 26 ON PLAN SP193139	
<i>Report No.D15/17819 from Council’s Town Planning Consultants – Reel Planning</i>	

Applicant: Lyon Infrastructure Pty Ltd
c/- Planz Town Planning Pty Ltd
PO Box 181
EDGE HILL QLD 4870

Owner: Tony & Erica D’Adonna

Location: 7281 Mulligan Highway, Lakeland Qld 4895

RPD: Lot 26 on Plan SP193139

Area: 6,625ha

Zone: Rural

Proposed Use: Reconfiguring a Lot (1 into 2 lots) and Public Utility

Referral Agencies: State Assessment & Referral Agency (SARA) Dept. of Infrastructure, Local Government and Planning

1.0 Report

The Application was received by Council on the 13 of August 2015 under the current IPA Planning Scheme for the issue of a Development Permit for Reconfiguring a Lot (1 into 2 lots) and a Material Change of Use for a Public Utility (Solar Farm). An Acknowledgement Notice was issued on 20 August 2015 identifying the Department of Transport and Main Roads (DTMR) via the State Assessment and Referral Agency (SARA) as a referral agency.

An information request was issued on 26 August 2015 requesting:

- A scaled subdivision plan showing the proposed lot in relation to the existing lot, roads and easements;
- A plan of the internal road and car park;
- A storm water management plan;
- Confirmation that any earthworks have been addressed as part of a storm water management plan; and
- Additional information on potential light pollution and glare risks from the proposed facility including impacts on the road system.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

The applicant replied via correspondence dated 7 September 2015.

2.0 Proposal

The application is for a Development Permit for a Material Change of Use for a Public Utility being the development of the new allotment for a Solar Farm, as well as a Development Permit for Reconfiguring a Lot (1 into 2 Lots) to subdivide the Solar Farm from the existing allotment.

The new allotment will be 50ha in size and entirely occupied by the Solar Farm. The Solar Farm will consist of:

- an entry road and car parking;
- a substation and switch room;
- Shipping Containers for battery storage and other system equipment; and
- Solar panels.

It is unclear from the application material or plans how many individual panels are proposed, however the general layout panel suggests there will be three (3) areas separated by an internal road.

Elsewhere in the application material it is stated that the solar panels will cover approximately 36.4ha and that a security fence (itself located 15m from the panels) will be set back 45m from the Mulligan Highway and common boundary with the Lakeland Downs Roadhouse. It is stated that the 45m setback will be a vegetated screen to the use. The entry to the proposed Solar Farm is at the southern end of the proposed allotment, near an Ergon Substation.

3.0 The Site

The property is situated at 7725 Mulligan Highway, Lakeland, and is 6,625ha in area (Refer to figure 1 for site location). It has frontage to the Mulligan Highway along the western and northern boundaries. The area of the proposed allotment and Solar Farm is just south east of the intersection of the Mulligan Highway and the Peninsula Development Road, adjoins the Lakeland Downs Service Station to the north and an Ergon Substation to the south.

In the vicinity of the proposed allotment and Solar Farm the site is vacant with some vegetation cover.

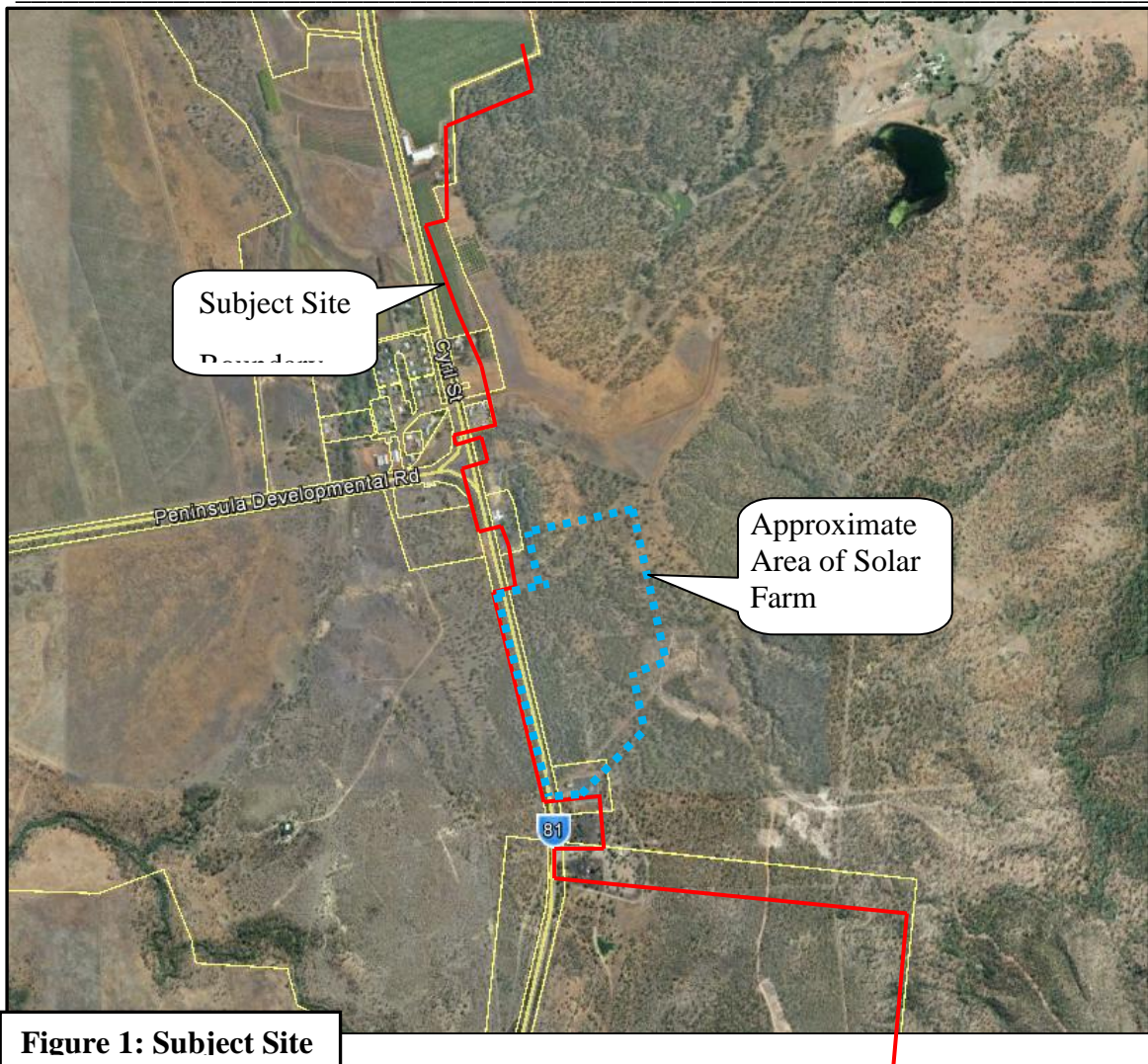


Figure 1: Subject Site

4.0 Town Planning Considerations

(i) Statutory Planning Context

The site has an area of 6,625ha and is zoned Rural under Council's IPA Planning Scheme (refer to figure 2).

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

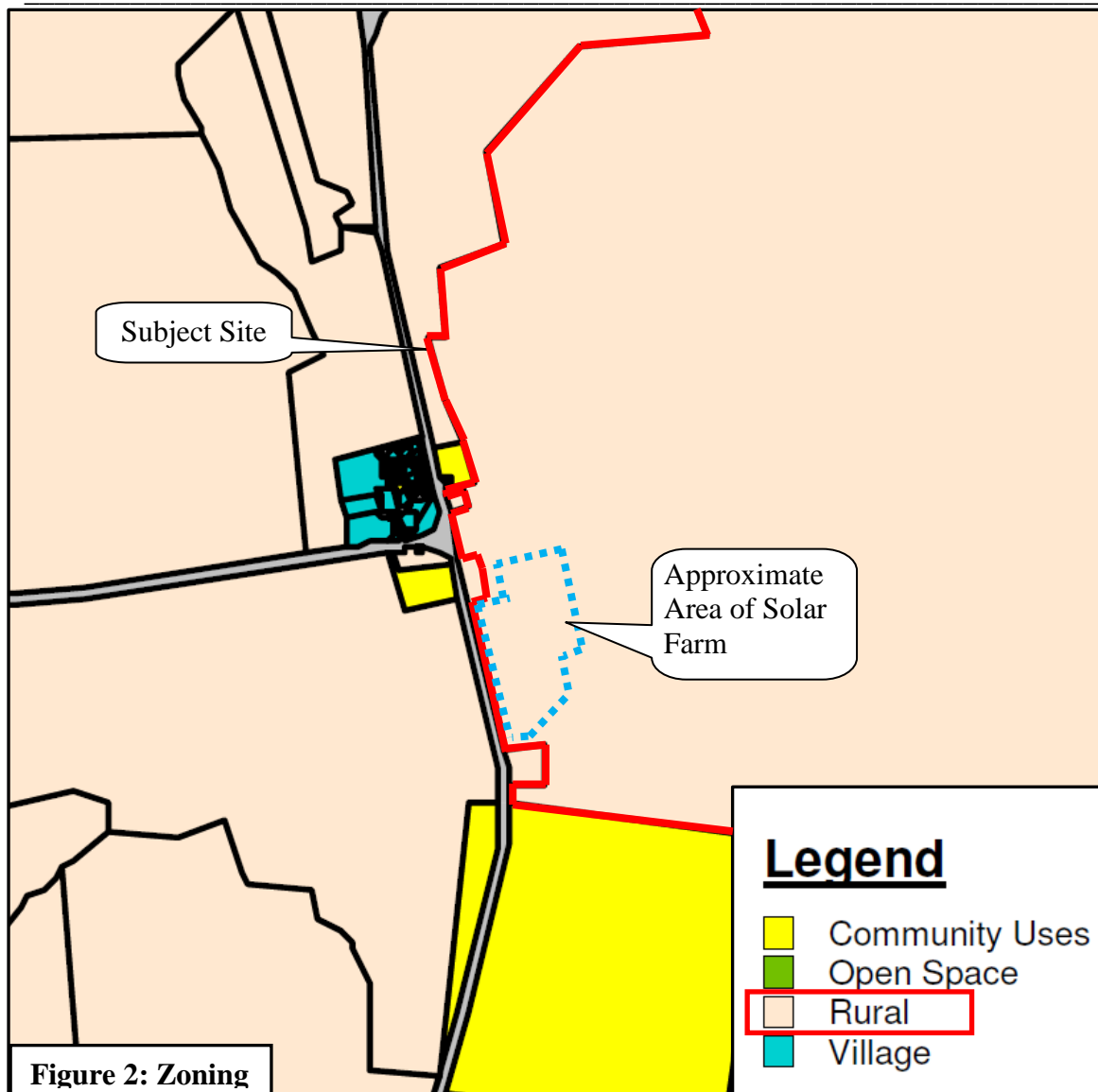


Figure 2: Zoning

The proposed Solar Farm falls under the definition of Public Utility as described below:

Public Utility – means the use of premises for any of the utility undertakings of the Council, a government entity or agency or organisation providing community infrastructure including:

- the supply of water, sewerage and stormwater drainage;
- the reticulation of electricity or gas;
- collection of garbage;
- transport infrastructure (eg. provision and maintenance of roads);
- public transport services (including railways); and
- uses where not a Minor Public Utility as separately defined.

In the Rural Zone, Reconfiguring a Lot and a Material Change of Use for a Public Utility are both Code Assessable which requires that Council consider the provisions of the relevant codes, in this case:

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

- Rural Zone Code;
- Reconfiguring a Lot Code;
- Parking & Access Code; and
- Works Services & Infrastructure Code.

(ii) Rural Zone Code

The overall outcomes of the Rural Zone Code are:

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

Response

The proposal is considered to demonstrate compliance with these overall outcomes:

- The use will assist in providing electricity to the surrounding (and regional) rural sector;
- The site does not represent GQAL;
- The land is not identified as Future Urban Land;
- The site is serviced by adequate road infrastructure and will assist in providing a reliable source of electricity for the surrounding rural sector;
- Scenic landscape values are able to be protected with appropriate; and
- The proposal does not impact on existing extractive industry and known resource bodies.

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

Performance Criteria	Proposal Compliance
Land Use	
PC 1 Land use is primarily rural in nature. A range of non-rural uses are also located in	The proposal is not primarily rural in the conventional sense, nor is it complementary

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Performance Criteria	Proposal Compliance
this zone where they are complementary to the primary rural use (eg Roadside Stall) or where they have a direct and necessary connection to the wider rural community (eg. Veterinary Facility).	to a primary rural use. This matter is discussed later in this report.
PC 2 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are recognised.	The land is not identified within or close to that identified in an ILUA
Scale and Density	
PC 3 Buildings are of a scale and design that is appropriate for a rural area.	There are very few buildings associated with this proposal but those that are proposed are low in scale and meet the associated acceptable solution that requires them to be no more than 8.5m in height.
Amenity and Setbacks	
PC 4 Buildings and structures are setback from road frontages and adjoining sensitive uses and landscaping and other measures (eg earth mounds and solid fences) are provided within this setback to: Complement the character of the area; Minimise adverse impacts on roads and adjoining properties; and Minimise the impact of dust on residents of the rural lot.	The associated acceptable solution requires that where access is from a sealed road, buildings and structures are setback a minimum of 50m. The proposed buildings and solar panels are proposed to be set back a minimum of 60m from the Mulligan Highway.
Design	
PC 5 Advertising Devices: Consist of a single flat panel mounted on posts; and Are well maintained; and Do not create visual clutter; and Are designed so as not to impact on the amenity of the locality; and Are designed so as not to detract from the character and amenity of the locality or to create a traffic hazard.	No advertising devices are proposed as part of this application
Protection of Extractive Resources	
PC 6 Existing extractive industry operations and known resource bodies are protected from the encroachment of incompatible land uses.	The proposal does not involve, nor is it located in proximity to an extractive resource.
Erosion Prone Land	
PC 7 In an Erosion Prone Area, there are no adverse impacts on habitat, soil cover or water quality and no significant threats to public safety, infrastructure integrity or the economic value of the Erosion Prone Area.	The site is not in an erosion prone area.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

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

(iii) Reconfiguring a Lot Code

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

- *New lots are suitable for their intended use and are appropriately designed and sited given the local landscape and topography;*
- *The lot layout design is an efficient use of the land;*
- *Suitable areas of public open space are provided in association with new lots;*
- *Reconfiguration does not impact on the Shire's water resources;*
- *The long term productive use of good quality agricultural land is not compromised; and*
- *The road network design provides for the convenient and safe movement of people and vehicles.*

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Response

The proposed allotment complies with the overall outcomes in that:

- It is suitable for the intended use as a Solar Farm without otherwise compromising the balance of the rural parcel and therefore an efficient use of the land;
- It does not create any need for additional public open space;
- The land is not identified as good quality agricultural land (GQAL); and
- The land has suitable access onto the Mulligan Highway.

The acceptable solution to PC1 of the code requires that lots are a minimum of 100ha in the rural zone. PC1 of the code requires that lots have adequate area and appropriate dimensions for their intended use and that GQAL is not lost. As mentioned in response to the overall outcomes, the proposed lot is suitable for the intended use as a Solar Farm and the site is not identified as GQAL. For these reasons the proposal is considered to comply with PC1. The remainder of the code is more relevant to convention subdivision and generally not applicable to the proposed development.

(iv) Parking and Access Code

The Parking and Access Code seeks to ensure there is adequate parking and safe and efficient manoeuvring for vehicles. The site has access to the Mulligan Highway and the Department of Transport and Main Roads (via the State Assessment and Referral Agency) was a referral agency.

The application material states that there is likely to be one (1) vehicle movement per week with a technician attending the site as needed to clean the panels or undertake maintenance. The code does not specify a parking rate for Public Utilities however having regard to the use of the site, the proposed five (5) spaces is considered adequate to service the facility.

Council's information request sought information on how the proposed car park and internal manoeuvring complied with the FNQROC Manual. The applicant's response to the information request did not provide any additional information but stated that (despite those shown on the plans) there would not be internal roads for vehicles between the solar panels.

If the application is approved, a condition of approval is recommended to ensure internal roads and car parking areas meet the standard of the FNQROC Manual.

(v) Works, Services and Infrastructure Code

This code seeks to ensure infrastructure is designed and constructed to a suitable standard and that works, services and infrastructure do not cause environmental degradation or increase the risk of natural hazards. In this case the site is connected to reticulated electricity but is otherwise unserviced. Given the lack of permanent staff, connections to water and sewer are not proposed nor considered necessary. Water storage for cleaning, maintenance and fire fighting purposes will be provided.

PC5 of the code requires that the land is provided with internal and external drainage to an appropriate standard to minimise runoff and impacts on receiving waters. The Town Planning

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

report lodged with the information request stated that the quantity of water would not change due to the construction of the site.

The addition of impervious surfaces (associated with the driveway, internal roads and building pads) as well as the concentration of water flowing off the solar panels themselves will have an impact on the quantity of water leaving the site. Council's information request sought a storm water management plan however, the applicant's response sought that such a plan be deferred to a condition attached to a decision.

(vi) **Natural Hazards Code**

The overall outcomes for the Natural Hazards Code seeks to ensure that development is compatible with natural hazards in affected areas of the shire, with impacts on existing developed areas to be minimised and ensuring that development does not materially increase the extent or the severity of natural hazards. The portion of the site subject to the proposed allotment and Solar Farm is not known or mapped as being prone to flood, bushfire or steep slopes.

5.0 Referral Agencies

The application required referral to the DTMR (via SARA) due to the proposed access to a State Controlled Road (the Mulligan Highway). The Department responded via correspondence dated 15 September 2015 approving the proposal subject to conditions requiring:

- the development to occur generally in accordance with the submitted plan;
- that the access only occur in the proposed location;
- That the applicant upgrade the right turn access into the site to a Basic Right (BAR) turn; and
- There be no worsening of storm water onto the state controlled road.

During the assessment of the application it was discovered that a referral was required to Ergon due to the proximity of the site to the adjoining electricity substation and location of the easement over the site. Ergon was an advice agency which means they do not have ability to impose conditions or seek refusal of the application. They are however able to make recommendations to Council about the application including recommendations about conditions that could be imposed. SPA section 357 and 359 of provides the applicant an opportunity to refer the application to a missed referral agency without the application lapsing or returning to the acknowledgement notice stage.

The applicant provided a letter from Ergon dated 18 September 2015 indicating that they had no objection to the proposed development subject to the following conditions being applied:

1. Development is carried out generally in accordance with the plans and reports provided as part of the application.
2. All easement conditions must be maintained.
3. Access to Ergon Energy infrastructure must be available at all times.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

4. Any proposed earthworks do not result in an increase in ponding or runoff of storm water onto existing electricity infrastructure.

5. Should changes to Ergon Energy infrastructure be proposed or required as part of the development, those changes are made with Ergon Energy's consent and at the developer/owner's expense (unless otherwise agreed to by Ergon Energy).

Council's decision stage restarts from the day the Ergon letter is received.

6.0 Discussion

The proposal seeks to develop a Solar Farm over 50ha of a large rural property close to Lakeland. The proposal will be connected to the national electricity grid and will assist in providing a reliable electricity source for the Cape.

Land Use

The Rural Zone Code calls for uses to be developed that are primarily rural in nature or are complementary to rural uses. The proposed Solar Farm falls within the Public Utility definition which while not uncommon in rural areas, is not a rural use. The location of utilities is generally determined by their use and/or the catchment they serve. Some utilities such as water supply and sewerage treatment plants are best located away from urban areas and due to the potential off-site impacts and best co-located with industrial uses.

The application material states that the location was chosen due to the proximity to the existing substation and the lack of any significant vegetation. In addition, the site is considered generally suitable due to gently sloping topography, separation from existing and future urban land and the proximity to major infrastructure corridors which will aid the convenience and efficiency during construction and maintenance.

For these reasons and because the proposal has is a significant investment in the region, will generate employment during construction and will assist with providing a reliable electricity supply for the Cape, it is considered appropriate in the circumstances.

Engineering

It is normal practice for the applicant to demonstrate to Council's satisfaction as part of the assessment of a development application that there are solutions to engineering matters such as storm water and internal vehicle manoeuvring. This ensures that changes to the development layout, requiring subsequent and ongoing modifications to approvals are not required following Council's decision.

In this case the applicant was reluctant to provide engineering detail as part of the application or in response to Council's information request, seeking deferral of such details to a condition of approval. The location of the individual solar panels is not detailed in the proposal plans, so engineering matters in this case are considered unlikely to prevent the Solar Farm being constructed generally in the form proposed.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Amenity

In Council's information request additional information was sought to demonstrate that the proposed Solar Farm would not cause a light pollution or glare nuisance to surrounding properties and the Mulligan Highway. The applicant's response was that the existing vegetation which will be retained in the setback between the road and the solar panels will mitigate the risk of light pollution or glare. The applicant attached some photos of the site, however it was not clear if these photos were taken from along the boundary, nor that they are necessarily representative of the full interface in question. On this basis it is recommended that a condition of approval be included to ensure this setback area is landscaped to achieve a minimum planting density.

1. Recommendation

That the application under the IPA Planning Scheme by Lyon Infrastructure Pty Ltd c/- Planz Town Planning Pty Ltd for a Development Permit for Reconfiguring a Lot (1 into 2 lots) and a Material Change of Use for a Public Utility (Solar Farm) located 7725 Mulligan Highway, Lakeland be approved subject to the following Conditions:

C. Assessment Manager (COUNCIL) Conditions

(1) Reconfiguring a Lot

Approved Plan

1. The development must be carried out generally in accordance with the following proposal plans except for any modifications required to comply with the conditions of this approval:
 - CGY-E0004-001-005 – Proposed Plan of Subdivision Cancelling Lot 26 SP193139 (6,625ha), Revision 00, dated 03-09-15, prepared by Conergy.

Access

2. Access to the proposed lot must be in accordance with the approval from Dept. Transport and Main Roads and must be constructed prior to the endorsement of the plan of survey. Access is to be bitumen sealed and constructed to the requirements of the FNQROC Manual, or another standard as specified by Dept. Transport and Main Roads.

Operational Works

3. Prior to construction commencing, Council will require approval of an Operational Works application for the following:
 - Access including ancillary stormwater drainage (see Condition 2); and
 - Erosion and sediment control plan for access works.

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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

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

Electricity Supply

4. Each proposed lot must be connected to the reticulated electricity supply. A Certificate of Electricity Supply from Ergon Energy must be provided to Council by the applicant, prior to Council endorsement of the Plan of Survey.

Telecommunication Supply

5. Evidence from the relevant telecommunication service provider that the telecommunications services can be made available to the proposed lots must be submitted to Council prior to endorsement of the Survey Plan.

Public Utilities

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

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

Compliance

7. All relevant Conditions of this Development Permit are to be complied with prior to the Plan of Survey being submitted to Council for endorsement.

Outstanding Charges

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

Signing and Sealing

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

(2) Material Change of Use

Approved Plan

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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- CGY–E0004-001-002 – General Arrangement 26MW Solar Array for Information, Revision 04, dated 03-09-15, prepared by Conergy;
- CGY–E0004-003-001 – Racking System Side Elevation for Information, Revision 01, dated 10-08-15, prepared by Conergy; and
- 3200-SK-7448-012 – Cook Shire PV 20MWac Fixed Solar PV Switch Room Control Building Plan and Elevations, Revision B, dated 12/01/15, prepared by UGL.

Ergon Energy

29. The applicant is to comply with the conditions outlined in the Ergon Energy Advice Agency response dated 18 September 2015.

Landscaping

30. The applicant is to prepare a landscaping plan demonstrating:

- A planted landscape buffer with a minimum width of fifteen (15) metres which achieves a height of five (5) metres within five (5) years of planting must be planted along the full length of the front property boundary of the proposed allotment adjoining the Mulligan Highway. Sections of the front property boundary which contain existing native vegetation with a natural landscape buffer of fifteen (15) metres and minimum height of five (5) metres does not require additional planting.
- A planted landscape buffer with a minimum width of fifteen (15) metres which achieves a height of (5) metres within five (5) years of planting must be established for the length of the property boundary separating the proposed allotment from adjoining Lot 28 on SP193139. Sections of the property boundary which contain existing native vegetation with a natural landscape buffer of fifteen (15) metres and minimum height of five (5) metres does not require additional planting.
- Landscape vegetation buffers are to include multi-layered native planting capable (at maturity) of providing visual screening to a minimum height of fifteen (15) metres.
- vegetation used in the landscape vegetation buffers are to be native plant species which occur naturally;

The landscaping plan must be prepared by a landscape architect who is to certify in writing that the type and density of planting will be sufficient to adequately screen the proposed development such that there will be no glare nuisance external to the site.

Setbacks

31. Setbacks must be in accordance with those shown on the approved Site Plan.

Internal Access Road and Parking

32. The applicant is to provide at least five (5) dedicated parking spaces for the approved Public Utility.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

33. A plan is required demonstrating that the car park and internal manoeuvring areas are designed in accordance with the FNQROC Manual. The plan must be certified by an RPEQ and submitted to Council prior to the commencement of the use.
34. The internal road and parking must be of all weather standard and maintained at all times.

Building Works

35. All structures must obtain the necessary development permits for building works.

Storm Water

36. Prepare and to Council for endorsement by Council's Director Engineering Services, a Detailed Stormwater Management Plan addressing:
- The collection and direction internally of storm water run-off from developed surface areas (including internal roadways), and any run-off onto the site from adjacent areas, to a lawful point of discharge;
 - No increase in peak flow rates downstream from the site for storm events with an ARI of 2 years, up to and including 100 years; and
 - No adverse impacts upon waterway/creek crossings utilised by vehicles.

Environmental Protection

37. During any construction, sand, soil or silt runoff must not occur from the site. Erosion and sediment control plans must be lodged for operational works approval by Council's Director Engineering Services prior to the commencement of works.
38. No State Declared or environmental pest plants and pest animals are to be introduced onto the property.

Public Utilities

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

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

Compliance

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

Outstanding Charges

41. All rates, service charges, interest and other charges levied on the land must be paid prior to the issue of a development permit for building works.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Currency Period

42. The currency period for this application is four (4) years. Should the approved Public Utility use not be established within this time, the approval shall lapse.

B. Assessment Manager (COUNCIL) Advice

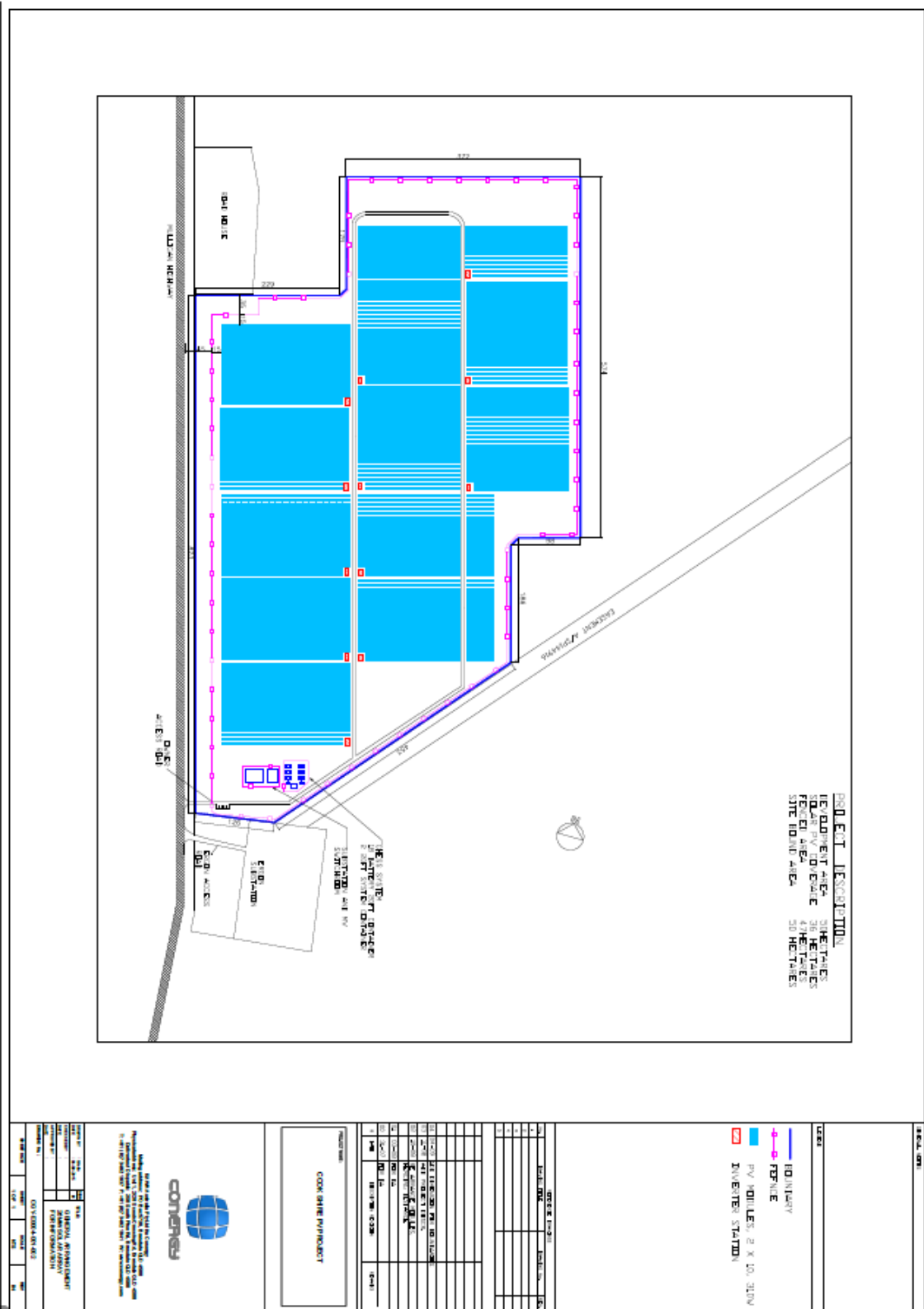
- a. A development permit is required for carrying out Building works prior to construction of any buildings associated with this development.

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

See the attached (Appendix B) letter from the Department of Transport and Main Roads (Via the State Assessment and Referral Agency) dated 15 September 2015.

See the attached (Appendix C) letter from Ergon.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0815-023483
Your reference: LM:DA/3485:AD2015/0002584

15 September 2015

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

Att: Lisa Miller

Dear Sir / Madam

Concurrence agency response—with conditions

Development application for a material change of use (public utility) and reconfiguration of a lot (1 lot into 2 lots) on land located at 7281 Mulligan Highway, Lakeland and more particularly described as Lot 26 on SP193139

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

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 21 August 2015.

Applicant details

Applicant name: Lyon Infrastructure Pty Ltd
c/- Planz Town Planning
Applicant contact details: PO Box 181
Edge Hill QLD 4870
plan@planztp.com

Site details

Street address: 7281 Mulligan Highway, Lakeland
Lot on plan: Lot 26 on SP193139
Local government area: Cook Shire Council

Page 1

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

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

SDA-0815-023483

Application details

Proposed development: Development permit for a material change of use (public utility) and reconfiguration of a lot (1 lot into 2 lots)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Public Utility (20MWac Solar Photovoltaic & Battery Storage)	Code Assessment
Reconfiguring a Lot	Development permit	1 lot into 2 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 (reconfiguration of a lot)

Schedule 7, Table 3, Item 1 – State-controlled road (material change of use)

Conditions

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

Reasons for decision to impose conditions

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

Further advice

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

Approved plans and specifications

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

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Material Change of Use (Public Utility - 20MWac Solar Photovoltaic & Battery Storage) and Reconfiguring a Lot (1 Lot into 2 Lots)				
Proposed Plan of Subdivision Prepared for Lyon Infrastructure,	-	13 August 2015	-	-

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

SDA-0815-023483

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Material Change of Use (Public Utility - 20MWac Solar Photovoltaic & Battery Storage) and Reconfiguring a Lot (1 Lot into 2 Lots)				
Proposed Lot 1 = 50ha & Proposed Lot 2 = 6,575ha				
Site Plan – General Arrangement	Conergy	10/08/2015	CGY E0004-001-0002	02
Catchment Areas Plan	UGL	09/01/2015	3200-SK-7448-031	B
DTMR Layout Plan (34B – 143.42km)	Queensland Government Transport and Main Roads	11/09/2015	220/34B (500-840)	A
DTMR Indicative Works Required	Queensland Government Transport and Main Roads	11/09/2015	-	-

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



Robin Clark
Manager (Planning)

cc: Lyon Infrastructure Pty Ltd, c/- Planz Town Planning, email: plan@planztp.com

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

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

SDA-0815-023483

Our reference: SDA-0815-023483
Your reference: Lyon Infrastructure

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development permit for material change of use (public utility - 20MWac Solar Photovoltaic & Battery Storage) and reconfiguration of a lot (1 lot into 2 lots)		
Schedule 7, Table 2, Item 2 and Schedule 7, Table 3, Item 1: State-controlled road —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the 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):		
In accordance with the approved plans		
1.	The development should be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> • Proposed Plan of Subdivision Prepared for Lyon Infrastructure, Proposed Lot 1 = 50ha & Proposed Lot 2 = 6,575ha, dated 13 August 2015. • Site Plan – General Arrangement prepared by Conergy, dated 10/08/2015, Drawing No CGY E0004-001-002 REV 02. • Catchment Areas Plan prepared by UGL dated 09/01/2015, UGL Drawing No 3200-SK-7448-031, AMDT B. • DTMR Layout Plan (34B – 143.42km) prepared by Queensland Government Transport and Main Roads, dated 11/09/2015, File Ref: 220/34B (500-840), Issue A. • DTMR Indicative Works Required, prepared by the Queensland Government Transport and Main Roads, dated 11/09/2015 	At all times
Location of the direct vehicular access to the state-controlled road		
2.	The permitted road access location, for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained, is to be located between the subject site and the Mulligan Highway generally in accordance with TMR Layout Plan (34B – 143.42km) prepared by Queensland Government Transport and Main Roads, dated 11/09/2015, File Ref: 220/34B (500-840), Issue A.	At all times
3.	Direct access is not permitted between the Mulligan Highway and the subject site at any location other than the permitted road access location (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained).	At all times
Design and vehicle traffic volume		
4.	Road access works comprising of a sealed Rural property access and an unsealed Basic right (BAR) turn to the development, (for which approval under section 33 of the <i>Transport Infrastructure Act 1994</i> must be obtained), at the permitted road access location, must be provided generally in accordance with DTMR Indicative Works Required, prepared by Queensland Government Transport and Main Roads, dated 11/09/2015	The Plan of Survey must be submitted to the local government prior to the commencement of use and to be maintained at all times

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0815-023483

No.	Conditions	Condition timing
Stormwater and Drainage impacts on the state-controlled road		
5.	(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road. (b) Any works on the land must not: i. create any new discharge points for stormwater runoff onto the state-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; iii. surcharge any existing culvert or drain on the state-controlled road; iv. reduce the quality of stormwater discharge onto the state-controlled road.	Prior to the commencement of use and to be maintained at all times

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0815-023483

Our reference: SDA-0815-023483

Your reference: Lyon Infrastructure

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- to ensure development is carried out generally in accordance with the plans of development submitted with the application
- to ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road
- to ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road
- to ensure the design of any road access maintains the safety and efficiency of the state-controlled road
- to ensure impacts of stormwater events associated with development area minimised and managed to avoid creating adverse impacts on the state transport corridor
- to ensure the development achieves the outcomes in 18.2 Stormwater and drainage impacts on state transport infrastructure state code and 19.1 Access to state-controlled roads state code in the State Development Assessment Provisions version 1.6

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

SDA-0815-023483

Our reference: SDA-0815-023483
Your reference: LM:DA/3485:AD2015/0002584

Attachment 3—Further advice

General 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, Water quality and Natural hazards, risk and resilience, and to the extent it is relevant to the proposed development.
Advertising device	
2.	<p>A local government should obtain advice from the Department of Transport and Main Roads if it intends to approve the erection, alteration or operation of an advertising sign or another advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.</p> <p>Note: The Department of Transport and Main Roads has powers under section 111 of the Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2005 to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p>
Further development permits, compliance permits or compliance certificates	
3.	<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>

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

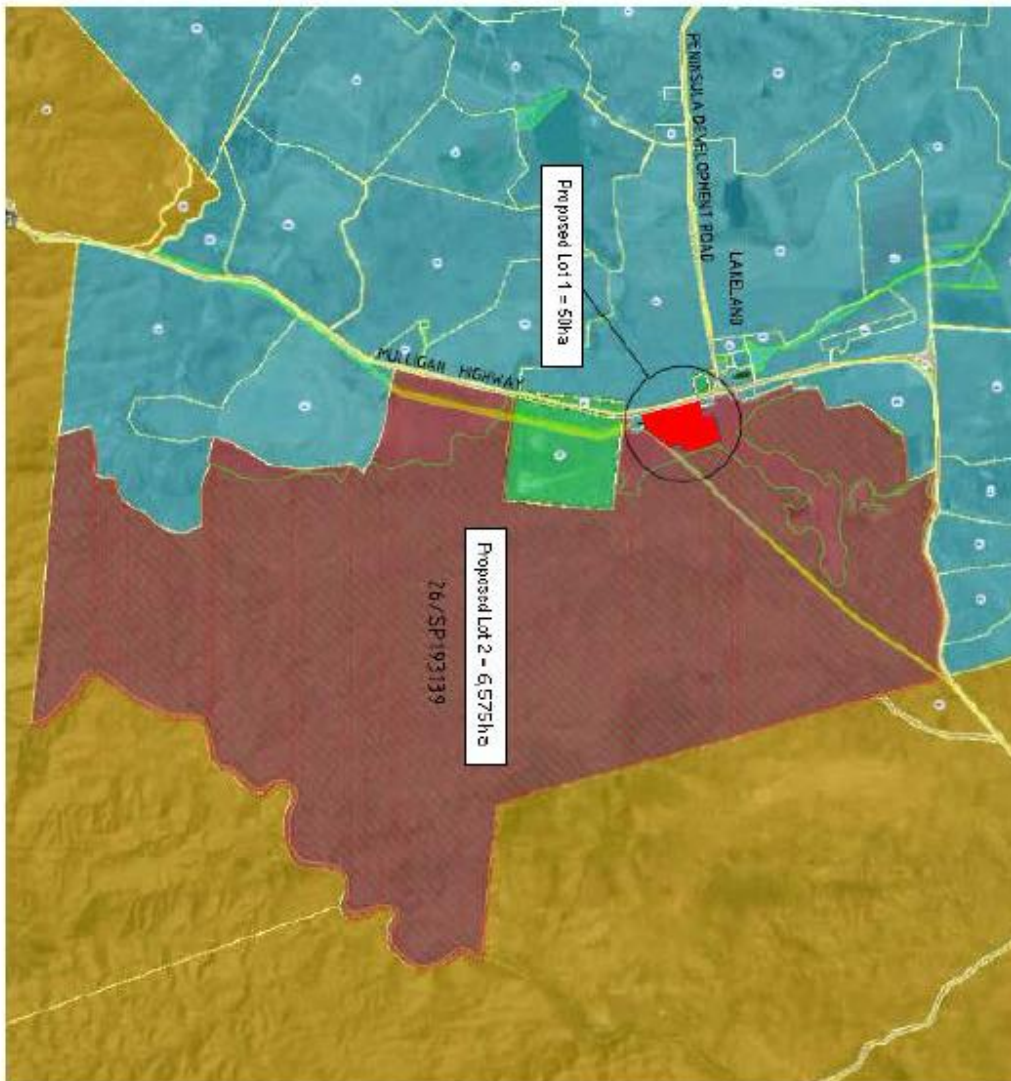
SDA-0815-023483

Our reference: SDA-0815-023483
Your reference: Lyon Infrastructure

Attachment 4—Approved plans and specifications

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Proposed Plan of Subdivision Prepared for Lyon Infrastructure
13 August 2015



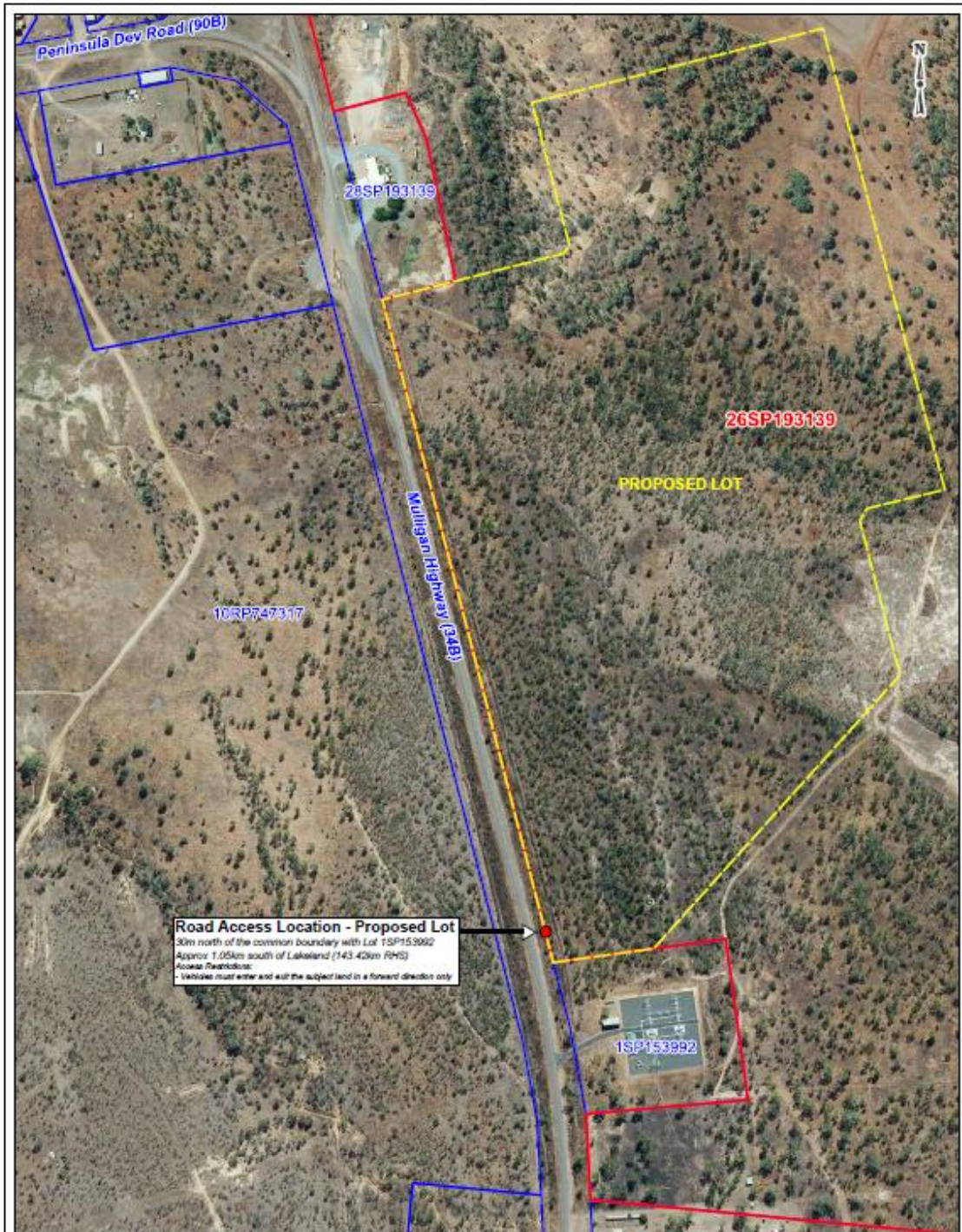
Notes:

- Parent Parcel Lot 26 SP 193139 6.525ha
- Proposed Lot 1 Solar PV Area 50ha
- Proposed Lot 2 Balance Parcel 6.575ha

LEGEND:

- LAND PARCEL
- VEGETATION AREA

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



Road Access Location - Proposed Lot
 30m north of the common boundary with Lot 1SP153992
 Approx 1.05km south of Lakeland (143.42km RHS)
 Access Restrictions:
 - Vehicles must enter and exit the subject land in a forward direction only

Branch/Unit: Corridor Management/Far North Region		TMR Layout Plan (34B - 143.42km)	Queensland Government Transport and Main Roads	
Projection/ Datum: Geocentric Datum of Australia (GDA) 1984			Plan No: 1/1	Issue: A
Legend: — SUBJECT LAND — PROPOSED BOUNDARY		Drawn by: RPK	File ref: 220/34B (500-840)	

© The State of Queensland, 2015. © Peter Brown Software Pty Ltd, 2015. © GIP Limited, 2015. Based on Data: State Right Road Network (2014) provided by the permission of Peter Brown Software Pty Ltd (Created on 01/01/15). (Disclaimer: This Corridor Plan Map 2015 provided with the permission of the State of Queensland. While every care is taken to ensure the accuracy of this data, Peter Brown Software Pty Ltd and/or the State of Queensland and/or GIP Limited make no representation or warranty about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including without limitation, consequential damages) and costs which you might incur as a result of the data being downloaded or otherwise in any way and for any reason.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



‘APPENDIX C’

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



825 Ann Street Fortitude Valley 4006
PO Box 264 Fortitude Valley 4006

ergon.com.au

18 September 2015

Chief Executive Officer
Cook Shire Council
(sent via email – mail@cook.qld.gov.au)

Att: John Harrison

cc: Lyon Infrastructure Pty Ltd
c/- Planz Town Planning
(sent via email - nikki.huddy@planztp.com)

Att: Nikki Huddy

Dear Sir,

ADVICE AGENCY RESPONSE

**MATERIAL CHANGE OF USE (PUBLIC UTILITY)
RECONFIGURATION OF A LOT (1 INTO 2 LOTS)**

LOT 26 SP193139

7281 MULLIGAN HIGHWAY LAKELAND

Council ref: LM:DA/3485:AD2015/0002584
Ergon Energy ref: EE15/044030

This submission is made on behalf of Ergon Energy Corporation Limited ACN 087 646 062 (*Ergon Energy*) pursuant to section 292 (advice agency response) of the *Sustainable Planning Act 2009*.

It is understood that Lyon Infrastructure Pty Ltd intends establishing the Cook Shire Solar generator on the subject site, consisting of a 20MW PV generation system and battery storage. The proposal intends to connect to the Ergon Energy network via the adjoining Lakeland Substation. Ergon Energy and the proponent are continuing discussions regarding connection of the generation facility to the network.

Ergon Energy Corporation Limited ABN 50 087 646 062
Ergon Energy Queensland Pty Ltd ABN 11 121 177 802

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

I wish to advise that Ergon Energy (in our capacity as a referral agency under the *Sustainable Planning Act 2009*) has no objection to the proposed development, subject to the following conditions being applied to any approval:

1. Development is carried out generally in accordance with the plans and reports provided as part of the application.
2. All easement conditions must be maintained.
3. Access to Ergon Energy infrastructure must be available at all times.
4. Any proposed earthworks do not result in an increase in ponding or runoff of stormwater onto existing electricity infrastructure;
5. Should changes to Ergon Energy infrastructure be proposed or required as part of the development, those changes are made with Ergon Energy's consent and at the developer/owner's expense (unless otherwise agreed to by Ergon Energy).

We respectfully request that a copy of the decision be provided in accordance with section 334 (1) (b) of the *Sustainable Planning Act 2009*. Please contact me on (07) 3851 6530 or via email address: townplanning@ergon.com.au for any further information.

Yours sincerely,



Ian Turton
Principal Town Planner
Ergon Energy

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

LAND TENURE

LT1	APPLICATION FOR PERMANENT ROAD CLOSURE BEING KOOKABURRA AVENUE, LAKELAND ABUTTING LOT 26 ON RP725840 SHOWN AS LOT A ON DRAWING CNS15/047P.	
	<i>Report No.D15/16751 from Land Tenure Officer File No.2.</i>	

Précis

1. Council does not support the proposed permanent road closure.

Background/History

2. By letter dated 31 July 2015, the Department of Natural Resources and Mines advised that an application for the permanent road closure of area approx 1020m², being Kookaburra Avenue, Lakeland abutting Lot 26 on RP725840 had been received.
3. The Department further advised that the proposed use of the subject area would be included into the adjoining freehold Lot 26 on RP725840.
4. A notice of this application was displayed at Council's main office for viewing by the public in terms of s100 of the *Land Act 1994*, as requested by the Department.
5. Planning and Environment Services advise that the proposed road closure has no impact on the Lakeland Caravan Park application as it has already been decided.
6. Kookaburra Avenue is the only legal access to Lot 23 RP860960; it is freehold land owned by Cook Shire Council and contains a major drainage line for the dam in adjoining property Lot 212 SP172665 – see attached Topographical Map.
7. Future maintenance or corrective work of the overland drainage flow or any future development of Lot 23 would be infeasible with the closure of Kookaburra Avenue.
8. Council's intention is to maintain Kookaburra Avenue as a 10m fire break from the adjoining commercial property of Lot 26 on RP725840.
9. Neither Planning and Environment Services or Engineering Services are in favour of the proposed permanent closure of Kookaburra Avenue, Lakeland.
10. With the foregoing the following recommendation is submitted for Councils consideration.

Link to Corporate Plan

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

Consultation

12. Nil.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Legal Implications (Statutory, basis, legal risks)

13. Nil.

Policy Implications

14. Nil.

Financial and Resource Implications (Budgetary)

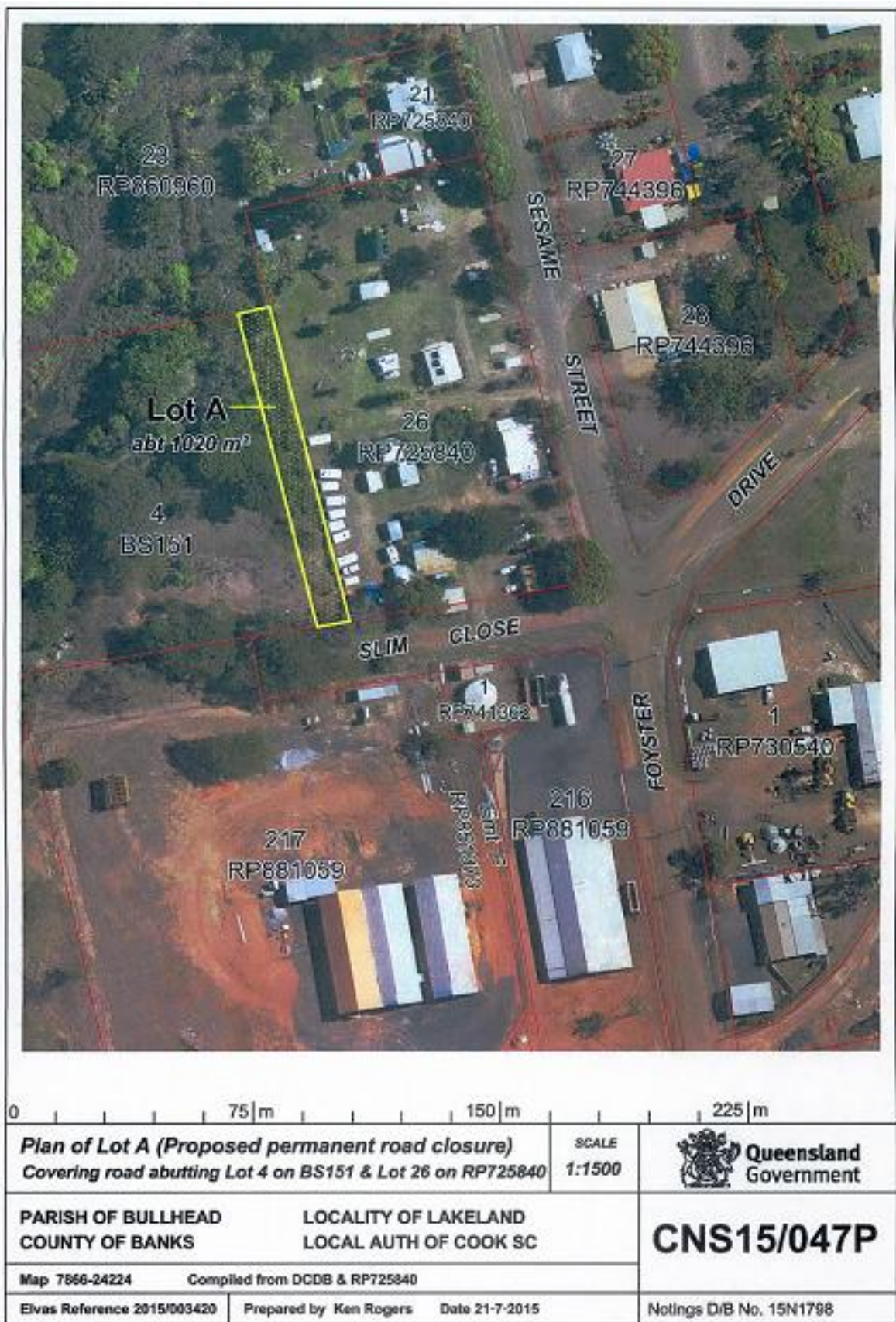
15. Nil.


RECOMMENDATION

The Department of Natural Resources and Mines be advised that Council does not support the application for the permanent road closure of an area of about 1020m² of Kookaburra Avenue, Lakeland abutting Lot 26 on RP725840.

Att.
Drawing CNS15/047P
Dam and Drainage area Kookaburra Ave, Lakeland
Google map of drainage area

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



0 75 m 150 m 225 m		SCALE 1:1500		 Queensland Government	
Plan of Lot A (Proposed permanent road closure) Covering road abutting Lot 4 on BS151 & Lot 26 on RP725840				CNS15/047P	
PARISH OF BULLHEAD COUNTY OF BANKS		LOCALITY OF LAKELAND LOCAL AUTH OF COOK SC			
Map 7866-24224 Compiled from DCDB & RP725840					
Elvis Reference 2015/003420		Prepared by Ken Rogers Date 21-7-2015		Notings D/B No. 15N1798	

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

LT2	ENDEAVOUR VALLEY ROAD (ENDEAVOUR FALLS TO ROSE CREEK) – JOB NO.220/6601/2 – PROPOSED RESUMPTION OF LAND FOR TRANSPORT PURPOSES - PART OF LOT 4 ON PLAN SP146407: COUNTY OF BANKS: PARISH OF HANN.	
	<i>Report No.D15/16750 from Land Tenure Officer File No.2.408.1; 2.501.17.</i>	

Précis

1. Council supports the resumption of area of land for road purposes.

Background/History

2. By letter dated 17 August 2015 the Department of Transport and Main Roads (“TMR”) notified Council that the State of Queensland acting through TMR intends to acquire land under the provision of the *Transport Planning and Coordination Act 1994* and the *Acquisition of Land Act 1967* for the purpose of transport, in particular, road purposes - see attached plan “Endeavour Falls to Rose Creek_Endeavour Valley Rd.
3. TMR further advise that Notices of Intention to Resume in respect of freehold land were issued on 17 August 2015.
4. In order to accommodate the proposed upgrade works the Department requires the land area of approx 1.331 hectares from Lot 4 on SP146407, as described on the attached plan R203-789.
5. The Endeavour Valley Road provides the primary road access to Hope Vale. The proposed acquisition will correct the cadastral alignment.
6. Engineering Services have no issues and support this acquisition as it will allow a better long term road alignment as part of TMR’s new sealing program.
7. Planning and Environment services have no issues.
8. The following recommendation is submitted for consideration.

Link to Corporate Plan

9. Key issues 4.5 Cultural Heritage, Land Tenure, Native Title and Indigenous Land Use Negotiations; 4.6 Drainage, Stormwater, Road, Footpath and Bridge Network and 4.7 Economic Wellbeing

Consultation

10. Internal.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Legal Implications (Statutory, basis, legal risks)

11. Nil.

Policy Implications

12. Nil.

Financial and Resource Implications (Budgetary)

13. Nil.

RECOMMENDATION

The Department of Transport and Main Roads be advised that Council supports the Intention to resume in respect of freehold land for the purpose of road purposes as depicted on submitted plan R203-789.

Att:

Plan R203-789

Endeavour Falls to Rose Creek_Endeavour Valley Rd

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

LT3	PROPOSED ISSUE OF DEED OF GRANT OVER LOT 94 ON PLAN C17952 (RESERVE FOR GRAVEL R89), FOR THE PURPOSE OF A WASTE TRANSFER STATION; INERT LANDFILL AND A COMPOST FACILITY.	
	<i>Report No.D15/16749 from Land Tenure Officer File No. 2.85.134; 2.213.6 (468).</i>	

Précis

1. Council accept conditions of offer for the proposed issue of Deed of Grant over Lot 94 on Plan C17952 as contained in letter from Department of Natural Resources and Mines dated 19 August 2015.

Background/History

2. By letter dated 19 August 2015, the Department of Natural Resources and Mines advised Council the Departments agreement to offer a deed of grant over Lot 94 on Plan C1795 dated 4 September 2014 was hereby withdrawn following advice received from the Queensland Treasure Department and approval will now be sought for the issue of a Deed of Grant over Lot 94 on Plan C17952, subject to the terms and condition as set out in it Agreement of Offer a Deed of Grant and compliance with the requirements of offer.
3. Requirements of Acceptance of Offer include;
 - Completion and return of Agreement
 - Payment of \$6,576.50

✓ Property value	1.00
✓ Conveyance/Stamp Duty	6510.00
✓ Deed Fee (Dive 81)	65.50
 - Lodgement of Statutory Declaration declaring;
 - (a) the current and intended use for the land; and
 - (b) the local government will itself use the land for the stated purposes and that there is no current or planned action to dispose of the land to a third party.
4. The Departments initial offer to Council of a Deed of Grant was \$237,573.30.
5. In September 2014 Council initiated its Ministerial lobbying for the property valuation component of the transfer cost waived - Council would undertake to meet any fees associated with the transfer, including survey
6. Due to State elections and change of Government, this process has taken twelve (12) months.
7. Council at its December 2013 meeting, vide Resolution No. 30663, resolved to lodge a Non-Claimant native title determination over the land - Lot 94 C17952, MacMillan Street, Cooktown (proposed waste transfer station) - as a means of expediting the

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

native title process. This was in response to advice from the State that native title was found not to be extinguished.

8. Native title was addressed by Council and has “s24FA protection” under the *Native Title Act 1993 (Cth)*. This necessitated the Federal Court proceeding (Non-Claimant application) to be initiated, which remains on foot.
9. A Form 2, Non-Claimant application was filed in the Federal Court on 7 February 2014 - the Federal Court provided a copy of the application filed to the State, Commonwealth and Cape York Land Council as the Representative Body for the area; the National Native Title Tribunal (‘NNTT’) was also requested to carry out notification of the application.
10. No native title claim was lodged and registered; the State is now able to issue a deed of grant to Council validity – once the deed of grant has been issued to Council, Council will then withdraw its Non-Claimant application.
11. To ensure that the application can be finalised and the Deed of Grant can be issued before the next Federal Court direction hearing set for 29 October 2015, compliance of offer is required by 25 September 2015.
12. Once Council has been issued with the Deed of Grant, Council will then instruct Preston Law to withdraw the Non-Claimant application from the Federal Court: the grant of freehold tenure to Council would be and remain valid.
13. The following recommendation is submitted.

Link to Corporate Plan

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

Consultation

15. Nil.

Legal Implications (Statutory, basis, legal risks)

16. Nil.

Policy Implications

17. Nil.

Financial and Resource Implications (Budgetary)

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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

RECOMMENDATION

The Department of Natural Resources and Mines be advised that Council hereby accepts the conditions of Agreement to Offer in relation to the proposed issue of a Deed of Grant over Lot 94 on Plan C17952 being Reserve for Gravel Purposes, for the purpose of a Water Transfer Station; Inert Landfill and a Compost Facility as set out in letter dated 19 August 2015.

Att:
Proposed Waste Transfer Station L94 C17952

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

LT4	NAMING OF LAURA RIVER BRIDGE “SHELLEY’S CROSSING”– NORTH OF LAURA AND REINSTATEMENT OF SIGNAGE.	
	<i>Report No.D15/16752 from Land Tenure Officer File No. 2.500.12 (615)</i>	

Précis

1. Council supports the proposal to name the bridge over Laura River, north of Laura, “Shelley’s Crossing” and the reinstatement of the “Shelley’s Crossing” signs as high priority.

Background/History

2. The Department of Transport and Main Roads (‘TMR’) advised that it was seeking feedback from Cook Shire Council regarding a proposal to name the bridge over Laura River, north of Laura “Shelley’s Crossing”.
3. In late 2014 TMR removed “Shelley’s Crossing” signs from the approaches to the north Laura crossing, as there was no record of the crossing having been officially named.
4. TMR advised that it had received several requests to reinstate the signs and officially name the crossing after the late Mrs Shelley Shephard who lived on Artemis Station from 1999 until her passing in 2012, and advise that it has commenced consultation with interested stakeholders to determine the suitability of the name and gauge community support, in accordance with its usual protocols for bridge naming.
5. Part of the protocol process is to ensure that Shelley is a worthy nominee and that there is strong support from the local community as well as the indigenous community and other interested stakeholders – community support has been received.
6. Shelley Shephard (ne Roberts), passed away in 2012 after contracting a virus while undergoing her routine treatment for Cystic Fibrosis (“CF”) in Brisbane.
7. Diagnosed at the age of 6 weeks with CF, Shelley was lucky to live past the age of five, she contributed this to her parents dedication, hard work and strictness of routine of medication and physio from the day she was diagnosed – her brother also has CF.
8. Doctors warned her to avoid dust, smoke, heat and stress - according to friends and family, it epitomised Shelley's attitude that "she did not live with cystic fibrosis; it had to live with her."
9. Shelley with her family, moved from Cairns to Mareeba when she was 10 years old, her parents had bought a farm; she finished her schooling in Mareeba.
10. At age 16 Shelley packed up and moved to a property outside of Chillagoe to work as a governess - it was the start of a lifelong love of the bush and the people who

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

lived there, a path which ultimately led her to Artemis Station and marrying Trevor Shephard.

11. Shelley was passionate about fundraising for CF, especially the 65 Roses Outback Calendar project to help CF suffers “live a normal life”.

12. The following recommendation is submitted for consideration.

Link to Corporate Plan

13. Key issue 4.6 Drainage, Stormwater, Road, Footpath and Bridge Network;

Consultation

14. Nil.

Legal Implications (Statutory, basis, legal risks)

15. Nil.

Policy Implications

16. Nil.

Financial and Resource Implications (Budgetary)

17. Nil.

RECOMMENDATION

The Department of Transport and Main Roads be advised that Council supports the proposal to officially name the bridge over Laura River, north of Laura, “Shelley’s Crossing’ in memory of Mrs Shelley Shephard and that the reinstatement of the “Shelley’s Crossing” signs be given high priority.

Att:
Shelley’s story

Precious memories

Butterflies set free to honour 'bubbly' Mareeba woman Shelley Shephard

Kylie Reghenzani
kylie.reghenzani@news.com.au

BUTTERFLIES were set free as friends and family remembered Shelley Shephard yesterday.

Dolly Parton's *Precious Memories* played during the farewell.

The bubbly 36 year old passed away last week after she caught a virus while undergoing her routine treatment for Cystic Fibrosis in Brisbane.

"She was lucky to live past the age of five," Shelley's mother, Judi Roberts, said. "Doctors in Brisbane could not believe her fighting spirit."

"But her lungs were filling up with fluid."

Ms Shephard was diagnosed with CF at six weeks old and her brother, 38, also has the illness, which affects the lungs, pancreas, liver and intestines.

Shelley's coffin was transported on the back of a Kamworth truck and escorted by motorcycles through Byrnes St and later taken to the Atherton crematorium.

Shelley's husband, Trevor, had been a pillar of support to her daughter, Ms Roberts said.

"Trevor was her best mate," she said. "She's been a cook at stations, been fencing with him and done all sorts of things where they live at Artemis Station, near Laura."

She couldn't have children so has been overgenerous to lots of places and she really was Trevor's right arm."

Ms Roberts and her husband, Taffy, who live at Eilbroobara, said



their goodbyes were a celebration of their daughter's positive attitude towards life.

"Shelley was married at the Mareeba International Club so that's where we took her," she said.

Ms Roberts said when her daughter left school at Mareeba she went to Wrocham Park Station near Chillagoe where she spent five years teaching and being a nanny in a

classroom to 10 children. "I told her she shouldn't go because she was so sick with CF but she still went," she said. "She never gave up."

"She also met Dolly Parton and that was one of the highlights of her life."

Shelley's passion had always been to fundraise for CF and her pet project was the 65 Roses Outback Calendar. About two weeks before

her death, Shelley and her team of supporters and volunteers had raised money at a car sale.

Shelley had said fundraising was a passion of hers, to help CF sufferers "live a normal life". "You can't be wrapped up in cotton wool," she said.

At the time, she said she had not had to live with the illness, rather "CF has had to live with me."

No cable car proposed

PORT Bisco director John Morris said there was currently no development application before Tablelands Regional Council to have a cable car-type access to the top of the proposed wind turbine plateau. Mr Morris said that walking tracks and mountain bike tracks could possibly be included on the site but there was no current intention to have a Skyrail-type access to the project.

"Skyrail is a good example of a tourism project that had vocal objectors prior to the Development Approval and commencement," Mr Morris said. "It is now an example of a highly successful and iconic attraction for the entire region." "We hasten to add that the site lands itself to becoming the major iconic attraction for the Tablelands to the benefit of the community and the broader Tablelands tourism industry. "We do plan to make the site available to the local community and the general public."

Cook tourism strategy

COOK Shire Council adopted a long term Tourism Strategy prepared by AEC Group at its August council meeting. The Tourism Strategy Action Plan is a product of significant research and past project components including detailed stakeholder consultation, background demographic and economic analysis, a review of existing literature and a comprehensive audit of Cook Shire's tourism products. The Plan considers a number of key opportunities, which have been identified through an in depth opportunity identification and assessment process. Individual action plans have been developed for the highest scoring opportunities across a number of criteria important to Cook Shire.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Royal Children's
Hospital Foundation




Hi my name is Shelley Shephard and I am 32 years old, and Cystic Fibrosis lives with me - Read on and you will see what I mean by that!

I live on a cattle property called 'Artemis Station' in Cape York Peninsula, with my husband, Trevor, and his Mum and Dad. Together we work on the property mustering the cattle and putting up fences and feeding the animals. I like to cook and do the butchering. I learnt to ride horses when I was younger, I did Pony Club and Gymkana's and Show Jumping. So I love riding my horses on the property as all our mustering is done on horseback. When my husband Trevor isn't working on the property he drives trucks - Road Trains actually, carting cattle all over North Queensland. I love going with him in the truck as we spend weeks on the road. Last year I got my truck licence so I can drive those 'Big' trucks too!! We built a lovely little house here on the property, 2 years ago now and that was a huge achievement - as well as we "built it ourselves" with the help from friends and family. So my life is pretty set here and I am very happy living 5 hours away from any mainstream town, which is Mareeba, and that is where my Mum and Dad live as well as my brother who also lives with Cystic Fibrosis.



I did my schooling in Cairns for the first 4 years and then my family made the move to Mareeba and I continued my schooling at the Mareeba Primary and High School. We lived on a farm in Mareeba so we could have our horses and cattle, and motor bikes. It was the best move we've ever made as we seemed to be 'healthier' kids, which was thanks to all the activity in our lives, "horse riding really shook my lungs up!!"

Living so far from town has never been a problem to me, I have worked on Cattle Station's since I left school. I worked as a Governess and a Nanny at my first job at 'Wrotham Park Station', north of Chillagoe, and then the family I lived with and worked for moved over to the Gulf of Carpentaria so I moved with them. We then lived on a property called 'Wondoola'

Working Wonders 

Royal Children's Hospital Foundation

where I took up the job of Station Cook which I did for two years. In 1997 I took 2 months off work to travel overseas, going to England and America. I love travelling, it was the best thing I have ever done, being young and having the freedom to travel was great! On my return to the Station I decided I wanted to be out in the mustering camp and cook for them, as well as going out on my horse for the day and doing a days work with the men out mustering! I then moved to Emerald and with my experience, I worked there on properties for 8-9 months.


So I have always done what ever it is I've wanted to do! My health wasn't always good, but I believe it served me well to allow me to do what I did. Also in between working and travelling I always did my treatment everyday and I timed hospital visits with my work breaks. It was never a problem to leave work and go to hospital for my 2-3 week admission. I have always been up front about my illness and I never have anything to hide. Whether they be your friends (boyfriends/girlfriends too), school mates, people you work with, or your boss, I always say "that they can take it or leave it". CF has never been a problem with people that I have met. CF doesn't control me and I never use CF as an excuse to not be able to do what I want to do.



I was diagnosed at the age of 6 weeks, with the disease 'Cystic Fibrosis.' My Mum and Dad started my treatment of medications and physio from that age and carried it on all through my childhood. It was a regular thing to do treatment every day before we could go out to play. And this regular regime is still what I go by today. I will wake up early and do

my Nebulisers and physio, breakfast and tablets, and then go and start on my day of work. So that was a very good thing my parents had done for me. We never let a day slip by, only Christmas day I would be let off and only have to do physio once or maybe twice that day but not 3 times, like most days! Depending on how 'well' we were at the time.

So 'time' is a huge factor in this life of treatment regime. I always make the 'time' to do treatment as it keeps me well and out of hospital longer. I visit The Prince Charles Hospital twice a year, sometimes I make an extra visit in a year, but only if I feel I need it. I have two weeks of antibiotics and then I return home feeling brand new again! We (my brother and I)

Working Wonders 

Royal Children's Hospital Foundation

had several admissions to hospital as children, every school holidays we were in having treatment. And if some how we were well enough to not have to be in hospital, mum and dad would take us camping or away on driving holidays. We had a great childhood, never missed out on anything, and always kept safe and well. 'Well we believed we had it good, and very lucky to have the dedicated parents that never let anything stand in our way, and always did our treatment, so we could continue to stay well for the future.'


I have a good relationship with my doctors in Brisbane and they are always only a phone call away. I email and ring through regularly to keep them up to date on what is happening in my life and how my health is holding up. I always call on the Royal Flying Doctors if I need anything urgently, they've been my 'lifeline' to living out in the bush.

So ten years ago now I met Trevor and he invited me to come and see the place he calls home, Artemis Station. I came up here for a holiday and I have never left! We were married at my parent's property in Mareeba in June 2002. Our wedding day was another time that I could say that I had the best day of my life, we celebrated with 280 guests, our friends and family!! Trevor understands my treatments and what I have to do everyday to stay well. He helps me with my physio and encourages me to "keep on top of it" so I can be well enough to



work with him on the station. We have a very happy life here, like I said we have our animals and we have a lovely house, and we work for ourselves so we decide on what work needs to be done here and my health works in with my lifestyle, which involves dust and heat and sometimes 'roughing it' and long hours at work, but I wouldn't have it any other way!

Trevor doesn't come to Brisbane with me as he needs to be here to continue the work here at home, so I take the time out to have a good rest and maybe do some shopping and work on keeping fit by going to the hospital gym, so I will be in best of health again for my return home. Last year I became diabetic and insulin dependant - just another hurdle in life, doesn't stop me from doing the work that I do. I have just learnt to carry more food with me!

Working Wonders 

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Royal Children's
Hospital Foundation

I also do work at the roadhouse near by. I will wake up at 5:30am & do my nebs and physio. I go in at 7am and have breakfast with my work mates, and then we cook and clean in the kitchen and serve the fuel then I have a couple of hours off in the middle of the day - this is when I do some more treatment and have a rest & then I return to work and finish at 8 pm. This only happens one day a week but I have a break from the station work and have some interaction with girls my own age and I have a good day out!!

My life couldn't get any better than this as I am doing exactly what I've always dreamed of and have a husband who is my very best friend, who helps me everyday. We hope that my life continues to stay a 'healthy one' so we can continue our work here and enjoy living out in the bush! I also would love to do some more travelling as I haven't finished seeing what I wanted to see in some countries and throughout Australia. I have been back overseas twice since my last trip in 1997, I then travelled to Bali in 1998 and Canada and the USA again in 2000. So I have the travel bug!

My advice to any CF child, teen, and families, would be to live life as normally as possible and to stay well by doing all the treatment needed to be healthy and happy for the future. Take the **TIME** to do this treatment as it makes you feel better at the end of the day. I know CF is a lot of work sometimes and I know how it feels to not want to work with it, I have those days as well, but your family and friends encourage you to keep going and you will receive great rewards for it. Believe me, I know.

Think Positive All the Time!

Have your dreams and goals in life and go and do it!!!



Working Wonders 

Living on the land

Shelley Shephard

Shelley lives on a remote cattle station on the Cape York Peninsula. She wrote this letter to send out to organisations who might be able to help her raise the funds to buy solar panels, as she needs a reliable fridge to keep her medications cold. This is her story.

My name is Shelley Shephard; I am 28 years old and live with my husband and his family on their family owned and operated cattle station. I moved here in 1999 and my husband Trevor and I married in June 2002. So I have lived here for 5 years this year and we live in a "donga" (a liveable dwelling) on the property. I've made it my home and I have made it comfortable enough.

I was diagnosed with CF at the age of 6 weeks and have lived life to the fullest. Before moving to the Cape I grew up in Cairns for the first half of my life, then my family moved to Mareeba where I finished my schooling. I went to work on cattle stations and I have worked as a governess, station cook, station hand and nanny at various stations all over northern Queensland.

I have to keep as cool as possible and drink plenty of fluids on hot days so I don't dehydrate. Cystic Fibrosis is a disease that affects the sweat glands; it destroys our lungs, which makes it difficult to breathe. Mucus fills up the lungs and this is treated by having physiotherapy twice a day as well as exercise, to fight off chest infections. Constant use of nebulisers and antibiotics are used to treat the infections.

Sometimes the treatment we do from home isn't enough to fight the infections and I have to be hospitalised in Brisbane for two to three weeks at a time twice a year to help build up the immune system to be able to fight off these nasty chest infections. A numerous amount of tablets have to be taken daily to stay well and a constant cough is something we all learn to live with!

I enjoy living here on the property with Trevor; we are able to work together and live together and hold a strong friendship. The work on the property involves mustering, which involves camping out on the musters using helicopters and walking cattle day by day to get them home and yarded up in the cattle yards back at the homestead, kilometres of fencing, trucking the cattle to town for the sales, feeding cattle and all the other animals on the property, and anything else that needs doing!

Trevor is also needed to help muster on other stations that surround us, but he still finds time to be my full-time carer. I am lucky to have him as he helps me do all my treatment, which keeps me well enough to stay out of hospital longer.

Right: Shelley and Trevor's truck (road train); Shelley crossing the river to get to her property in the wet season; Shelley finds creative ways to nebulise while cattle mustering; one of the road trains Shelley drives.



truckin' Shelley.



Allan Wilson Boating Shelley across Laura River to get her med's.



Mustering



of 16

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



The biggest problem with living on the Cape is that we have no supplied power. We have a solar power system set up on the main homestead, and a generator which is run every night to have power to be able to run a washing machine and other household appliances, and to be able to charge the batteries up on the solar to run a fridge 24 hours a day in the main homestead.

I have my own generator at our place to be able to run an air conditioner, which is well used in the summer months, but I have no solar system to be able to run my own fridge. At the moment I am using an old gas fridge which is run to keep all my medications in. Living in the north, my drugs that I depend on every day need to be kept cool and the fridge doesn't always keep running. There have been times when I've been away in hospital and my gas fridge has gone out and all the medication has gone off and had to be thrown out. I have gone through so many expensive drugs that were no longer usable because of this happening.

Recently the Cooktown Lions Club rang me and offered to donate all the money we need to buy solar panels. It's unbelievable and I am so happy!

Left: Shelley often catches fresh barramundi for supper.

Facts about Cystic Fibrosis

1 in 2500 babies are born with Cystic Fibrosis, it is one of the most common life threatening recessive genetic condition affecting Australian children. CF is inherited and there is no cure.

1 in 25 people are genetic carriers of CF, usually without knowing it. With the support of donations and fundraising we manage to help a lot of families with children and adults living with this disease.

Shelley's speech:

I will tell you the story behind CF, and my life. I usually live a private/ personal life not telling people the facts about this disease.

For those who know me, know that having Cf makes me cough and I generally cover up the reason for my coughing,(to strangers) telling people it's asthma, or people joke around and say I need to give up smoking, and I just say "yeah that's the reason!" they're not really knowing the "real story"

I tell people that CF is like having bronchitis, & asthma times 10 and the feeling of just being unwell when you are tired or run down.

I may not look like I have CF and doctors even mistaken me as being a non CF which I like. Until you hear me cough or see me out of breath, then you'll realize that there is something wrong.

I (Shelley) have Cystic Fibrosis, I was diagnosed at 6 weeks of age and I am now 36. Cystic Fibrosis is a disease which involves a lot of treatments and medications daily to enable to live a "normal" life.

Medications and Treatments have improved over the years, and the life expectancy is now showing people are living into their 40's/50's when I was a child the life expectancy was to the age of 1 or 13 and 20 being the oldest.

CF is a disease that affects multiple organs in the body, most commonly the lungs and digestive system.

Diabetes is also very common with Cf, as we grow into our adult years Dr's are finding that the pancreas fails, and then we become insulin dependant.

I was diagnosed with diabetes about 8 years ago.

Some Cf children aren't diagnosed till later in life which can be a set back for there health. As they have missed years of treatment and it can take lengthy stays in hospital to being well

enough to live a normal life again.

I have been very fortunate to have lived a happy healthy life and I have managed to be able to work, travel the world, and accomplish most of the things I have wanted to do. However there is a another side to this disease.

I am not exposed to the severity of this disease here where I live, but when I go to hospital I see the "other side of it" some CF Adults that I meet are unable to do every day tasks, they can only dream of being able to work and travel. Some patients are spending more half there lives in Hospital, A good percentage of them are too breathless and weak . Some Cf patients I see are dragging oxygen tanks behind them, and a lot of them are waiting for a lung transplant, some receive a transplant some don't. I have made a few friends within the hospital, but unfortunately they have lost the battle.

On a happier note due largely to funding and donations our knowledge of Cf is progressing and treating it have allowed people to live 'normal lives' marriage, kids, and work and travel can be a possibility to some.

My Brother (Raymond) who also has CF and I have spent a lot of our lifetime in hospital (I refer to it as my second home) every school holiday was spent sitting in hospital having our "tune -up" IV antibiotics, we never had too many school holiday's to do fun stuff! We're either in school or in hospital so we could get through the year without too many sick days. My parents have sat with us through all of our sick days with the help of family and friends they were determined to give us a good life' which we have had!

Mum and Dad along with friends took us on driving holidays, trips to the beach, camping trips, weekend's were taken up doing pony club and show jumping and they never treated us "different" and that's the way we like it.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Like any illness in the family CF can throw a spanner in the works, your lives revolve around hospitals, doctor visits, parents dealing with sick kids, days off school, lots of medications & physiotherapy, it can be a financial burden at times, because of the expense of all the equipment needed, and many parents have to give up their work to care for their child.

I have been very fortunate to have a loving family who supports us and encourages us to live life to the fullest and that's exactly what I do!

My family moved from Cairns to Mareeba when I was 10 years old and we bought a farm here and we were able to have horses and cattle. I did all my schooling here in Mareeba. I left School after grade 12 and moved to Wrotham Park Station working as a governess, a job which lead me to working on cattle stations for the past 19 years now and doing jobs such as cooking, cleaning, butchering, jillaroo, camp cooking and the list goes on.

Dr's never believed that my health would last living out on the stations and enjoying the station life, dealing with the heat, and dust and the living conditions out in the mustering camps, but I have proved them all wrong and

I will continue to live out there for as long as I have a job and a place to live, And my health allows me to do so.

Cf does have its good points. We can be dedicated fundraisers as we are passionate about raising money as it helps the children and babies that are newly diagnosed.

And if we are lucky enough we get to meet super stars and famous people!

I met my music legend, Dolly Parton last year in Melbourne while she was touring Australia. "She is an amazing lady, so beautiful & talented" And young Madison Sivyer got to meet her idol's Lady Ga Ga and Alfie Langer.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

I'd like to personally thank Patricia, Val and Loretta, with their help to raise money for Cystic Fibrosis and organising tonight. They have worked for these past few weeks to make this night a success. And we are sure to have fun at the Wheelbarrow race!

To Everyone who has come tonight and to the friends that have supported me and my family over the years, I would like to thank you.

I'd like to stress to you that this fundraising is to go towards Cf Children and adults in Far North Qld. 100% of the funds are used to benefit us! So thank you.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

LT5	PROPOSED LAURA WASTEWATER DISPOSAL SYSTEM UPGRADE WITHIN LOT 200 ON PLAN CP907233 (UNALLOCATED STATE LAND); PENINSULA DEVELOPMENT ROAD, LAURA; PARISH OF DEIGHTON; LOCALITY OF LAURA.	
	<i>Report No.D15/16807 from Land Tenure Officer File No. 2.75.1; 2.83.1; 2.85.46.</i>	

Précis

1. Council make application to purchase part of Lot 200 on plan CP907233 for inclusion of both proposed Waste Water System Upgrade and the Laura landfill.

Background/History

2. Council at its May 2015 meeting, resolved to seek advice from Preston Law ('PL') in relation to the process Council should undertake to progress to excise an area within Lot 200 CP907233 incorporating both the proposed treatment plant and the existing landfill.
3. By letter dated 22 June 2015 PL confirmed that Lot 200 is within the Cape York United No. 1 Native Title Determination Application, no previous determination has been made in respect of Lot 200, and there is no existing Indigenous Land Use Agreement ('ILUA') over the parcel.
4. The construction of the Waste Water Disposal System Upgrade ('WWDSU') and regularisation of the existing Laura landfill are Future Acts for the purposes of the *Native Title Act 1993* ('NTA') and in the absence of identifying a historical extinguishing event, Council needs to assume that NT continues to exist.
5. Council has requested a tenure history from the Department of Natural Resources and Mines ('DNRM'), in relation to the revocation of the former camping reserve.
6. Council has two validation mechanisms available to it;
 1. Negotiate an ILUA;
 2. Compulsory acquisition of native title rights and interests
7. Council could seek to negotiate a project specific ILUA which simply deals with either consent or surrender of NT rights and interests in relation to part of Lot 200 for the purposes of accommodating the proposed WWDSU and the existing landfill.
8. Council could pursue a more wide ranging outcome based on a tenure resolution approach. Based upon the material provided by Council, there would appear to be some scope for dealing with land within Laura in a more holistic way which could see the existing reserves, Lot 193 CP843560 and Lot 194 SP116188 which are both sanitary and landfill reserves evaluated and, if appropriate, dedicated to an alternative community purpose, of alternatively, for freehold.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

9. The negotiation of a project specific ILUA (Area), could be within a period of 3 months with registration of the ILUA being secured within a further period of 4 to 5 months.
10. The expected costs of negotiation a project based ILUA would be approximately \$5,000 to \$10,000 – PL fees, one full day meeting – this does not cover Native Title Party Authorisation meetings.
11. The second validation option available is the compulsory acquisition of native title rights and interests, this procedure can be commenced once an offer is made for tenure by DNRM and accepted by Council.
12. The compulsory acquisition procedure is carried out under the *Acquisition of Land Act 1967* (Qld) ('ALA') by Council as a constructing authority. PL consider that the purposes of WWDSU and the existing landfill would be within the scope of purposes relating to sanitation contained in Part 11 of Schedule 1 of the ALA.
13. The expected timeframe for formalising a compulsory acquisition action would be approximately 6 months and expect the cost to be approx \$5,000 to \$10,000 (legal and lodgement fees).
14. PL recommended Council instruct them to arrange a meeting with the Cape York Land Council ('CYLC') to discuss the project and Council's desire to negotiate an ILUA to ascertain level of cooperation and support that may be received, if it is determined that this is not feasible, Council should provide PL with instruction to commence a compulsory acquisition action once a tenure offer is made by the State.
15. At the time of receipt of PL letter the AACAP and PM&C were indicating that an area of land within Ang-Gnarra freehold (native title would not be an issue) was the preferred site and that the site would depend on the engineering plans, neither at this stage had they approached the CYLC for its support.
16. After consideration of these matters by the Mayor, CEO and Land Tenure Officer, it was felt that Council was not in a position to move forward on this matter until a definite decision regarding the site was made by AACAP and PM&C.
17. During several conversations with both the Army and PM&C, Council's position on its preference of site was reiterated and the importance of securing tenure and dealing with NT in a timely manner.
18. On 27 August 2015, Councils CEO, Councillor Wilson and several Council officers attended a community update meeting at Laura for the AACAP proposed Training Facility and WWDSU.
19. Council was advised at the meeting that Lot 200 on CP907233 was the preferred site; a comprehensive site inspection, including detailing and recording sensitive cultural areas and GPS of the proposed site took place.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

20. Further, on 3 September 2015, Captain Braden Theisinger, PM&C legal representative, Ian Rowe, Andrew Kerr of Preston Law and Council Officers took part in a teleconference to discuss native title and tenure issues.
21. During the course of the teleconference and after much discussion, Council was advised by PM&C legal that they would deal with native title over the area of the proposed WWDS by way of a 24JAA Notification under the NTA; this is a non-extinguishment principle, it does not extinguish NT, it will suppress/suspend NT for the applicable period of time (the life of the development)
22. PM&C legal concern was that the process to freehold the area of land would not be completed within the required timeframe, a 24JAA Notification should ensure construction commencing in April 2016 and Council could apply to the State for a lease over the area covered by 24JAA.
23. Council advised DNRM of the above proposed process and has requested the Departments comments and advice.
24. Tenure is Council's responsibility.
25. Councillors would be aware of this from Report No. D15/10426, May 2015 Council meeting ('CM');
 - Purchase costs of land required for projects identified/conducted by AACAP is not included within its funding, Council would therefore be responsible for the appropriation of land on which the WWS is to be constructed; Council will also be responsible for the maintenance of the new system.
26. It is disappointing for Council that PM&C intend to deal with NT in this manner.
27. Council requested information outlining the outcomes of the onsite meeting at Laura and the teleconference for its September Council meeting.
28. Outlined below is information received from AACAP by email, 14 September 2015, of the proposed Laura Wastewater Disposal System planned for delivery in 2016.

ARMY ABORIGINAL COMMUNITY ASSISTANCE PROGRAMME
REQUEST FOR COOK SHIRE COUNCIL (CSC) SUPPORT

1. This letter outlines the proposed Laura Wastewater Disposal System planned for delivery in 2016 as part of AACAP.
2. The proposed system will connect to existing septic tanks and drain the effluent via gravity to storage / treatment ponds before pumping treated effluent to an irrigation area. Further details on the system including the location and general layout are shown in Enclosure 1.
3. Significant consultation has already occurred with the CSC Engineering and Planning departments and their support to date with the project is appreciated. The Army (19th Chief Engineer Works) will manage and deliver this project using a

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

combination of civilian construction contractors and Army construction teams (17th Construction Squadron of the 6th Engineer Support Regiment).

4. Several aspects of this project will require close cooperation with CSC. Key aspects of cooperation between Army and CSC are outlined in enclosure 2. Your support in regard to these matters is greatly appreciated.

ENCLOSURE 1

WASTEWATER DISPOSAL SYSTEM DETAILS

5. **Existing septic tanks:** The proposed system is a Common Effluent Drainage system, which means the existing septic tanks will remain in place and continue to provide primary treatment of wastewater. The effluent from these tanks however, instead of being dispersed on site will be collected in a sewer.
6. **Collection system:** The sewer system to collect the effluent will be designed where possible with a sufficient size and slope to enable future upgrade to a full waterborne sewerage system. The proposed design uses gravity to collect and transport the effluent avoiding any requirement for pump stations in order to reduce operation and maintenance costs.
7. **Storage and Treatment System:** The proposed treatment system for the effluent is via wastewater stabilisation ponds which rely on gravity settlement and biological processes to treat the wastewater. This treatment method is not complex with few moving parts and little to no energy requirement and is intended to minimise operation and maintenance costs.
8. **Irrigation system:** The treated effluent from the ponds will be pumped to an irrigation area and dispersed via sprinklers over land. Any area irrigated over the long term must be capable of being 'harvested' or 'slashed' in order to prevent continuous build-up of nutrients. This area must also have restricted public access. For this reason the Airfield was selected as the most appropriate area for irrigation.
 - (a) **Irrigation of bushland.** Irrigation of other bushland was not selected due to the requirement to clear and fence an additional area and regularly slash it. Increasing the maintenance burden to Council.
 - (b) **Irrigation of crops or recreational areas.** This option would be dependent on the quality of the treated water. Although this may be possible, it cannot be guaranteed under all conditions and would require increased monitoring and testing of the water. Provision will be made in the system design for beneficial reuse however it is not recommended this be relied upon for disposal in all circumstances.
 - (c) **Wallabies on airfield.** It is understood currently wallabies enter the airfield reserve and are required to be scared off the runway during

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

aircraft movements. There is concern irrigation will increase wallaby activity on the airfield. This concern is noted however it is assessed that this inconvenience is less than the burden of maintaining a completely separate cleared and irrigated area.

ENCLOSURE 2

COOPERATION REQUESTED

9. **Land acquisition:** Council is requested to acquire Lot 200, which is currently USL. It is proposed CSC be responsible for all legal and purchase costs involved in this process. Concurrently, a PM&C legal team will progress a separate interim native title arrangement under section 24 JAA in order to commence construction next year. The PM&C legal team will maintain close liaison with CSC throughout this process. If you have any further queries regarding specifics of legal / native title responsibilities please contact Mr Ian Rowe from the PM&C legal team via Ian.Rowe@pmc.gov.au.
10. **Environmental authority:** The AACAP project will apply for an environmental authority on behalf of CSC as the registered operator of the wastewater treatment system. The project will cover initial licensing fees however CSC will be responsible for ongoing management and renewal of this licence.
11. **Management plans:** The project will work with CSC to develop the STP operating conditions, site based management plan and irrigation management plan which will form the basis of the conditions of the environmental authority. The continued support of CSC Engineering department would be appreciated in developing these plans in order to ensure they best meet the needs of CSC.
12. **Conditions of connection and enforcement:** As council will be responsible for the ongoing management of connections to the system it is proposed that CSC manage the permissions and authorisations for connection to the system. The project will fund and conduct works for the initial connection of properties to the system as part of commissioning however it is suggested that CSC develop and enforce conditions of connection and obtain property owners agreement before authorising the AACAP project to connect to each property. Any connections after the project will be the responsibility of the property owner and CSC.
13. **Beneficial re-use agreements:** Any third party agreements for beneficial re-use of treated effluent will be the responsibility of CSC to negotiate. The project intends to provide a reliable disposal solution that is completely controlled by CSC in order to provide certainty of service.
14. **Solid waste transfer station:** The scope of this project does not include remediation of the existing landfill or development of a waste transfer station. CSC intent to develop a facility is noted. The Army will work with CSC to

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

incorporate any future plans into the development of the wastewater treatment system where this can be achieved without significant cost impact.

15. **End-user agreement:** CSC will be required to be party to an End-user-agreement with PM&C prior to the delivery of this project which confirms that after project completion, other than a standard defects liability period, no ongoing support from the commonwealth will be provided for any of the infrastructure delivered. CSC will be responsible for all ongoing operation, maintenance, upgrade, decommissioning and demolition which may be required.
29. Council had requested a copy of the End User Agreement.
30. Councillors are aware that the Laura landfill is not an authorised use and that Council wish to formalise its use, rehabilitate it and create a waste transfer station.
31. With Lot 200 confirmed as the site for the proposed WWDSU, Council can now move forward to secure permanent tenure over the area incorporating both the landfill and the WWDSU. See attached concept plan.
32. The application fee to purchase State land is \$252.90; as outlined in Report No. D15/10426, May 2015 CM;
- survey will be required
 - Native title would need to be addressed through an appropriate future act option (see above advise from PL)
 - An offer of all or part of the area would be at market value; however the Department of Natural Resources and Mines can deal with the Council in priority as a constructing authority on the basis that the land is needed for a public purpose (namely 50% discount of the purchase price) if the council addresses native rights and interests.
33. A budget review meeting for the purchase component would be required; also ongoing running/maintenance costs will need to be figured in to Council's future budgets.
34. Cultural Heritage is being dealt with by the PM&C legal team.
35. The following recommendation is submitted for Councils consideration.

Link to Corporate Plan

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

Consultation

16. Departmental and Internal.

Legal Implications (Statutory, basis, legal risks)

17. Nil.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Policy Implications

18. Nil.

Financial and Resource Implications (Budgetary)

19. Budgetary requirements to be considered.

RECOMMENDATION

Council make application to the Department of Natural Resources and Mines to excise and purchase an area within Lot 200 on Plan CP907233 to incorporate the proposed Waste Water Disposal System Upgrade and Council's landfill for Laura.

Att.
Proposed Treatment Plant and existing Landfill Laura

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

BIOSECURITY

BS1	MAIN ROADS WEED CONTROL FUNDING	
	<i>Report No.D15/16585 from Senior Biodiversity Officer</i>	

Précis

Cook Shire Council historically undertake weed control along State Controlled Roads within the shire under an annual contract. The funding available for this work varies considerably from year to year and in recent times there has been no funding at all. This year Council submitted a quote for \$80,000 to undertake this work, however this was rejected and a request was made to resubmit a proposal based on only \$30,000 worth of work. This funding for weed control through local Governments in the northern region was reduced due to a reallocation of funding internally within the department. This level of funding is unrealistic to manage even the high priority declared weeds listed in Cook Shire's Pest Management Plan.

Background/History

Cook Shire Council represents the largest local government area in the state and this is reflected in an extensive network of roads. While the road network is critical to the local economy it also serves as the point of entry for a variety of weed species that threaten the productive capacity of grazing land in addition to detrimentally impacting the natural environment that draws large numbers to our region annually.

According to figures provided by the Department the Main Roads, the network of State Controlled Roads within the Cook Shire local government area is 696 kilometres. It is Council's understanding that the gazetted road reserve is on average 60 metres wide. Excluding the 8.5 metre carriageway the network comprises some 3,584 hectares.

In recent conversations with Department of Transport and Main Roads representatives it has become apparent that the State's commitment to the management of weeds on the road network is waning. Unfortunately, this is reflected in the Department's funding for weed management in the current financial year.

An obvious consequence of the proposed funding is that environmental weeds across a vast majority of the road network will be left to spread unhindered. Of further concern however, is the perceived inconsistency of the State Government's commitment to weed management, particularly when considered in the context of the current public awareness campaign relating to the *Biosecurity Act 201*, which will come into force next July, and the current requirements under the *Land Protection (Pest and Stock Route Management) Act 2002* (LP Act).

The current legislation requires that the landowner must take reasonable steps to keep the land free of class 1 and 2 pests on the owner's land. The *Biosecurity Act* also introduces a general obligation on all persons which requires them to take all reasonable and practicable measures to prevent or minimise biosecurity risks from their activities. It is an offence not to discharge this obligation.

By allocating minimal funding for weed management the State appears to be reneging on a responsibility it is concurrently enacting in legislation. In addition to being contradictory it is anticipated that the current situation will pose practical difficulties for Cook Shire Biosecurity officers. Cook Shire Council is responsible for ensuring that weeds and pest animals are

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

managed within its local government area in accordance with the legislation. In situations where local government officers are required to resort to the use of compliance measures it will be exceedingly difficult, from both a logical and moral perspective, to compel a landholder to manage a weed species when their adjoining neighbour, a government agency, is not doing the same.

There are a number of declared weeds that are considered by Biosecurity Services to be a priority for control on the Main Roads network. Many of these are contained to specific regions and it would be possible, with adequate funding, to prevent spread and keep clean areas clean. Unfortunately the current funding is not sufficient to target new/recent infestations across the network with the result that it is only a matter of time before many of these species become far more prevalent. The decision as to whether or not this outcome and the consequent effects are acceptable rests with Council and the Department of Transport and Main Roads.

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.

Consultation

Nil public consultation.

Discussions have been held at officer level with Main Roads staff.

Legal Implications (Statutory, basis, legal risks)

Local government is the responsible entity for enforcing the Land Protection (Pest and Sock Route Management) Act 2002 and the soon to come into force Biosecurity Act 2014. Non compliance by a state agency could make it very difficult for Cook Shire officers.

Policy Implications

Council is in the process of developing the CSC Biosecurity Plan 2016 – 2020. The success of implementing this plan could be impacted by the failure of a main stakeholder allocating adequate resource to reduce weed spread throughout the Shire.

Financial and Resource Implications (Budgetary)

Without adequate funding for weed control of State Controlled Roads there will be increasing pressure for Cook Shire to spent funds on controlling key weed areas.

RECOMMENDATION

That Council write to the Minister for Main Roads raising its concerns for the inadequate funding available to controlling weeds on the State road network within Cook Shire.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

EC1	COEN ADVISORY COMMITTEE – AUGUST 2015 MINUTES	
	<i>Report No D15/16740 from Director Economic Development and Community Services.</i>	

Précis

Minutes of the Coen Advisory Committee meeting held 12 August, 2015

Background/History

The Coen Advisory Committee met in Coen on 12 August, 2015. The minutes of that meeting are attached for the information of Councillors and for any action on recommendations.

Link to Corporate Plan

Active, Creative, Connected

- 4.3.1 Provide to a standard that ensures (at a minimum) legislative compliance and equitable access:
- c) Support and advocacy for community groups, clubs, societies and organisations
 - e) Community engagement across all relevant activities

Consultation

Nil

Legal Implications (Statutory, basis, legal risks)

Nil

Financial and Resource Implications (Budgetary)

Staff travel and time to prepare fire, footpath and signage reviews and reports

Recommendations

That Council receive the minutes of the Coen Advisory Committee meeting of 12 August, 2015.

That Council support the funding application to the Department of National Parks, Sports and Racing – Get Playing Places and Spaces Round Four for a new Coen amenities block

That the new Asset Manager reviews the state of repair and future use of the JS Love building

That the Coen Advisory Committee prepares a Fire Management Plan with Neil Parker

That a review of the Coen township footpaths is undertaken and new footpath requirements identified.

That a review of current signage in and around Coen township, including school zone signage, be undertaken including recommendations for new and upgraded signage

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Attachments

1. Minutes of the Coen Advisory Committee

Coen Advisory Committee Meeting

MINUTES

12 August, 2015

Meeting details:

Meeting title/group name:	Coen Advisory Committee
Date:	12 August, 2015
Start time:	5.35pm
End time:	7:00pm
Venue:	Town Hall, Coen
Chairperson:	Cr Glen Sheppard
Objective:	Group to provide advice and recommendations to Cook Shire Council regarding local government issues around the town and district of Coen
Membership:	1 Councillor representative (Chair) 1 Representative QPS 1 Representative Education 1 Representative Health 1 Representative DAFF 1 Representative Coen Regional Aboriginal Corporation Board 1 Representative Community 5 Representatives (one for each) Aboriginal Clan

Attendees:

Name	Representing
Cr Glen Sheppard	Cook Shire Council
Scott Templeton	DPI Coen Inspection Centre
Rachel Nowlan	Exchange Hotel
Billie Pratt	Ayapathu
Derek Hicks	QLD Police Service
Jodi Hamilton	Community member
Michael Czarnecki	Cook Shire Council
Bishes Pokharel	Cook Shire Council
Gary Kerr	Cook Shire Council
Sarah Greaves	Cook Shire Council
Kate Eastick	Cook Shire Council

Apologies:

Name	Representing
Alan Dewis	QLD Police Service
Maureen Liddy	Royal Flying Doctor Service

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Item no.	Item	Actions	Person responsible
1.	Welcome / Acknowledgements		Chair
2.	Minutes of the previous meeting: Moved: Billie Pratt, Seconded: Rachael Nowlan		
3.	Sporting Precinct – Amenities Block Cook Shire Council has a budget for installation but not for upgrading facilities and will apply for funding to fit out up to \$100,000. Refurbishment can be done on site, however needs to be determined as to whether or not easier/ cheaper to do so in Cooktown or Coen. Original design brief included works completed by CSC staff. Will hear back in November with regards to funding with potential March/ April 2016 installation. Rachael Nowlan requested another set of plans to seek quotes from builders from the region.	CSC to apply for grant funding GK to send building plans to RN	Jenni James (Grants and Administration Officer, ED&CS) GK
4.	JS Love building Rachael Nowlan received a call to refurbish the room to bring it back to standard (DAN from CSC) Coen Advisory Group are looking for an organisation to take it over. Conversations continued about use of the building and instead of continuously fixing problems, perhaps an entire revitalisation of the block of land seeing as it is not heritage listed might need to be considered. Cook Shire Council are hiring an Asset Manager and they will be tasked with reviewing the current status of this building complex.	Sensor lighting follow up Asset review of JS Love building	GK Asset Manager - TBC
5.	Coen Welcome To sign Advisory Group to instigate a photo competition with winners submitted for approval from DTMR.	Winning photo sent to SG	Group
6.	Infrastructure, drainage, water, sewerage, fire breaks, roads: Drainage: Engineering would like direction from Coen Advisory Group to see what your needs are up here. A tour of the roads to see what can happen in wet season caused by the Wet Season and drainage problems will happen tomorrow (13.08.15) Fire Management: There are currently no fire management plans for any of CSC townships, so Engineering needs to know what a fire management plan can look like for Coen. A budget of \$25,000 has been placed for fire management in Cook Shire and will be consulting with each township to obtain their local knowledge. Examples of fire breaks needed in the immediate future include: - Back of Reservoir Road - Lankelly back to the houses - The Coen Police “paddock” Scott Templeton warned about the ongoing issue of grader grass and how burning off is not a solution to this recurring problem. Slashing would be a better option for the environment, and education about how this pest weed	Coen Advisory Group to work on a fire management plan with Neil Parker 0427 077 080 Scott Templeton	MC, BP CAG to liaise with Neil Parker ST

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

	<p>can be better maintained.</p> <p>Another issue was the weed management on mesh fences and ongoing rubbish that collects against these, further adding to potential fire risk.</p> <p>The “Yellow” fire truck might be 20 years old, if this is the case, the rural volunteer fire brigade will be eligible for a new truck. Currently has tyres nearly 11 years old. Coen Advisory Group were updated with the new contact for the FNQ region and were advised to seek further training assistance and instigate communications to ensure volunteers in Coen can have their skills updated.</p> <p>Lankelly bridge sign was burnt in recent fire. DTMR will need to replace this.</p> <p>Water: The DTMR dam is for DTMR use only to secure water for road construction on the PDR not for town use.</p>	<p>to provide a bio-security focus for fire management plan</p> <p>RN to contact Cairns – based Housing dept and DH to contact Cooktown’s representative</p> <p>Trent Mulley to check age of fire truck</p> <p>MC to contact DTMR</p> <p>MC to liaise with DTMR and Town Agents</p>	<p>RN, DH</p> <p>TM</p> <p>MC</p> <p>MC</p>
7.	<p>Arts and Culture update RADF funding secured to implement suggestions for Cape York Heritage House as made by the Museum Development Officer program and addressing the need highlighted previously for a caretaker/staff position.</p> <p>A travelling Acquisitive Art exhibition will be on display throughout the Cape and may incorporate workshops in Coen.</p> <p>Surveys on an Arts and Culture vision for Coen have been distributed and will be available at Coen Library, Coen Newsletter and shared on Facebook. This sparked conversations about previous workshops and established artists in the region. Derek Hicks mentioned an increase in graffiti around town and potential for an arts project to help combat this.</p>	<p>KE to liaise with Coen Advisory Group regarding ongoing workshops and Museum Development Program</p> <p>Coen Advisory Group to return surveys to KE</p>	<p>KE</p> <p>CAG</p>
8.	General Business		
i	<p>Asset Manager: Cook Shire has allocated \$620,000 for fleet management and will be assessing each upgrade on a case by case basis. Coen Town Agents are to communicate their needs to the Engineering department in the interim.</p>		
ii	<p>Native Title PDR Claim Michael explained that a petition for scheduling works on the road was sent out, however no one from Coen has seen this. Balkanu, together with DTMR, CSC and Cape York Land Council are working together to achieve outcomes.</p>	<p>MC to update CAG with progress as needed</p>	

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

	<p>However with a possible change to daily operations. Working with Traditional Owners with gravel and water. DTMR has an exemption under the sustainable planning act to place a dam on the Coen town reserve for the purpose of road construction</p>		
iii	<p>Town Cleanliness Derek Hicks enquired about the “streetsweeper” in which Michael can schedule an internal run through Coen</p> <p>Scott Templeton raised the issue of the lack of footpaths around town and the inconvenience of having to walk on grass/ uneven ground etc. On this topic, Derek Hicks suggested a complete audit of driveway access and existing curb and channelling to identify any upgrades needed.</p> <p>General signage is an ongoing issue, with the need for a pedestrian crossing near the kindergarten and school. Apparently a Grant exists but a date hasn’t been released. Michael has talked to DTMR about signs and crossings however because it is a State Highway (PDR) cannot mitigate slow points. Gary suggested perhaps a solar powered electric sign which flashes drivers current speed could be an option. A static sign would have to be custom made because of the different school hours in Coen.</p> <p>Refuse at Archer River is not acceptable and currently is a hole in the ground with wire mesh to stop animals. This sparked a discussion around rubbish disposal in the Cape. Scott Templeton requested a cattle grid over the entrance of the Coen waste transfer station to prevent Foot and Mouth disease. The Port Stewart skip bins are also a problem.</p>	<p>MC to organise</p> <p>CSC’s Grants and Administration Officer to seek funding opportunities through any available grants.</p> <p>CAG to identify streets which require footpaths</p> <p>CAG to determine which sign and definitions would be most suitable and to contact DTMR</p> <p>CSC to apply for funding</p> <p>GK to discuss rubbish disposal options with CYSF</p> <p>MC to organise cattle grid for Coen waste transfer station</p>	<p>MC, DH</p> <p>JJ, GK</p> <p>MC and BP to conduct audit of street accessibility</p> <p>CAG</p> <p>JJ, GK</p> <p>GK, CYSF</p> <p>MC, Town Agents</p>
iiii	<p>Coen Event Together with the RFDS, a “Conquer the Corrugation” walk is being organised for 3-4 October. Jodi and Rachael are helping to coordinate things on the Coen end. The walk will be from Archer River Roadhouse to Coen and will include an overnight camp with entertainment (TBC). This is being conducted for Mental Health Awareness Week.</p>	<p>JH and RN to acquire permit to access stock route from CSC.</p>	<p>MC to confirm</p>
v	<p>Airport: Coen airport taxiway requires an upgrade to remain compliant to the current regulations, almost 6000m2 will be re-sealed in the coming months. The airport also requires additional fuel storage for the wet seasons so Cook shire has committed a capital investment to provide a new fuel holding tank and associated bund area. In total Cook</p>		<p>MC</p>

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

	Shire will be investing more than 100K in Coen airport for 2015 financial year. The airport operation through RFDS had concern around wording in the ERSA for runway lighting which changed the way RFDS would operate out of Coen, this has now been rectified		
vi	<p>Streetlights: Using Coen as a test sample (Ergon Energy are looking to install) 16,000 solar powered street light units Nation wide. This is a cost saving exercise in which Coen have been recommended as part of this project. Previous infrastructure is not adequate and this bears no cost to Council. Install for full diesel generation power for Coen sewerage plant will guarantee supply during wet season.</p>		MC to update progress as needed
9.	<p>Next Meeting SUNDAY 18 October 2015</p>		

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

EC2	COMMUNITY ENGAGEMENT STRATEGY	
	<i>Report No.D15/16741 from Director Economic Development & Community Services</i>	

Précis

The Cook Shire Council is committed to improving its relationships and involvement of its communities in achieving its Corporate and Operational Plans.

The Cook Shire Council Community Engagement Strategy provides the framework and processes to include community engagement into its everyday business. This framework provides guidance as to the levels of community engagement activities and the situations under which each level, or combination of levels, should be used.

The Strategy also provides a Community Engagement Plan template that should be used in determining the levels of community engagement required for a specific issue or initiative.

Background/History

Cook Shire Council's commitment to the long term vision of leadership in local government will enable a continual improvement in the wellbeing of its communities.

It is with this commitment that community engagement becomes an essential part of our decision making.

This strategy was devised to assist the Councillors, Council officers and the community in choosing the most appropriate community engagement process relevant to the issue at hand. The Strategy is not intended to be a prescriptive "how to" document but rather acknowledges the adaptive nature of any community engagement process. The overall objective for the community engagement process is to provide techniques and tools which are designed to involve people, solicit their opinions in the process, planning and decision making of Council.

In some instances, a range of techniques and processes may be required to suit particular circumstances. Using more than one technique may result in greater participation and representation; it all depends on the circumstances at any given time.

Link to Corporate and Operational Plans

Corporate Plan 2012-17

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

e) Community Engagement across all relevant activities.

4.3.2 Where resources and capacity allow:

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

4.3.3 Special Projects

c) Actively encourage and promote community engagement in all relevant Council activities.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Consultation

Executive Management Team.

It is proposed to hold series of internal workshops over the next six months to provide training on Community Engagement and its application and to receive feedback on the integration of the Community Engagement Strategy into the everyday business of Council.

Legal Implications (Statutory, basis, legal risks)

Enable Council's Community Engagement compliance where required under legislation or regulations such as Community Plan, Corporate Plan, Local Laws, Annual Report, Budget.

Policy Implications

Supports and provides guidance in implementing Council's Community Engagement Policy adopted January 2014.

Financial and Resource Implications (Budgetary)/Risk Assessment

The implementation of the Community Engagement Strategy will require higher level resources over the next 12 months to ensure the integration of community engagement throughout the organisation. These resources will predominantly be staff time in training, supporting, overseeing, reviewing and reporting on the integration process.

It is proposed to employ an Administration trainee in the Economic Development & Community Services Department for 12 months to provide an existing staff member the time to implement the Community Engagement Strategy.

These resources should lessen after 12 months as community engagement becomes 'automatic' in all Council processes and community engagement skills and capabilities are developed.

RECOMMENDATION

That Council:

1. Adopts the Community Engagement Strategy;
2. Resolves to support the employment of an Administrative Trainee to enable an existing ED&CS employee to oversee and support the implementation of the Strategy over 12 months.

Attachments

Community Engagement Policy 2014

Community Engagement Strategy 2015



**Cook Shire
COUNCIL**

**Community
Engagement
Strategy 2015**

**Inform
Consult
Involve
Collaborate
Empower**

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Table of Contents

1. The Purpose of the Community Engagement Strategy	2
2. Understanding Community Engagement	2
2.1 What is Community Engagement	2
2.2 Why a Community Engagement Strategy is Important	2
2.3 What are the Core Values about the Community Engagement Process?	2
3. Council Actively Seeks Community Participation	3
3.1 Council's Commitment for Inclusion	3
3.2 Council's Commitment for Process	3
3.3 Council's Commitment to be Responsive	3
3.4 Council's Commitment for Accessibility	4
3.5 How Community can get Involved	4
3.6 Advisory Committees	4
4. What Level of Community Engagement is Appropriate to the Issue?	5
5. What Needs to be Considered when Developing a Community Engagement Plan?	9
6. Community Engagement Plan and Template	13
7. Follow Up and Feedback	13
8. Evaluating Community Engagement Activities	14
9. When Community Engagement is Required	15
Appendix 1: Community Engagement Project Plan Template	17
Appendix 2: Stakeholder Analysis – Community Engagement	21
Resources and References	22

Cook Shire Council

Community Engagement Strategy 2015

1. The Purpose of the Community Engagement Strategy

Cook Shire Councillors and its officers are collectively committed to the long term vision of leadership in local government that enables a continual improvement in the wellbeing of our communities.

It is with this commitment that community engagement becomes an essential part of our decision making.

This strategy was devised to assist the Councillors, Council officers and the community in choosing the most appropriate community engagement process relevant to the issue at hand. The Strategy is not intended to be a prescriptive “how to” document but rather acknowledges the adaptive nature of any community engagement process. The overall objective for the community engagement process is to provide techniques and tools which are designed to involve people, solicit their opinions in the process, planning and decision making of Council.

In some instances, a range of techniques and processes may be required to suit particular circumstances. Using more than one technique may result in greater participation and representation; it all depends on the circumstances at any given time.

2. Understanding Community Engagement

2.1 What is Community Engagement

Community Engagement has become an essential part of planning, policy development and service delivery and is a recognised method of how Cook Shire Council can be responsive to community needs. It is a process of working collaboratively with people to address issues affecting their wellbeing and the development of the Shire. Community engagement promotes responsible and informed decision making by understanding the needs and interests of participants, the broader community and the Council.

2.2 Why a Community Engagement Strategy is Important

This strategy has been developed to highlight the benefits of Council and the community working together. The strategy will provide a framework for selecting the most appropriate Community Engagement process relevant to the circumstances and issue being addressed. This will allow the Council and the broader community to have an understanding of how they can be involved in both large and small projects or policy making in a co-ordinated and meaningful way.

2.3 What are the Core Values about the Community Engagement Process?

The following values help identify those aspects of public participation which cross all cultural and religious boundaries. The purpose of these values is to help make better decisions which reflect the interests and concerns of people and their organisations:

- The public should have a say in decisions about actions that could affect their lives;
- Public participation promotes responsible and informed decision making by recognising and communicating the needs and interests of all participants within the broader community;
- Public participation includes the promise that the public’s contribution will be

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

meaningfully considered in the decision making processes;

- Public participation seeks out and facilitates the involvement of those potentially affected by, or interested in, a decision;
- In significant projects public participation seeks input from participants in designing how they participate;
- Public participation provides participants with the information they need to participate in a meaningful way; and
- Public participation communicates to the community how their input affected the decision.

3. Council Actively Seeks Community Participation

3.1 Council's Commitment for Inclusion

Cook Shire Council will encourage all interested parties to be involved in the Community Engagement process by providing equal opportunity and accessibility for participation. Council will endeavour to make all Community Engagement processes sensitive to the needs of particular people and groups to maximise their ability to contribute.

3.2 Council's Commitment for Process

All Community Engagement plans should be delivered in consultation with the Community Engagement Officer and, where deemed appropriate, the Leadership Team (EMT).

The purpose of each engagement process will be clearly documented and state whether the purpose is to inform, consult, involve, collaborate or empower.

A Community Engagement Plan will be developed for every relevant Council project. The plan should be devised with flexibility to suit any changes in the consultation process to gain better outcomes.

The engagement process will be timed to ensure that community input is able to be considered in decision-making. Council will allow a reasonable timeframe for community response during all consultation processes.

Evaluation is also a very important part of the ongoing development of Community Engagement processes. Evaluation should focus on the impact and process of the engagement and should include views or feedback from its participants.

3.3 Council's Commitment to be Responsive

The engagement process will provide the community with knowledge and understanding of how their inputs will be used.

Council will consider the submissions of all community members.

The engagement process will include feedback and ensure that all input is considered.

Council will make reasonable attempts to resolve conflicts if they arise and reach appropriate equitable solutions.

Council will communicate its decisions with those involved in the engagement process.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

3.4 Council's Commitment for Accessibility

Council will provide options for Council information to be available in accessible formats including large print upon request.

Council will facilitate interpretation of any Council communication material upon request from the State or Federal Translating and Interpreting Service.

The first part of engaging the community is to ensure that all communication will be in plain English, free of jargon. If technical terms are used, they will be adequately explained.

Whenever possible Council will conduct all community engagement meetings at universally accessible venues.

Decision making should be based around the needs of the broader community and should take into account the views of all persuasions, whether they are the strongest voice or the smallest. When making information available about decisions, Council will endeavour to inform the public of any technical constraints which must be covered.

3.5 How Community can get Involved

Community members should be encouraged to talk with Council about issues that may affect them. Although Community Engagement processes usually have a designated time for feedback and participation, the public is always welcome to put their point of view to Council and there are a number of ways in which this can occur by:

Contacting a Councillor

All Councillors are representatives of the community; as such people should feel free to contact them and discuss issues. The contact details as available on Council's website and at the Council Offices.

Or

Writing to:

Chief Executive Officer
Cook Shire Council
PO Box 3
Cooktown, Qld, 4895

Or

Speaking to

One of our Customer Service Staff
10 Furneaux Street, Cooktown
Phone 07 4069 5444

Or

Emailing us: mail@cook.qld.gov.au

Or

By visiting our website at www.cook.qld.gov.au and go to our "Email" link

3.6 Advisory Committees

In a number of community engagement activities Council will either, on a short term basis or

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

on an ongoing basis, utilise an advisory committee to assist in the process. The roles and responsibilities of a Cook Shire Council advisory committee unless otherwise stated are as follows:

Terms of Reference and Role of an Advisory Committee of the Cook Shire Council

The Community Engagement Advisory Committee will be appointed in an advisory capacity and will have no executive authority.

The Advisory Committee Will:

- Advise on strategies to enhance and promote community participation
- Identify and advise the Cook Shire Council on priority areas and issues requiring community participation
- Assist the Cook Shire Council in their communication with the community
- Generally advocate on behalf of the community to the Cook Shire Council
- Assist the Cook Shire Council in the development and monitoring of service quality and accessibility.

4. What Level of Community Engagement is Appropriate to the Issue?

Community Engagement and decision making must be considered within the context of the issue at hand. Some issues are easily defined with basic considerations, other issues are extremely complex which are often the focus of media scrutiny, lobbying by interest groups and requiring detailed technical information.

The first step in planning of any community engagement process is to be clear about the aims and objectives. A table with Cook Shire considerations is provided on the following pages.

Cook Shire Council acknowledges many ways to approach Community Engagement and it has adopted the International Association of Public Participation – IAP2 Spectrum (below) for its guiding framework as it provides a clear approach and understanding of expectations within the Community Engagement process.

Inform	Consult	Involve	Collaborate	Empower
To provide the community with balanced objective information to assist with understanding the problems, alternatives and/or solutions	To obtain community feedback on analysis, alternatives and/or decisions	To work directly with community representatives throughout the process to ensure that concerns and aspirations are consistently understood and considered	To partner with community in each aspect of the decision including the development of alternatives and the identification of the preferred solution	To place final decision making in the hands of the community
Corresponding commitment to each engagement level				
We will keep you informed	We will keep you informed, listen to and acknowledge concerns and feedback on our community input influenced decisions	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how community input influenced the decisions	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible and	We will implement what you decide

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

			provide feedback on how community input has influenced the decision
--	--	--	---

The following table provides real ways in which the five levels of Community Engagement processes can be defined. It should be noted that not all of the processes listed in each category may (or should) be used for each issue or event, but there may be several combinations used depending on the circumstances and the level of participation realistically available to Council and/or any participating group.

Inform	Advantages	Potential Pitfalls
Public information sessions	<ul style="list-style-type: none"> Content of information can be controlled. Can be more cost effective 	<ul style="list-style-type: none"> Can be seen as propaganda – one side of the story Does not build two way relationships
CSC website information	<ul style="list-style-type: none"> Electronic information can reach larger audiences Most up to date information can be made available 	<ul style="list-style-type: none"> Not all Cook Shire residents have any or efficient IT Some distrust of electronic processes
Notices to residents	<ul style="list-style-type: none"> Can be targeted to specific groups 	
Advertisements in the local paper	<ul style="list-style-type: none"> Advertisements can be multi-lingual and easily include pictures, diagrams and plans 	
Briefings	<ul style="list-style-type: none"> Useful method in building network relationships 	<ul style="list-style-type: none"> Can raise the level of expectation/influence of those being briefed may have over the total process Could be viewed as one sided Some processes may be seen as alienating for some
Education & awareness activities/programs	<ul style="list-style-type: none"> Essential in behavioural change – i.e. animal control programs, compliance requirements Other agency dedicated staff for particular projects – i.e. CYNRM 	<ul style="list-style-type: none"> Excludes people with low literacy levels or visual impairments
Newsletters (including electronic)	<ul style="list-style-type: none"> Efficient way to get succinct information to a broad range of people 	<ul style="list-style-type: none"> Non-electronic newsletters can be relatively costly to publish and distribute Electronic newsletters distribution constrained by extent of distribution database
Media releases	<ul style="list-style-type: none"> Can be produced to target particular audiences – or designed to attract a particular demographic Can be in different languages Reaches a larger number of people Cost effective Quick to arrange and execute 	<ul style="list-style-type: none"> May miss target groups Uncontrolled editing may cause misinformation or key items being omitted Does not encourage two way relationships Sometimes limited in its scope
Council office, library and/or shop front displays	<ul style="list-style-type: none"> Can be held at established community places of interest, places where people go to get 	<ul style="list-style-type: none"> Resource intensive – staff to attend and answer questions All information may not be

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

	<p>information</p> <ul style="list-style-type: none"> • Can build relationships with attending staff 	<p>able to be displayed in appealing visual format</p> <ul style="list-style-type: none"> • Are only available to people using those particular venues. May disadvantage some groups or individuals
--	---	--

Consult	Advantages	Potential Pitfalls
Information via media and call (ask) for public comment	<ul style="list-style-type: none"> • Concise targeting can provide detailed responses 	<ul style="list-style-type: none"> • Limited to those who wish to write a response
<p>One to one Or Question/answer and response sheets, asked in person or sent out to residents then followed up with a phone call Or Phone calls made to randomly selected people</p>	<ul style="list-style-type: none"> • Good process to explore in depth issues for sensitive or complex matters • Can be multilingual and an effective method for those with limited literacy skills • Enables comparative research on different issues • Empowering for participants as they get to provide 'their side' of the issues in a narrative manner • Achieves random opinion • Can coincide with other events 	<ul style="list-style-type: none"> • May raise 'over consulted issues' and not be a positive or constructive response • The collection and analysis of data may require specialist skills to produce accurate reporting • Resource intensive • May not be a broad ranging as other techniques • May be limited survey data, depending on resources • Outcomes may be difficult to interpret due to complex answers • Collation of data after survey may be difficult
Open days and public meetings where displays are on show and aims/input is clearly requested	<ul style="list-style-type: none"> • Demonstrates open and transparent processes • Provides 'first hand' learning about proposals and projects • Is time limited • A good way for staff to get to know the community • Engages in conversation 	<ul style="list-style-type: none"> • Can be resource intensive • Can raise issues about loudest voice is heard and all else ignored
<p>Web-based consultation</p> <p>All online consultation tools should be considered along with the following:</p> <ul style="list-style-type: none"> • Interactive websites • Internet surveys • Discussion boards • Email feedback • Online forums • Online chat rooms • Facebook 	<ul style="list-style-type: none"> • Potential to reach large audience • Single use survey or gauging of public sentiment has ability to open the age demographic of participants • Uncensored information gathering • Quick time turnaround of opinion • Can be cost effective particularly if using an established site • Can be far reaching • Participation times can be scheduled to suit individuals/groups • Anonymity may appeal to give honest responses • Can encourage individual responses rather than group responses (group think) 	<ul style="list-style-type: none"> • May require suitable targeted questions as information may be hard to decipher as part of chats or online topics • Assumes all have access to technology • Anonymity may provide people with ability to skew responses as they are able to have multiple responses • Uncensored information gathering may require a moderator or facilitator to lead online discussions • May not be representative of general public opinion • Privacy and confidentiality issues may arise • Limited to those with internet access

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Involve	Advantages	Potential Pitfalls
Community engagement workshops, focus groups – brainstorming sessions, direct ideas and concepts, visions, writing workshops	<ul style="list-style-type: none"> • Targets specific groups • Best way to rapidly engage and receive input • Structure can vary to increase number of outcomes • Improved capacity building and ownership • Can evolve over the scope of the project • Can be flexible and responsive and may change the initial direction of the issue • Community ownership of the process • Brainstorming is easy to organise and conduct and closely involves those who take part helping them realise their ideas are considered valuable 	<ul style="list-style-type: none"> • Participation may not be representative • Produces qualitative, not quantitative information which is more difficult to collate and interpret • May not add any more value to an information session unless structured to obtain particular outcome/s • Background information may not sufficient, resulting in little response to brainstorming • Requires quality facilitators to get the best from processes • Some irrelevant material will be collected as process allows free thought and discussion
<p>Polling – closed questions (yes or no)</p> <p>Solicit involvement by direct conversations with residents</p>	<ul style="list-style-type: none"> • Allows a quantitative, measurable assessment • Quick way to obtain a response from a large number of people on many issues 	<ul style="list-style-type: none"> • Assumes a level of knowledge • Significant effort to ensure response sample is representative of broader community • Does not generally provide information about the topic, just as a response • Does not generally build two way relationships and exchanges

Collaborate	Advantages	Potential Pitfalls
Specific purpose committees – invited reps	<ul style="list-style-type: none"> • Supports community engagement relationship building within community • Capacity building of individual members • Generates ideas • Usually representative of larger community opinion • Could create intra-group relationships and trust • Sharing of knowledge base 	<ul style="list-style-type: none"> • Needs to be well resourced and supported • May attract only vocal members • Difficult to ensure genuine representation • Longer term commitments may not be sustainable by community reps • May fail to engage marginalised groups or people
Consensus decision making		
Concepts workshops or enquiry by design (where interested people come together to identify issues, deliberate on preferred outcomes and create plans for the future)	<ul style="list-style-type: none"> • Promotes joint problem solving and creative thinking • Creates working partnerships with the community 	<ul style="list-style-type: none"> • Partnerships may not be representative of whole community • Difficult to engage groups usually marginalised from consultative processes

Empower	Advantages	Potential Pitfalls
<p>Delegated decisions</p> <p>Community panels, committees in</p>	<ul style="list-style-type: none"> • Full community ownership and decision making 	<ul style="list-style-type: none"> • If process fails, the burden may lay with the authority that has the ultimate responsibility

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

charge of the whole process		for the issue/project
-----------------------------	--	-----------------------

5. What Needs to be Considered when Developing a Community Engagement Plan?

Throughout the planning stages of the proposed Community Engagement activity, several questions may need to be considered. Once the technique of Community Engagement has been identified these questions may also be of value before, during and at the time of evaluation for any community engagement process undertaken.

Cook Shire Issues	Considerations may include
GOALS & OBJECTIVES	<ul style="list-style-type: none"> • Why is Cook Shire Council engaging the community? • What does Cook Shire Council hope to achieve from the process? • What time commitments must be met? • Do the benefits of engaging outweigh the costs of not engaging?
COMMUNITY TO BE TARGETED	<ul style="list-style-type: none"> • A geographic community? • Why is Cook Shire Council engaging the community? • What does Cook Shire Council hope to achieve from the engagement? • What time commitments must be met? • Do the benefits of engaging outweigh the costs of not engaging? • Are other organisations/authorities also engaging this community? • Is collaboration possible or necessary?
POLITICAL ENVIRONMENT	<ul style="list-style-type: none"> • What level of political support or awareness exists about the proposed engagement? • Is the process part of a broader government agenda? • Is this a contested issue?
CAPACITY TO INFLUENCE	<ul style="list-style-type: none"> • Is this a government or a community initiated activity? • What decisions have already been made? • What decisions can the community have input into? • Legislative environment • Is engagement required by legislation? • Are any parts of this project or engagement process supported or constrained by legislation?
Cook Shire Council Issues	Considerations may include
POLICY AND PLANNING CYCLES CORPORATE CULTURE	<ul style="list-style-type: none"> • Where does your engagement fit within the policy or planning cycle? • Is there a high level of understanding of, and commitment to, community engagement within Cook Shire Councils? • Is there openness to use more innovative engagement processes?
RESOURCES **NOTE – COMPETENCIES AND AVAILABILITY	<ul style="list-style-type: none"> • What resources are available to support the engagement, for example: <ul style="list-style-type: none"> ○ Skilled facilitators and managers?*

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<p>OF STAFF AND OR CONSULTANTS WITH SKILLS TO IMPLEMENT COMMUNITY ENGAGEMENT IS A KEY CONSIDERATION</p>	<ul style="list-style-type: none"> ○ Information and communication technologies? ○ Engagement structures such as Advisory Committees? ○ Budget allocation? ○ Staff time?
---	--

Community Issues	Considerations may include
<p>DEMOGRAPHIC FEATURES</p>	<ul style="list-style-type: none"> ● What is the age and gender mix? ● What levels of literacy exist? ● What is the socio-economic mix – is it representative of the whole community? ● What languages are spoken in the community? ● What cultural protocols need to be adhered to? ● What percentage of the community is employed and when do they work? ● Do community members have access to transport?

<p>PREFERENCES FOR ENGAGEMENT</p>	<ul style="list-style-type: none"> ● Have community members expressed particular preferences regarding engagement e.g. to be involved in information sharing, consultation or active participation?
-----------------------------------	--

<p>PREVIOUS EXPERIENCE(S) WITH THE COOK SHIRE COMMUNITY ENGAGEMENT PROCESSES</p>	<ul style="list-style-type: none"> ● Has previous engagement with Cook Shire Council been largely positive or negative? ● What percentage of the population has not previously engaged with Cook Shire Council? ● Is there trust and connectedness within the community with the Cook Shire Council?
--	---

<p>CAPACITY FOR COMMUNITY ENGAGEMENT</p>	<ul style="list-style-type: none"> ● Do community members have the knowledge needed to participate? (e.g. to critique planning models, understand architectural/engineering plans) ● Do community members have the resources needed to participate? (e.g. time, internet access) ● Do community members have the skills needed to participate? (e.g. public speaking) ● Do community members have access to necessary infrastructure needed to participate? (e.g. child care, transport, disability access)
--	---

<p>EXISTING ENGAGEMENT STRUCTURES AND PROCESSES</p>	<ul style="list-style-type: none"> ● Are there existing networks, committees, structures to support a Community Engagement process within the community? ● Who are these contact people? ● Are there sporting, religious, professional and other groups who already engage with the community? Will they support this engagement? ● Are there existing newsletters, radio stations, website, etc that the community accesses?
---	---

<p>NATURE OF IMPACT</p>	<ul style="list-style-type: none"> ● Who is directly impacted by the issue? ● Who is indirectly impacted by the issue? ● Who is interested but not necessarily impacted? ● Is public opinion positive, negative, divided or indifferent?
-------------------------	--

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Process Issues	Considerations may include
INCLUSIVENESS & DIVERSITY	<ul style="list-style-type: none"> • What consideration needs to be given to venues, language, print type, timing, etc to ensure that engagement is accessible to all? • Is capacity building required to enable all people to be effectively engaged? • What techniques are required to enable all voices to be heard? • What promotion is required to encourage wide participation? • Are there groups of disengaged or unengaged people within the community who could be engaged? • What will it take to engage these groups? • Can engagement processes be implemented in times and places that are comfortable to the community? • Can engagement processes link with community radio stations, newsletters, websites etc? • What transport arrangements need to be organised to support participants who would not otherwise be able to attend? • Can we provide disability access for differently-aided people? • Does information need to be provided in languages other than English and/or large font format? • Can the information be articulated to those who are illiterate or those with disabilities? • Will diverse groups interact well in group situations or are parallel processes required? • Are there cultural protocols which need to be honoured? • Will targeted processes and/or culturally, age and gender appropriate facilitators enhance the effectiveness of engagement?
BEING LISTENED TO	<ul style="list-style-type: none"> • What will community members gain from being engaged? • How will community members' contributions be recognised and valued? • How will community feedback on the engagement process be received and used? • Will engagement processes be flexible to accommodate changing community issues? • Is Cook Shire Council listening or just talking?
INTEGRITY OF PROCESS	<ul style="list-style-type: none"> • How can the honesty, openness and accountability of the engagement process be demonstrated? • Is there a commitment to carefully planning, implementing and evaluating the engagement technique? • Are there sufficient resources to implement the technique effectively , including: <ul style="list-style-type: none"> ○ Advertising and publishing, printing and circulating information? ○ Hire of venue, facilitators, translators, child care, staff, catering, meeting costs?

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

	<ul style="list-style-type: none">○ Professional, technical, casual and support staff?● Will the technique build government and/or community capacity for future engagement?● Will the technique build trust between Cook Shire Council and the community?● Will the technique support sustainable community and/or State/Federal Government outcomes and funding requirements/
--	--

6. Community Engagement Plan and Template

All Community Engagement activities conducted by Council will have an engagement plan developed which has been endorsed by the Community Engagement Officer or Executive Management Team where appropriate. Appendix 1 contains a template for a community engagement plan.

7. Follow Up and Feedback

As people are often asked to contribute in a voluntary way and give many hours of their time in Community Engagement processes, it is essential to provide feedback to participants. It is equally important to recognise that this 'feedback' allows participants to see if their opinions, views and ideas have been accurately represented in the decision making process thereby increasing their sense of ownership of the outcomes of that particular issue.

It is wise to establish very early on in the Community Engagement process 'the how', 'the when' and 'by whom' this follow up and feedback process will occur.

Generally, within any Community Engagement process, questions and answers throughout the meetings always play a large part, as feedback spontaneously occurs, however it is vital that participants know the 'and' of process follow up and feedback arrangements.

In short, **follow up and feedback** will:

- Give confidence in continuing participation
- Clarify if community views have been understood
- Foster relationships between all parties
- Build trust in the community engagement process
- Provide measures of effectiveness of the community engagement techniques used
- Answer questions raised by participants
- Detail and changes made along the way
- Provide any information about future participation

Some methods of how **follow up and feedback** will be provided could include:

- Writing letters or emails to all participants
- Providing summary report workshops or community information sessions
- Acknowledging written submissions
- Presentations to community groups
- Publishing newsletters, posters, etc
- Publish on the internet or interactive website (chat room, Facebook, etc)
- Media releases and communications
- Using informal networks
- Talking to participants individually – phone or face to face
- Sending SMS messages on where information can be found

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

8. Evaluating Community Engagement Activities

Every Community Engagement project should have a level of evaluation; this will provide an insight as to the appropriateness of the Community Engagement process and any pit fall or successes which may be helpful for future engagement sessions.

All aspects of the Community Engagement plan should be evaluated, with particular attention given to the following:

- Who is doing this role and how is feedback being provided to those involved?
- Was the engagement level used appropriate?
- Did the tools used help achieve the stated aims and objectives?
- Did the process benefit stakeholders?
- What has changed as a result of the engagement process?
- Did the engagement process influence the outcomes of the project?
- Did the participants receive appropriate feedback throughout the process?
- Were timeframes met?
- Was there anything about the process that could be improved for the next time? If so, how will this information be documented, passed on to others and used in future planning of Community Engagement activities?

Some of this evaluation should be performed along the way and should involve participants. Some options that will assist in accurate evaluation could include:

- Asking participants to fill out a simple evaluation survey at the end of each phase of engagement so reflection can become part of the engagement process and that the desired goals of the Community Engagement process are being achieved
- Keeping a record of meeting attendance numbers, contact details and where the participants came from at each stage of the engagement process

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

9. When Community Engagement is Required

Consultation Events	Applicable Act	Section of the Act	Inform	Consult	Involve	Collaborate	Empower
Council Community Plan							
Council Corporate Plan							
Annual Report							
Council Budget							
Rates and Charges reviews							
Local Laws							
Service Delivery Processes							
Customer Satisfaction Surveys							
Reduction of Changes in Services							
Council Asset reviews							
Council Initiated Policies or Strategies							
Policies							
Strategies							
Community Facilities Management Plans							
CSC – Town Planning Applications or Major Projects							
CSC Major Projects							
Planning Scheme Amendments							
Community Driven Projects under Auspice of CSC							
Community Facilities Redevelopment							
Other Regulatory Authority Requests							
Road Closures							
Changes in Service Access							

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Appendix 1



Community Engagement Project Plan Template

Project Details
Contact Person for the Project:
Project Team Members and Contact Details:
Project Name:
Project Description:

Who is directly impacted by this project?	
Who is indirectly impacted by this project?	
Who is interested but not necessarily impacted?	
Will public opinion be positive, negative, divided or indifferent?	
Time frame for total project: Commencement of project concept through to Council agenda listing – <i>Including all milestones in process, all community engagement processes, all technical reports, all staff processes and all briefings to Council</i>	
What is the time frame for the community engagement process? <i>Is it realistic? Is there a critical path chart prepared for this process?</i>	
What technique for Community Engagement?	
Inform – To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions	Inform
Consult – To obtain public feedback on analysis, alternatives and/or decision	Consult
Involve - To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	Involve
Collaborate - To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	Collaborate
Empower - To place final decision making in the hands of the public.	Empower
Which method (if any) will be used to inform the community?	
	Y/N Who When
Fact sheets	
Public information sessions	
CSC Website	
Notices to residents in the relevant locality	
Media releases	
Briefings	
Education and awareness activities/programs	
Council office, library and/or shop front displays	
Which method (if any) will be used to consult with the community?	
	Y/N Who When
Article in Cook Shire Connect calling for public comment	
Article in Cooktown News calling for public comment	
Notices to local residents inviting them to make a submission	
One on one discussions	
Q&A and response sheets, asked in person or sent out to residents and	

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

followed up with a phone call			
Focus groups			
Open days			
Public meetings where displays are on show and input is clearly requested			
Web-based consultation: Interactive website capability Internet surveys Discussion boards Email feedback Online forums or chat rooms			
Which method (if any) will be used to involve the community?			
	Y/N	Who	When
Community engagement workshops, focus groups: Brainstorming sessions, direct ideas and concepts, vision writing workshops			
Polling – Closed questions, yes or no answers			
Solicit involvement by direct conversations with resident			
Which method (if any) will be used to collaborate with the community?			
	Y/N	Who	When
Specific purpose committees – invited representatives			
Consensus decision making			
Concepts workshops where interested people come together to identify issues, deliberate about preferred outcomes and create plans for the future			
Which method (if any) will be used to involve the community?			
	Y/N	Who	When
Ballots			
Delegated decisions			
Community panels/committees in charge of the whole process			
What are the perceived outcomes of this Community Engagement process? <i>Does it fit within the chosen technique of Community Engagement?</i>			
Are there particular groups that should be targeted for engagement? <i>Apart from general participants. Who are we consulting and why?</i>			
What is the budget for engagement? <i>Take into account the cost of printing, advertising, postage, staff time, facilitator's time, venue hire, catering costs.</i>			
<i>Does the budget restrict the Community Engagement process? Does the level of Community Engagement need to be reviewed in line with budget?</i>			
What are the Community Engagement considerations? <i>Has appropriate considerations been given to the following issues:</i>			
<ul style="list-style-type: none"> • <i>Why is CSC engaging the community</i> • <i>Do the benefits of engaging outweigh the costs of not engaging</i> • <i>Is collaboration possible or necessary</i> • <i>What level of political support or awareness exists about the proposed engagement</i> • <i>Is it a contested issue</i> • <i>Is engagement required by legislation</i> • <i>What resources are available to support the engagement – e.g. skilled facilitators and managers, IT capability, budget allocation for staff time and materials, venue hire, catering</i> 			

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<ul style="list-style-type: none"> • <i>What is the demographics of the community – e.g. age, gender, religion, literacy</i> • <i>Will the views represent the views of the whole community</i> • <i>Do community members have knowledge of the topic, resources needed to participate</i> • <i>Are there existing networks to support and engagement process within the community</i> • <i>Will these existing networks support this engagement</i> • <i>Are there existing newsletters, websites that the community accesses</i> • <i>Do any stakeholder groups have special needs for access to buildings, print size of publications, etc</i> 	
<p>Has a Communications Plan been prepared?</p> <p><i>Has CSC's Media and Communications Officer been consulted? Is there a media plan that supports the Communications Plan?</i></p>	
<p>Expected issues, concerns or problems or special considerations</p> <p><i>These could be internal or political, they could relate to the sensitivity of the project, timing, budget considerations, etc. Are there any privacy issues that require consideration?</i></p>	
<p>Databases, internet, emails</p> <p><i>Is there a suitable database for communications with stakeholder groups? Is the Community Engagement process IT accessible?</i></p>	
<p>Reporting, Feedback, Documented Outcomes</p> <p><i>How will the community participants, council and staff be given feedback throughout the project?</i></p>	
<p>In House – CSC Evaluation</p> <p><i>How will the Community Engagement process be evaluated? Consider:</i></p> <ul style="list-style-type: none"> • <i>who was consulted</i> • <i>adequacy of timeframes</i> • <i>information provided and gained</i> • <i>cost</i> • <i>Were expectations and aims met</i> 	

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Appendix 2



Stakeholder Analysis – Community Engagement

Fill out the following Stakeholder Evaluation Matrix to help understand who the stakeholders are and their level of influence on the project. Important, influential stakeholders may require higher level of involvement than stakeholders of little influence.

	Significant Influence	Some Influence	Little Influence
Significant Importance			
Some Importance			
Little Importance			

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Resources and References

International Association for Public Participation (IAP2)

<https://www.iap2.org.au/>

Ararat Rural City Community Engagement Strategy

[http://www.ararat.vic.gov.au/library/document//sp_003 - 2012 -
_community_engagement_strategy.pdf](http://www.ararat.vic.gov.au/library/document//sp_003_-_2012_-_community_engagement_strategy.pdf)

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



COMMUNITY ENGAGEMENT POLICY

INTENT:

Provide direction for Council's community engagement activities and establish a consistent, coordinated approach to community participation in Council's decision making process.

SCOPE:

This policy applies to all Councillors and staff of Cook Shire Council across all areas of Council's operations.

The Community Engagement Policy defines the mechanisms which council will use to engage the community, as outlined in the *Community Engagement Strategy*.

It provides Councillors and staff with a transparent process to identify engagement opportunities and to maximize the benefits of community engagement, as outlined in the *Community Engagement Framework*.

DEFINITIONS:

Council defines successful **community engagement** as:

An effective two-way relationship between Cook Shire Council and the Cook Shire community, in which both sides are well informed and collaborate to improve Council services and ensure responsible decision making in the Shire.

The core structure of community engagement is based on the following:

- Informing:** providing the public with balanced and objective information to assist them in understanding problems/opportunities, solutions/alternatives and decisions.
- Consulting:** asking communities for ideas, testing support for a proposal or obtaining feedback on preferences when there are options available
- Involving:** working directly with the public to ensure that public concerns and needs are consistently understood and considered.
- Collaborating:** partnering with the public in every aspect of the decision, including the development of alternative solutions and the identification of the preferred solution.
- Empowering:** placing final decision making in the hands of the public.

AGENDA AND BUSINESS PAPERS

22 SEPTEMBER 2015

PROVISIONS:

1. LEGISLATION

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

Cook Shire Community Plan 2011-2021

The communities' needs and expectations are identified in the Cook Shire Community Plan 2011-2021. Cook Shire's Community Plan was developed after extensive consultation with the Cook Shire community and other key stakeholders. The information contained in the Plan outlines community goals, strategy and priorities upon which the Corporate Plan has been developed

Cook Shire Council Corporate plan 2012-2017

The Corporate Plan is the link between our community's needs and expectations and the operational activities undertaken by Council. It identifies 'Cooperation' as one of the Council's core values, defined as the principles of 'social inclusion and meaningful community engagement'.

This is further specified under heading 4.3.1 'Active, Creative and Connected' to 'provide to a standard that ensures (at a minimum) legislative compliance and equitable access: e) Community Engagement across all relevant activities'.

Queensland Sustainable Planning Act 2009

Local Government Act 2009

Local Government Regulation 2009

2. RESPONSIBILITIES

All Councillors and operational staff will play a key roles in engaging with the community. Councillors have responsibility for engaging with their local and regional communities; and operational staff has responsibility for engaging the community in their day to day business activities and on agreed projects.

3. POLICY STATEMENT

Cook Shire Council offers various ways for community members to participate in the decision making process and strives to increase the representation of views and opinions of our diverse community. Council believes that it can make better decisions by actively seeking input early in the decision making and policy development process.

Council will use different community engagement strategies and techniques depending upon the issue or project, its particular circumstances and the target audience.

AGENDA AND BUSINESS PAPERS 22 SEPTEMBER 2015

The Engagement Principles model is based on five engagement principles. These key principles underpin Cook Shire Council's approach to community engagement:

1) Timeliness

Council will engage with its community in ways that are timely, open to all, easily understood and not overly resource intensive.

2) Inclusiveness

Council's goal is one of inclusive involvement. All voices matter, all opinions are valued and considered.

3) Integrity

The community has the right to be well informed on issues and receive feedback from council on how its input has been used to inform council decisions.

4) Action Learning

Council is committed to the development of innovative engagement approaches, learning from each engagement experience, and using this knowledge to improve our approach to engagement.

5) Foresight

Council engages with its community not only to learn about and respond to present needs, but also to gain a better understanding of our community's perspective on emerging issues that may affect our preferred future.

This approach provides consistency and facilitates the alignment of performance reporting requirements under the new Queensland Local Government Act (2009). Each principle seeks to clarify the purpose of why Council engages with the community and guide how that engagement occurs.

4. PURPOSE OF ENGAGEMENT

Being clear about the purpose of the engagement is a step that needs serious consideration. A clear purpose will help in the setting of objectives and in determining what method(s) will be selected to engage the community, including who and how they will participate.

Different levels of engagement are appropriate, depending on the complexity of an issue, possible outcomes, timeframes, resources, potential impact on the community and levels of community concern or interest.

Each level of engagement implies a promise to the community. If the promise is not defined, or is misunderstood by the participants or the decision makers, the process may result in dissatisfaction and/or disillusionment.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

5. COMMUNITY ENGAGEMENT FRAMEWORK

Council has developed a Community Engagement Framework that provides a consistent approach to community engagement. It considers:

- the complexity of the issue,
- the potential impact on our community and
- the sensitivity of the issue

	COMPLEXITY		COMMUNITY IMPACT		SENSITIVITY		STRATEGY
LOW	there is one clearly defined issue/problem that has a straightforward solution	<input type="checkbox"/>	the project will have little effect on the community, any changes will be minor	<input type="checkbox"/>	the project has general acceptance throughout the community	<input type="checkbox"/>	Inform
MEDIUM	there are a few issues/problems that have a straightforward solution OR there is one clearly defined issue/problem that has several possible solutions	<input type="checkbox"/>	the project will fix a major problem but the change will cause some inconvenience AND/OR will have a considerable or lasting impact on community	<input type="checkbox"/>	some disagreement regarding the project exists within the community AND/OR There is some potential for community groups/individuals to gain attention by raising the profile of the project	<input type="checkbox"/>	Inform/ consult
							Consult
							Consult/ involve
HIGH	there are multiple issues/problems and there are several possible solutions AND/OR it is unclear how to resolve them	<input type="checkbox"/>	the project will benefit the community, but the impact/inconvenience will be significant AND/OR the degree of acceptance of the changes varies notably among residents	<input type="checkbox"/>	Strong disagreement within the community or between community and decision makers AND/OR There is high potential for individuals and groups to use the project to gain attention	<input type="checkbox"/>	Involve Collaborate

The Community Engagement Framework indicates which engagement strategy is appropriate based on the weighting of various factors. Council operational staff across departments will assess activities and projects for which community engagement is indicated and they will make a recommendation to Council based on the Engagement Framework to inform, consult, involve or collaborate, keeping in mind the increasing demand on time and resources these strategies require.

Council will assess these recommendations and make the final decision as to which strategy is required. Engagement techniques can then be selected to suit the circumstances. If the situation changes at a later stage, the engagement strategy may need to be modified.

AGENDA AND BUSINESS PAPERS 22 SEPTEMBER 2015

Using the community engagement core structure and framework, the following techniques have been identified to support engagement strategies

STRATEGY	GOAL	PROMISE TO THE PUBLIC	TECHNIQUES
INFORM	Providing information to the public to assist understanding of how decisions will be/were made.	We will keep you informed	<ul style="list-style-type: none"> - Fact Sheet - Web page - Facebook - Newsletter - Newspaper article - Display - Signage
CONSULT	Obtaining feedback on decisions and preferences when there are options available.	We will listen to you and acknowledge concerns & preferences. We will provide feedback on how your input influenced the decision.	<ul style="list-style-type: none"> - Public comment - Survey - Focus group - Public meeting
INVOLVE	Working together to understand and consider the public's needs and concerns.	We will work with you to ensure your concerns and needs are directly reflected in the decision and provide feedback on how your input influenced this decision.	<ul style="list-style-type: none"> - Workshop - Public meeting - Reference group - Deliberate polling
COLLABORATE	Partnering with the public in all aspects of the decision making.	We will ask you for direct advice and innovation in formulating solutions and we will incorporate your advice and recommendations to the maximum extent possible.	<ul style="list-style-type: none"> - Advisory committee
EMPOWER	Handing over final decision making to the public.	We will implement what you decide.	<ul style="list-style-type: none"> - Delegated decisions

This policy is to remain in force until otherwise determined by Council.

Originally adopted: Adopted by Council January 2014
 Current version: V3
 Date for review: As Required
 Responsible Officer: Director Economic Development & Community Services

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

EC3	RADF – NEW GRANT GUIDELINES AND ADVISORY COMMITTEE	
	<i>Report No.D15/16743 from Arts and Culture Officer</i>	

Précis

Arts Queensland’s Regional Arts Development Fund (RADF) program has been through a renewal process and from 2015, Councils deliver locally tailored RADF programs based on identified priorities, opportunities and capacities of their local communities. Council’s updated guidelines for RADF community funding are available on the Cook Shire website and the Arts and Culture Officer.

In response to community consultation and new Key Performance Outcomes (KPOs) of the renewed RADF program it was identified that the RADF Advisory Committee required members who were more representative of the Shire’s diverse communities. To ensure the Committee membership represents broad community interests, nominations for all positions on the Committee were called during August 2015.

With the required changes to the Committee membership, the Terms of Reference for this Advisory Committee of Council have been reviewed and require ratification by Council.

Background/History

In August the members of the RADF committee were advised of the renewal of the Committee in line with the new program KPOs and invited to reapply under the new criteria. A call for nominations was advertised in the paper and social media.

The Committee has seven positions including a Council appointed representative. In line with other Council advisory committees, Council’s representative will act as Committee Chair.

The selection criteria for the renewed RADF Advisory Committee members is as follows:

- Their ability to represent the Shire’s diverse community groups;
- Their interest in supporting arts and culture in Cook Shire;
- Their willingness to promote the RADF program;
- Their ability to assess applications with impartiality; and
- Their ability to be readily contacted via email.

In the terms of reference established for the RADF Advisory Committee, nominations are assessed by the RADF Committee Chair , Cook Shire Council Mayor and Chief Executive Officer.

From the nominations received, the following recommendations have been made. Another two nominations are being considered and further nominations are being sought to fill the remaining positions.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Name	Community Representation/Interest	Arts and Culture Sector Representation/Interests	Eligible under Selection Criteria
Jody Andrews	<ul style="list-style-type: none"> • Women • Older people • People with a disability • Men • Local Community <p>Work as welfare and pensions officer with Cooktown RSL Sub Branch. Involvement in community fundraising activities and events.</p>	Support and involvement of numerous community arts and culture projects, including assisting and writing grant applications. Personal interest in writing and photography.	Yes
John James	<p>Aboriginal people Torres Strait Islanders Men Local community</p> <p>Personal identification and local community and visitor engagement through employment.</p>	Practicing artist since 2000 and experience working in galleries and museums.	Yes

RADF Advisory Committee Terms of Reference and Guidelines

The following Terms of Reference and Guidelines will be used to support and guide the business and governance practices of the RADF Advisory Committee:

The **terms of reference** of the Cook Shire Council Regional Arts Development Fund (RADF) Advisory Committee are:

- To attend and participate in RADF meetings;
- To provide advice and recommendations to Council on grant applications received from the community in a fair and unbiased manner;
- To be familiar with Council's RADF guidelines and relevant policies and plans;
- To promote the RADF program and identified local priorities;
- Participate in RADF training;
- Abide by the RADF Advisory Committee Code of Conduct
- To work as a team to supports arts and cultural activities in Cook Shire.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

The **guidelines** of the Regional Arts Development Fund (RADF) Committee are:

1. The Committee will consist of a Cook Shire Councilor as Chair and up to six community members. Nominations will be assessed by the RADF Committee Chair, Council's Mayor and Chief Executive Officer. Members will be selected on the following:
 - Their ability to represent the Shire's diverse community groups;
 - Their interest in supporting arts and culture in Cook Shire;
 - Their willingness to promote the RADF program;
 - Their ability to assess applications with impartiality; and
 - Their ability to be readily contacted via email.
2. Committee members may serve for maximum of three years, with an option to step down after one year. Committee members who have served for a continuous three year term are generally required to 'rest' for a period of 12 months before being eligible for re-election although tenure may be extended at the discretion of Council.
3. Members must notify Council's RADF Liaison Officer if they are unable to attend.
4. Minutes will be taken for all committee meetings and distributed to all members and relevant Council officers prior to the next Committee meeting.
5. Members who do not attend two consecutive meetings without apology will be deemed as a non-current member of the advisory committee.
6. A copy of the agenda, and any relevant material including grant applications, will be distributed to all members at least two days prior to the next meeting date.
7. The committee will set meeting date and times at a time and place agreed to by the committee, or as otherwise agreed by Council.
8. If a member has a personal conflict or a perceived conflict of interest in a subject brought before the committee, the member must declare the conflict of interest, so other members are aware of the conflict or perceived conflict. The member can still take part in the discussions. If a member or close family member has material personal interest in the subject the member must declare their interest and cannot take part in the discussion. A conflict of interest or perceived conflict of interest must be recorded in the minutes.
9. Members of the committee are not permitted to receive any material benefit from any project or activity receiving RADF funding. Definition of material benefit is at the discretion of the committee Chair.
10. Recommendations from the committee to Council have to be agreed on by the majority of members.
11. Amendments to Terms of Reference and Guidelines must be approved by Council.

Policy Linkages

Links to Arts and Cultural Policy:

- 1. Council recognises that arts and culture plays an important role in individual and community wellbeing and the formation and expression of identity.**

Council will encourage, facilitate and support:

- 1.1. participation;
- 1.2. diversity in arts, cultural and heritage activities; and
- 1.3. accessibility and inclusiveness.

- 2. Council recognises that arts and culture play an important role in economic diversification, growth and development.**

Council will encourage, facilitate and support:

- 2.1. cultural and heritage tourism;
- 2.2. improved standards and best practice in art form skills, organisational governance and enterprise readiness;

- 3. Council will take an active role in promoting and protecting our cultural and heritage assets.**

- 3.1. Council will encourage, facilitate and support community groups assisting with the preservation of the Shire's cultural heritage.

Links to Corporate Plan:

4.3.1 c) Support and advocacy for community groups, clubs, societies and organisations.

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

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

4.5.1 d) Recognition of diversity within the shire's community whilst valuing and encouraging equity and inclusiveness.

4.5.3 a) Support community management with reference to cultural heritage endeavours.

Consultation

Consultation occurred prior to the renewal of the RADF program by the Arts and Culture Officer.

Policy Implications

The RADF Committee is an Advisory Committee to Council on the RADF funding program and general arts and cultural policies under section 265 of the Local Government (Operations) Regulation 2012

Chapter 8 Administration

Part 2 Local government meetings and committees

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

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.

Financial and Resource Implications (Budgetary)

The time taken for new Committee Member inductions and training by the RADF Liaison Officer and Chair of the RADF Committee.

RECOMMENDATIONS

That Council's nominate its representative on the RADF Advisory Committee who will also serve as the Committee Chair;

That Council appoints Jody Andrews and John James to the RADF Advisory Committee;

That Council ratifies the Terms of Reference and Guidelines for the RADF Advisory Committee.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

EC4	SHOW DAY HOLIDAY 2016	
	<i>Report No.D15/17107 from Director Economic Development & Community Services</i>	

Précis

The Cooktown Regional Agriculture & Recreational Show Society Inc (The Society) has requested that Wednesday 27th July 2016 be requested as a holiday under the Holidays Act 1983.

This is a change from the 2015 Show Day holiday which was held on Friday 31st July.

The Society have advised that the 2016 Show will be held over two days with the 27th July holiday meets the Society's obligations to the Queensland Northern Sub Chamber, the Showman's Guild and the Queensland 2016 Show circuit.

Notice of Council's determination of a special holiday for 2016 was required to be lodged with the Queensland Treasury by Friday 4th September however an extension was granted so the matter could be considered at the September 2015 Council meeting.

Background/History

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

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

Link to Corporate and Operational Plans

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

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

Consultation

Nil

Legal Implications (Statutory, basis, legal risks)

Nil

Policy Implications

Nil

Financial and Resource Implications (Budgetary)/Risk Assessment

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Nil

RECOMMENDATION

That Council determine whether to authorise the Chief Executive Officer to request Wednesday 27th July 2016 be declared a Show Day Holiday under the Holiday Act 1983

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



*Cooktown Regional Agricultural & Recreational
Show Society Inc.*

Your ref:

31st August 2015

Gary Kerr

Director Economic Development & Community Services
Cook Shire Council
Po Box 3
Cooktown 4895

Dear Gary

RE: REQUEST FOR THE APPOINTMENT OF SHOW DAY HOLIDAY 2016

In response to Council's phone conversation requesting the Cooktown Regional Agricultural & Recreational Show Society submit their designated Show Day holiday in 2016.

The Show Society would like to ask that Cook Shire Council send correspondence on our behalf to the Department of Justice and Attorney General to approve Wednesday 27th July 2016 as the Cook Shire gazetted Show Day public holiday.

The 2016 Show will once again be ran over two days. The submitted date ensures we meet our obligation to the Queensland (QLD) Northern Region Sub Chamber, QLD 2016 Show circuit and the Showman's Guild.

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

For further enquiries regarding the above matter please contact The Society's Chief Steward, Jack Degney on 0499 015 261.

Yours faithfully

Jack Degney

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

Mail ~ Po Box 1012 Cooktown 4895

PH: 0499 015 261

ABN ~ 19 364366827

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

CORPORATE SERVICES

FINANCE

F1	REVENUE AND EXPENDITURE – AUGUST 2015	
	<i>Report D15/16739 from Director of Corporate Services</i>	

RECOMMENDATIONS

That the Revenue and Expenditure Statements for August 2015 be adopted

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Cook Shire Council Income Statement				
For Period Ended 31st August 2015				
	Actual to		Amended Bgt	Original Budget
% of Year Completed 16.7%	31/08/2015	%	2015-16	2015-16
Income				
Recurrent Revenue				
Rates, Levies & Charges	2,993,868	46%	6,529,850	6,529,850
Sales of Goods & Major Services	1,558,508	57%	2,712,375	2,712,375
Fees & Charges	121,035	13%	924,260	924,260
Rental Income	88,414	31%	281,400	281,400
Interest Received	38,581	20%	194,400	194,400
Private Works	1,361	2%	85,000	85,000
FAGs Grant	5,390,114	61%	8,824,000	8,824,000
Other Operating Grants & Subsidies	45,434	16%	276,100	276,100
Other Income	6,784	9%	71,850	71,850
	10,244,101	51%	19,899,235	19,899,235
Capital Revenue				
Grants & Subsidies	1,000,000	14%	7,004,500	7,004,500
NDRRA Grants	9,959,724	44%	22,400,000	22,400,000
Profit on Asset Sales	0		0	0
	10,959,724	37%	29,404,500	29,404,500
Total Income	21,203,825	43%	49,303,735	49,303,735
Expenses				
Recurrent Expenses				
Employee Costs (Net of Flood)	1,295,824	14%	9,196,062	9,196,062
Materials & Services	2,077,111	25%	8,182,280	8,182,280
Finance Costs	2,197	1%	312,200	312,200
Depreciation	1,433,175	17%	8,599,050	8,599,050
	4,808,307	18%	26,289,592	26,289,592
Capital Expenses				
NDRRA Expenditure	11,114,306		22,400,000	22,400,000
Loss on Asset Sales	0		0	0
Total Expenses	15,922,613	33%	48,689,592	48,689,592
Net Result Surplus/(Deficit)	5,281,212		614,143	614,143
Add Back Capital Transaction	154,581		(7,004,500)	(7,004,500)
Operating Result (Deficit)	5,435,793		(6,390,357)	(6,390,357)

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Cook Shire Council - Revenue & Expenditure Financial Year 2015-16										
	Revenue			Expenditure			Surplus/(Deficit)			
% of year completed 16.7%	Actual to 31/8/15	Original Budget	% of Budget	Actual to 31/8/15	Original Budget	% of Budget	Actual to 31/8/15	Original Budget	% of Budget	Comment
Executive Management										
CEO's Office	0	32,000		203,386	671,200	30.3%	(203,386)	(639,200)	31.8%	
Elected Members	0	0		89,993	468,900	19.2%	(89,993)	(468,900)	19.2%	
HR & WH&S	0	0		47,713	327,900	14.6%	(47,713)	(327,900)	14.6%	
Executive Mgt Total	0	32,000		341,092	1,468,000	23.2%	(341,092)	(1,436,000)	23.8%	
Corporate Services										
Corporate Services Mgt		0		86,045	525,350	16.4%	(86,045)	(525,350)	16.4%	
Rates Operations	1,713,166	3,314,900	51.7%	16,956	149,250	11.4%	1,696,210	3,165,650	53.6%	
Financial Services										
- Grants: FAGs/Operating	4,423,765	7,206,000	61.4%		0		4,423,765	7,206,000	61.4%	FAGs General Portion
- Grants: Capital	1,000,000	7,004,500	0.0%		0		1,000,000	7,004,500	14.3%	Waterfront, - R4R & State/R2R
- Interest Income	38,581	146,000	26.4%		0		38,581	146,000	26.4%	
- Profit & Loss-Asset Sales		0	0.0%		0		0	0		
- Other Income	11,581	40,000	29.0%		0		11,581	40,000	29.0%	Insurance/Workcover claims
- Insurances		0		249,727	267,000	93.5%	(249,727)	(267,000)	93.5%	Pub Liab \$105 k, M/V \$94 k, ISR \$289 k
- Interest on Loans		0			285,000	0.0%	0	(285,000)	0.0%	Quarterly payment
- Other Expenses		0		5,079	27,200	18.7%	(5,079)	(27,200)	18.7%	Bank Charges
On cost Recovery	439,188	3,420,000	12.8%	627,545	3,315,000	18.9%	(188,357)	105,000	-179.4%	W/Comp \$256 k
IT Services		0	0.0%	94,833	523,500	18.1%	(94,833)	(523,500)	18.1%	Includes Software annual cost
Business Services	1,290	10,000	12.9%	68,032	543,600	12.5%	(66,742)	(533,600)	12.5%	Tenders, Service Fees
Community Buildings	26,763	153,200	17.5%	132,688	566,700	23.4%	(105,925)	(413,500)	25.6%	Ins \$45k
Endeavour Lodge	21,118	122,400	17.3%	39,626	165,850	23.9%	(18,508)	(43,450)	42.6%	Contract staff
Admin & Financial Services	46,786	25,600	182.8%	51,618	440,600	11.7%	(4,832)	(415,000)	1.2%	Back charges and Catholic School rates
Stores Operations	4,514	35,000	12.9%	32,925	205,600	16.0%	(28,411)	(170,600)	16.7%	
Admin Overheads Recovery	213,700	1,398,820	15.3%	0	0	0.0%	213,700	1,398,820	15.3%	
Corporate Services Total	7,940,452	22,876,420	34.7%	1,405,074	7,014,650	20.0%	6,535,378	15,861,770	41.2%	
Engineering										
Mgr Engineering Services	2,098	12,000	17.5%	259,196	1,775,200	14.6%	(257,098)	(1,763,200)	14.6%	
Parks & Gardens	0	0	0.0%	228,887	1,501,750	15.2%	(228,887)	(1,501,750)	15.2%	
Road Infrastructure	966,349	1,618,000	59.7%	1,037,520	6,422,700	16.2%	(71,171)	(4,804,700)	1.5%	FAGs **TIDs in Finance, Depn \$5.5m
Water Infrastructure	420,637	1,815,300	23.2%	487,578	2,850,150	17.1%	(66,941)	(1,034,850)	6.5%	Water consumption to be charged
Sewerage Infrastructure	595,597	1,185,700	50.2%	236,941	1,454,950	16.3%	358,656	(269,250)	-133.2%	
Airport Operations	110,624	801,000	13.8%	154,943	1,094,200	14.2%	(44,319)	(293,200)	15.1%	
Commercial Operations	1,465,635	2,030,000	72.2%	255,929	556,600	46.0%	1,209,706	1,473,400	82.1%	Gravel Sales
Works Depot	0	0	0.0%	30,403	149,050	20.4%	(30,403)	(149,050)	20.4%	
Plant	447,131	1,986,000	22.5%	328,215	2,147,250	15.3%	118,916	(161,250)	-73.7%	
Private Works	1,361	0	0.0%	12,018	0	0.0%	(10,657)	0	0.0%	
Flood Damage	9,959,724	22,400,000	44.5%	11,114,306	22,400,000	49.6%	(1,154,582)	0	0.0%	
Services Functions	0	0		15,612	172,350	0.0%	(15,612)	(172,350)	9.1%	Pre cyclone Clean-up
Engineering Total	13,969,156	31,848,000	43.9%	14,161,548	40,524,200	34.9%	(192,392)	(8,676,200)	2.2%	

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Cook Shire Council - Revenue & Expenditure Financial Year 2015-16										
	Revenue			Expenditure			Surplus/(Deficit)			
% of year completed 16.7%	Actual to 31/8/15	Original Budget	% of Budget	Actual to 31/8/15	Original Budget	% of Budget	Actual to 31/8/15	Original Budget	% of Budget	Comment
Economic Dev & Comm Serv										
Comm Serv Mgt		0		50,431	336,174	15.0%	(50,431)	(336,174)	15.0%	
Community Events	4,689	0	0.0%	22,041	106,000	20.8%	(17,352)	(106,000)	16.4%	
Community Development		0		14,868	6,500	228.7%	(14,868)	(6,500)	0.0%	
Grants		0		13,660	96,000	14.2%	(13,660)	(96,000)	0.0%	
Economic Dev/Grants		19,000		27,564	171,001	16.1%	(27,564)	(152,001)	18.1%	
Media & Marketing		0		17,886	188,606	9.5%	(17,886)	(188,606)	9.5%	
Arts & Culture	40,855	58,000	70.4%	8,979	92,695	9.7%	31,876	(34,695)	0.0%	
Libraries	773	8,600	9.0%	43,394	270,846	16.0%	(42,621)	(262,246)	16.3%	
Sports & Recreation	1,195	43,850	2.7%	28,430	275,439	10.3%	(27,235)	(231,589)	11.8%	
Events Centre	3,524	10,000	35.2%	106,225	506,100	21.0%	(102,701)	(496,100)	20.7%	
Tourism & Events	894	11,000	8.1%	20,781	163,151	12.7%	(19,887)	(152,151)	13.1%	
Natures Powerhouse		0	0.0%	22,481	207,000	10.9%	(22,481)	(207,000)	10.9%	
Community Services Total	51,930	150,450	34.5%	376,740	2,419,512	15.6%	(324,810)	(2,269,062)	14.3%	
Planning & Environment										
Manager Planning & Environ.		0		21,006	324,500	6.5%	(21,006)	(324,500)	6.5%	
Planning & Land Tenure	7,069	86,500	8.2%	64,525	557,800	11.6%	(57,456)	(471,300)	12.2%	
Building	22,366	111,500	20.1%	66,324	557,450	11.9%	(43,958)	(445,950)	9.9%	
Pest Mgt & Local Laws	4,654	16,625	28.0%	58,059	190,250	30.5%	(53,405)	(173,625)	30.8%	
Health & Environment	6,624	34,560	19.2%	46,159	524,470	8.8%	(39,535)	(489,910)	8.1%	Annual Fees
Waste Management	216,530	781,900	27.7%	373,809	1,545,350	24.2%	(157,279)	(763,450)	20.6%	
Environmental Levy	105,184	206,000	51.1%	0	0	0.0%	105,184	206,000	51.1%	
Cemeteries	1,164	6,850	17.0%	5,113	51,750	9.9%	(3,949)	(44,900)	8.8%	
SES		22,000	0.0%	13,616	41,500	32.8%	(13,616)	(19,500)	69.8%	
Land Tenure	554	45,000	1.2%	25,568	234,430	10.9%	(25,014)	(189,430)	13.2%	Nat Title Grant
Landcare Facilitator		105,000	0.0%	4,051	144,050	2.8%	(4,051)	(39,050)	0.0%	
Biosecurity		380,000	0.0%	81,787	490,750	16.7%	(81,787)	(110,750)	73.8%	
Planning & Environ Total	364,145	1,795,935	20.3%	760,017	4,662,300	16.3%	(395,872)	(2,866,365)	13.8%	
Total Revenue & Exp	22,325,683	56,702,805	39.4%	17,044,471	56,088,662	30.4%	5,281,212	614,143	859.9%	
Add Back Capital Trans	(10,959,724)	(7,004,500)	156.5%	(11,114,305)	0		154,581	(7,004,500)		
Operating Rev & Exp	11,365,959	49,698,305	22.9%	5,930,166	56,088,662	10.6%	5,435,793	(6,390,357)		

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Cook Shire Council Balance Sheet				
For Financial Year 2015-16				
	Actual to 31/08/2015	% Diff	Amended Budget	Budget 2015-16
Current Assets				
Cash & Cash Equivalents	361,187	20%	301,150	301,150
Investments	10,854,733	39%	7,800,000	7,800,000
Rate Debtors (Net of Advances)	2,791,702	369%	595,000	595,000
Trade Debtors	199,038	-56%	450,000	450,000
Other Receivables	287,276	0%	0	0
Inventories	606,691	8%	560,000	560,000
Total Current Assets	15,100,626	56%	9,706,150	9,706,150
Non-Current Assets				
Property, Plant & Equipment	280,423,024	12%	249,495,948	249,495,948
Capital Works in Progress	8,587,216	27%	6,750,000	6,750,000
Total Non-Current Assets	289,010,240	13%	256,245,948	256,245,948
Total Assets	304,110,866	14%	265,952,098	265,952,098
Current Liabilities				
Trade Creditors	907,841	13%	800,000	800,000
Employee Entitlements	1,176,753	27%	930,000	930,000
Other Payables (Incl GST Bal)	84	0%	0	0
NDRRA Rec'd in Advance	0		0	0
Borrowings	350,524	23%	285,000	285,000
Working Capital Facility (\$10mil)	0		0	0
Provision for LSL	785,730	40%	560,000	560,000
Total Current Liabilities	3,220,932	125%	2,575,000	2,575,000
Non-Current Liabilities				
Trade Creditors	0		0	0
Employee entitlements	0	0%	0	0
Other Payables	100,284	0%	150,000	150,000
Borrowings	5,144,964	2%	5,050,000	5,050,000
Provision for LSL	275,739	-31%	400,000	400,000
Provision for Gravel Pits	1,547,794	7%	1,440,000	1,440,000
Total Non-Current Liabilities	7,068,780	0%	7,040,000	7,040,000
Total Liabilities	10,289,712	7%	9,615,000	9,615,000
Net Community Assets	293,821,154	15%	256,337,098	256,337,098
Community Equity				
Retained Surplus	70,534,910	6%	66,748,203	66,748,203
Asset Revaluation Surplus	221,860,022	18%	187,890,000	187,890,000
Other Reserves	1,426,221	-16%	1,698,895	1,698,895
Total Community Equity	293,821,154	15%	256,337,098	256,337,098

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

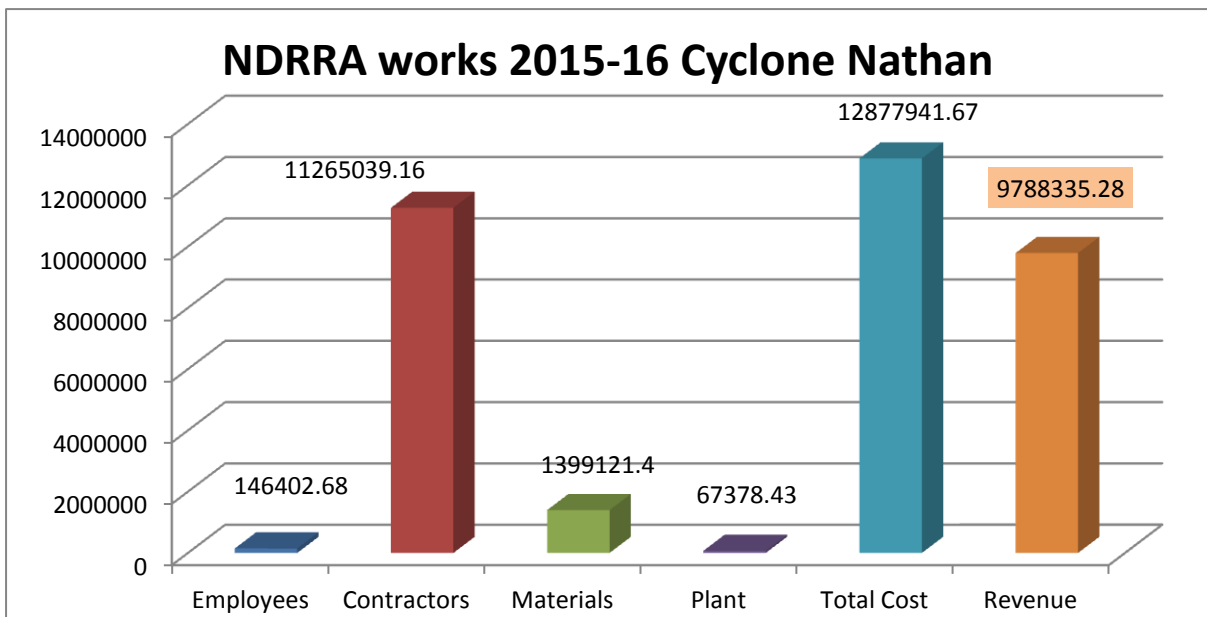
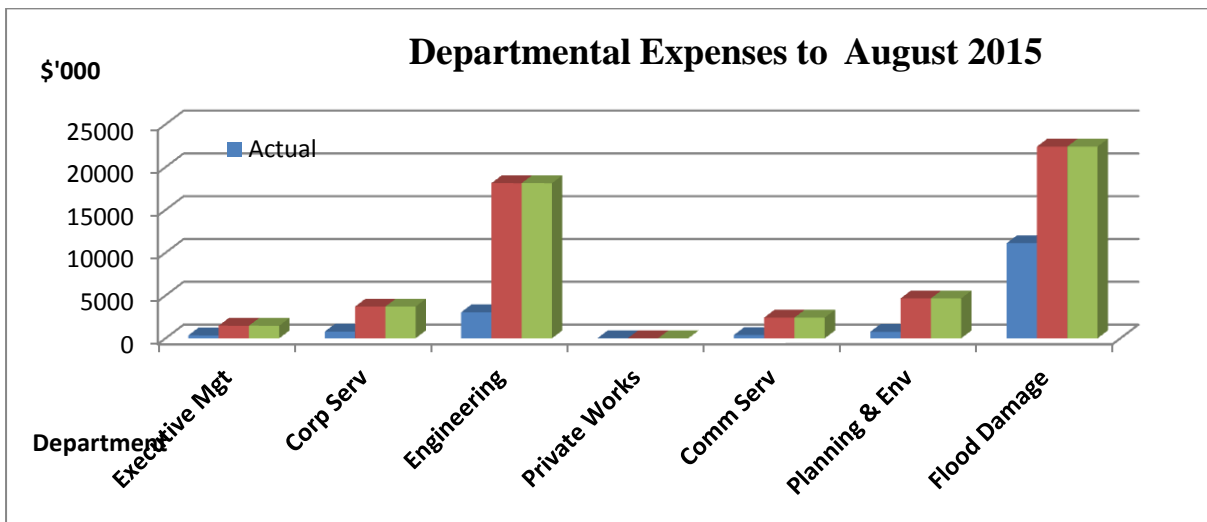
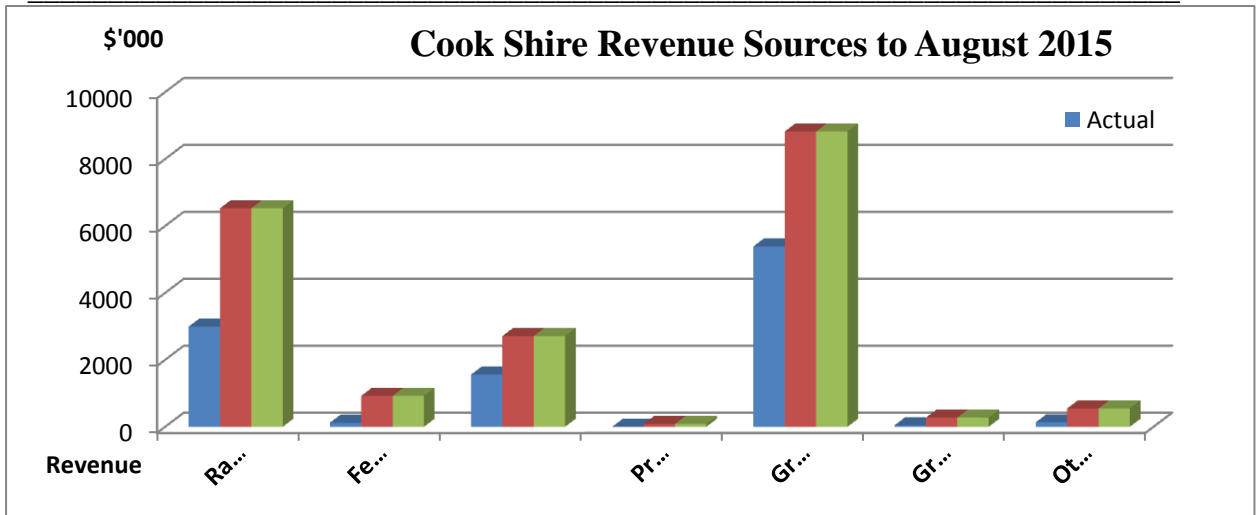
Cook Shire Capital Budget 2015-16 : Expenditure to August 31 2015

Location	WO	Waterfront Project	Budgeted Cost 2015-16	Trade-in Revenue	Funded by approved grants	Funding Body	Funded by Council	Cost to Date	Balance to Date	Comments
Cooktown	2233	Waterfront-Sewerage	55,000				0	47,060	7,940	
	2234	Waterfront-Roadworks/Stormwater/Earthworks	1,011,418		1,066,418	R2R	0	22,778	988,640	
	2238	Waterfront-Irrigation (To Landscaping)	0				0		0	
	2316	Waterfront-Gazebo, Shade Sails	40,000				0	2,183	37,817	
	2317	Waterfront-BBQ's/Shelters					0		0	
	2318	Waterfront-Amenities/Pergola/Eastern Toilet : MTC	1,239,159		1,239,159	R4R, DLGP	0	331,649	907,510	
	2319	Waterfront-Amenities Block : Ancillary (To WO 2318)					0		0	
	2320	Waterfront-Powder Magazine Retro-fit					0		0	
	2321	Waterfront-Landscaping(Pool,Hydromulch,Trees, Soil, Bins)	808,962		848,962	R4R/R2R	0		808,962	
	2322	Waterfront-Lighting	180,921		180,921	R4R	0	2,558	178,363	
	2323	Waterfront-Mains Power	128,250		128,250	R4R	0	3,843	124,407	
	2324	Waterfront-Pool Fence	31,000		31,000		0		31,000	
	2325	Waterfront-Bond Beams & Saltwater Pool Fitout	35,517		35,517		0		35,517	
	2327	Waterfront-Fishing Platforms	422,058		422,058	R4R	0	144,409	277,649	
	2328	Waterfront-Stage Area (TO Landscaping)					0		0	
	2329	Waterfront-Concrete Works: Paths/Slabs					0	69,036	-69,036	
	2330	Waterfront-Water Park (Grant 40%)	343,508		343,508	DLGP	0	327	343,181	
	2331	Waterfront-Gravel Footpaths (To Concrete Works)					0		0	
	2332	Waterfront-Marina Fitout , Fencing	25,000		25,000		0		25,000	
	2342	Waterfront-Consultancy (Prost, B & M, TPG & Michael)	271,730		271,730		0	48,469	223,261	
	2453	Waterfront-Water Mains	135,263		135,263		0		135,263	
	2462	Waterfront-CCTV Grafitti Stop	22,214		22,214	DLGP	0		22,214	
	2485	Waterfront-General Excavation	0				0	32,066	-32,066	
		Waterfront-Retaining Wall					0		0	
		Plaza Concreting					0		0	
							0		0	
		Total Waterfront Expenditure for 2015-16	\$ 4,750,000	\$ -	\$ 4,750,000		\$ -	\$ 704,378	\$ 4,045,622	
					\$ 4,750,000					
		Plant & Infrastructure								
		Various Plant items - to be finalised	620,000	270,000	0	-	350,000		620,000	Plant items to be confirmed
Coen		Coen Toilet Block	40,000	0	0	-	40,000		40,000	Purchased requires fitout and connections
		Photocopier- Admin Office	10,000		0	-	10,000		10,000	Current copier failing too often
		Water & Sewerage infrastructure	250,000	\$0.00	0	-	250,000		250,000	Water & Waste Infrastructure under review
									0	
		Total Plant & Infrastructure Expenditure for 2015-16	920,000	270,000	0	-	650,000	0	920,000	

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Cook Shire Capital Budget 2015-16 : Expenditure to August 31 2015										
Location		Other Capital Project requiring Funding	Budgeted Cost 2015-16	Trade-in Revenue	Funded by approved grants	Funding Body	Funded by Council			Comments
		Roadworks								
Cook Shire	2669	Sailors Hill-Bamaga Road	1,850,000		1,850,000	ATSI TIDs	0	542,380	1,307,620	
		Lukin Overflow-Strathgordon Road	150,000		150,000	ATSI TIDs	0	117,636	32,364	
Cooktown		May Street Seal								Dependent upon Grant Funding
		Cycle Path - 4 Mile								Dependent upon Grant Funding
		Sherrin Esplanade - Widen and seal for parking								Dependent upon Grant Funding
	2339	Hope Street- completion						55,758	-55,758	R2R grant received 2014-15
		Hope St - Levelling								Dependent upon Grant Funding
		Racecourse walkway								Dependent upon Grant Funding
Lakeland		Seal Town Streets								Dependent upon Grant Funding
Ayton		Broadway St Boardwalk								Dependent upon Grant Funding
		Other Structures								
Cook Shire		Starke River facilities for waste								Dependent upon Grant Funding
		Energy efficiency program council buildings								Dependent upon Grant Funding
Cooktown		Landfill rehabilitation								Environmental Levy Reserve available
	305	Airport Subdivision								Dependent upon Grant Funding
		Clubhouse John St oval								Dependent upon Grant Funding
Lakeland		Sports Ground								Dependent upon Grant Funding
		Town boundary fence								Dependent upon Grant Funding
Laura		Town boundary fence								Dependent upon Grant Funding
		Playground								Dependent upon Grant Funding
Portland Roads		Water supply								Dependent upon Grant Funding
		Total Other Capital	\$ 2,000,000	\$ -	\$ 2,000,000		\$ -	\$ 715,774	\$ 1,284,226	
		Total Capex Budget 2014-15	\$ 7,670,000	\$ 270,000	\$ 6,750,000		\$ 650,000	\$ 1,420,152	\$ 6,249,848	

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

BUSINESS SERVICES

BS1	INCLUSION IN FEES AND CHARGES – PER HECTARE COMPENSATION RATE FOR MINING LEASES.	
	<i>Report No.D15/16774 from Business Services Manager</i>	

Précis

Inclusion of compensation agreement rates in Council's 2015/2016 Fees and Charges.

Background/History

The renewal or creation of a mining lease requires that an agreement be entered into between the mining lease Lessee and the land owner.

Section 279 (5) of the *Mineral Resources Act 1989* (MRA) provides that a mining lease shall not be granted or renewed unless an agreement in relation to compensation has been filed or, in the absence of such an agreement, a determination of compensation has been made by the Land Court.

Section 281 of the MRA identifies the matters which must be considered by the Court when determining compensation. In particular, s 281(3)(a) provides that an owner of land is entitled to compensation for:

- (i) *deprivation of possession of the surface of land of the owner;*
- (ii) *diminution of the value of the land of the owner or any improvements thereon;*
- (iii) *diminution of the use made or which may be made of the land of the owner or any improvements thereon;*
- (iv) *severance of any part of the land from other parts thereof or from other land of the owner;* (v) *any surface rights of access;*
- (v) *all loss or expense that arises;*

...as a consequence of the grant or renewal of the mining lease.

Section 281(4) enables various additional factors to be included in the compensation determination. In the present case, only paragraph (e) is relevant. It provides as follows:

- (4) *In assessing the amount of compensation payable under subsection (3)*
 - (e) *an additional amount shall be determined to reflect the compulsory nature of action taken under this part which amount ... shall be not less than 10% of the aggregate amount determined under subsection (3).*

Correspondence from the Land Court nominates (in part) that “*the determination of compensation can be quite challenging.*”

Several Court judgments in the North Queensland area assist with determining compensation over land in the Cook Shire Region. Determinations in the Mareeba District range from \$5 per hectare per year to \$15 per hectare per year

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

In the recent case of *Eacham Abrasive Blasting Pty Ltd v Gundersen & Anor*, an amount of \$10 per hectare per year was decided on for the area covered by mining. \$5 per hectare per year was allocated for access.

It is proposed, to standardise agreements going forward, all Compensation Agreements presented to Council for endorsement include a land compensation amount (to be included in the 2015/2016 Fees and Charges) of

\$10 per hectare per year for the mining lease; and
\$5 per hectare per year for access.

Document processing will be charged at cost in accordance with the existing Fees and Charges (no change).

Link to Corporate Plan

4.0 Leadership and Governance

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

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

Consultation

Interagency

Legal Implications (Statutory, basis, legal risks)

Aligns with current case law and statutory provisions as per the *Mineral Resources Act 1989*

Policy Implications

Nil

Financial and Resource Implications (Budgetary)

Increased revenue by way of compensation for Mining Lease grants and renewals.

RECOMMENDATION

All Compensation Agreements for the grant or renewal of Mining Leases be subject to the following compensation amounts and that a processing fee reflective of the cost to Council for processing the agreement be charged:

\$10 per hectare per year compensation for the for the mining lease; and
\$5 per hectare per year compensation for access.

The above charges to be included in Council's Fees and Charges.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

ADMINISTRATION

A1	WATERFRONT ADVISORY COMMITTEE MINUTES	
	<i>Report No. D15/16755 from Chief Executive Officer</i>	

Précis

Presentation of minutes of the Waterfront Advisory Committee

Background/History

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

Previous meetings of the committee were held on 8 July 2015 and the minutes of the meetings are attached.

Link to Corporate Plan

Legislation

Consultation

Nil

Legal Implications (Statutory, basis, legal risks)

Nil

Policy Implications

None identified

Financial and Resource Implications (Budgetary)/Risk Assessment

RECOMMENDATION

That the minutes of the Waterfront Advisory Committee meeting held on 3 June 2015 and 9 September 2015 be received.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

MINUTES OF WATERFRONT ADVISORY COMMITTEE

3 June 2015

ATTENDANCE Mayor Peter Scott (Chair), Cr Sue Clark, Cr Alan Wilson, Cr Kaz Price, Cr Russell Bowman Cr Penny Johnson, Tim Cronin CEO, Bruce Davidson Interim CEO, , Michael Czarnecki Acting Director of Engineering, John Legget (Black and Moore), Martin Cookson Director of Corporate Services, Gary Kerr Director of Economic Development and Community Services, John Harrison, Town Planning Officer, Lisa Miller Development Coordinator

APOLOGIES Cr Glen Shephard

The Chair, Cr Peter Scott, opened the meeting at 8.40 am on 3 June 2015

1. Financial Summary was tabled. Estimated cost of the project is now \$8.4M. It is expected that funds will be available from R2R (2015/2016) and balance of R2R from 2014/2015.
Current working sheet for the budget will be sent to members with cash forecast that
2. Quotes for electrical works have been received. Michael will provide a quote evaluation to Council's Procurement Officer for implementation.
3. Fishing Lease Agreement – the Fishing Club requires access to the water over the esplanade. This needs to be formalised.
It was proposed to delete the irrigation systems for the Fishing Club lease area. This will now be installed after formalising with the club. The area will also be grassed. This will be formalised with the club
4. Stormwater from the amenities building will now be diverted on a new alignment directly into the river.
5. The cost of the three platforms, including freight is \$294,000.00 if all three are purchased at the one time. All three are to be obtained.,
6. R2R. Michael has had discussions with Alan Chisholm. Council has already approved the allocation of these funds to the project.
7. Black and Moore have been asked for a broader coverage of the project. An agreement is being prepared with a fee for service. Black and Moore will also use their own RPEQ for sign-off.
8. Colour Schemes for the Amenities Block were tabled.
9. Tidal Wall sign-off. The original GHD design was changed with added armament. It has been signed off by the State and is certified.

The meeting closed at 11.03 am.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

MINUTES OF WATERFRONT ADVISORY COMMITTEE

9 September 2015

ATTENDANCE Mayor Peter Scott (Chair), Cr Penny Johnson, Cr Sue Clark, Cr Kaz Price, Cr Russell Bowman, CEO Tim Cronin, Michael Czarniecki Acting Director of Engineering Services, Mark Marziale Director Planning and Environment, Lisa Miller Development Coordinator, John Legett (Black and Moore)

APOLOGIES Cr Glen Shephard, Cr Alan Wilson, Martin Cookson Director Corporate Services, Gary Kerr Director of Economic Development and Community Services.

The Chair, Cr Peter Scott, opened the meeting at 9.00am on 9 September 2015.

10. Financial Summary was tabled with a live cost analysis. Recommendation to resolve that the Project Costs are \$8,332,451.00 and that Council will maintain a 10% contingency of \$833,245.00 as per contractual obligations.
11. Original plans for the project were over a 15 year period. The project commenced in 2007 and as funding became available through the various funding programs Council has progressed the project. Council requests that total project costs be developed for the Committee demonstrating the various funding sources against cost of the project.
12. Engineering department in conjunction with a local provider is developing a shunt for the lagoon to assist with regulating water quality and maintenance serviceability of the lagoon. A number of options are currently being explored and will be presented to the committee at a later date.
13. Fishing platform are currently under construction. Committee would like to see the following included:
 - Fish measuring devices
 - Hoses for clean down of platforms
 - Fish cleaning station (possibly at the wharf)
14. Grassed areas will be completed with a 200mm-300mm mulch layer roll and compacted prior to laying of turf. Gardens will be rolled as funds become available. Potential for residents to assist through engagement activities like 'Donate a Tree.' A list of appropriate trees would need to be released.
15. Marina depth at this stage is at 1.5mtrs but will need definite vessel use type to determine draw levels.
16. Commercial investment through an Expression Of Interest or lease arrangement for the Kiosk with possible future management of the Wharf and Marina. Marina completion works for operation potentially 18 months from full completion.

Meeting adjourned for lunch at 11:00am, resuming at 11:30am.

17. Historical Image of the Waterfront as previously proposed for the building accepted.
18. Potential to extend the bins as per the rest of town with historical images.
19. Where able to be costed a maintenance budget has been submitted by each department for the below areas. Some savings are still possible through how often a service will be required and this will only be determined once the site is being utilised. It is also expected that it will vary due to peak use periods like the tourism season. Cost savings

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

in the use of LED lighting that has minimal impact on residents in the area.
Opportunities for services to be contracted out.

- a. General building and maintenance
- b. Parks and gardens
- c. Lagoon
- d. Splash Pad
- e. Waste Removal
- f. Toilet cleaning
- g. Water charges
- h. Electricity charges
- i. Rates

The meeting closed at 1:00 pm

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

COMMITTEE OF THE WHOLE

INFORMATION

ENGINEERING

	ENGINEERING SERVICES REPORT – SEPTEMBER 2015	
	<i>Report from D15/16809 Engineering Services</i>	

General

Webber Esplanade Reclamation

Please see Waterfront Advisory Committee minutes.

Progress photos attached as Appendix A

2. Water Supply

2.1 Water Report

2.1.1 Annan Treatment Plant

- As there was only 5.5mm of rain this month, there were no changes in the weir heights, and the raw water quality remained high
- One of the lime solution pumps went off line after the VSD failed. The Council electrician has since assessed the problem and a new one has been ordered. As the pump is of line it was a good opportunity to rebuild the motor so new bearings and seals have been fitted
- One of the air compressors failed and as a result the Plant was shut down on low air, the electrician was called and found the fault to be a pressure switch and changed it out, the plant was soon back online
- Routine maintenance has taken place around the Treatment Plant including mowing and fire breaks have been maintained
- Water sampling as per the Sampling matrix were collected and analysed, with all samples complying

2.1.2 Cooktown Water Report

- 5 service repairs for this month
- 2 new services were connected this month, one in Kimberley Street and the other in Baird Road
- 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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- 1 meter was changed in Terminus Street
- A CIP and routine maintenance were performed fortnightly
- 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 from the Lankelly Creek this month
- No service or mains repairs this month
- The CIP tank was flushed and a CIP was performed this month
- The oil was changed on the compressors at the Treatment Plant
- The bores were recharged this month
- The SV's and FH were cleaned and repainted
- 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.

2.2 Waste Water Report

2.2.1 Cooktown Waste Water

- The new bund area for the drums of waste was built this Month
- The D.O. in the AAT was calibrated this month
- Welcon Technologies repaired the Scada Screen remotely as it locked up
- Cooktown Crane Hire was utilised to clean baskets and pull pumps this Month
- The belt filter press shed has been dug out in preparation for the new slab
- Emergency lights have been installed in the SCA room
- The belt tracking arms have been replaced on the belt filter press
- New mounts have been installed on the conveyor belt
- A blockage was removed in the septage receival unit and both pumps were pulled at pump station 8 where blockages were removed and the chain was replaced
- UV Lamps 105, 106 and 117 have been replaced and racks A and C have been cleaned
- AAT and IAT air times have been adjusted
- PU204 was pulled, blockages removed and the chains replaced
- The Sewerage Treatment Plant and the Boundary Street gensets have been run
- 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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- 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
- Routine maintenance was performed at the Sewerage Treatment Plant, which included mowing, brush cutting along the fence line and repairing the fence line to the irrigation paddock due to cows
- Effluent has been pumped to the irrigation paddock this month
- The Chlorine contact tank was cleaned out to remove the accumulation of carry over sludge, reducing the chlorine demand
- Sludge and sand was removed from the drying beds, the beds and drain pipes were cleaned out and new sand replaced
- Samples were collected and sent off for analysis, all complied with the licence requirements

2.3 Maintenance Report

2.3.1 Cooktown Waste Water

- BL 113,275,276,277 had belts oil grease & air filters checked / changed
- BL 506 & 507 belts oil grease & air filters checked
- AG 206 & 256 had belts & bearings greased / checked
- RAS pump 252& 253 had drive belts inspected
- Step screen SC104 had bolts and seals checked
- Inlet works step screen is out of service due to step plate failure
- The oil was changed on the belt filter press compressor
- Maintenance in line with Bigfoot program

2.3.2 Annan

- Changed oils and checked air filters & drive belts on compressors 1 and 2
- All Safety Showers were tested this Month
- All dosing pumps were checked for leaks and oil checked
- The lime spiractor lower cone was removed and cleared of blockages
- A confined space entry was carried out at the intake tower where the raw water pump No 2 was pulled and sent to be overhauled, it has now been returned and installed without fault
- Bearings and seals were replaced on the lime pump No 1 electric motor
- All fluoride dosing pumps pipe work and tanks have been checked for leaks
- Maintenance in line with Big Foot Maintenance Program

2.3.3 Lakeland

- The safety shower and eye test station has been tested this Month

2.3.4 Laura

- Compressor 1 and 2 had oil belts and air filter checked
- A valve pit box was installed at the Treatment Plant Reservoir

Aerodrome Operations

Cooktown Airport

Fuel sales for the month totalled 13936.74 litres (6706.31 Lts Avgas & 7230.43 Lts Jet A1).

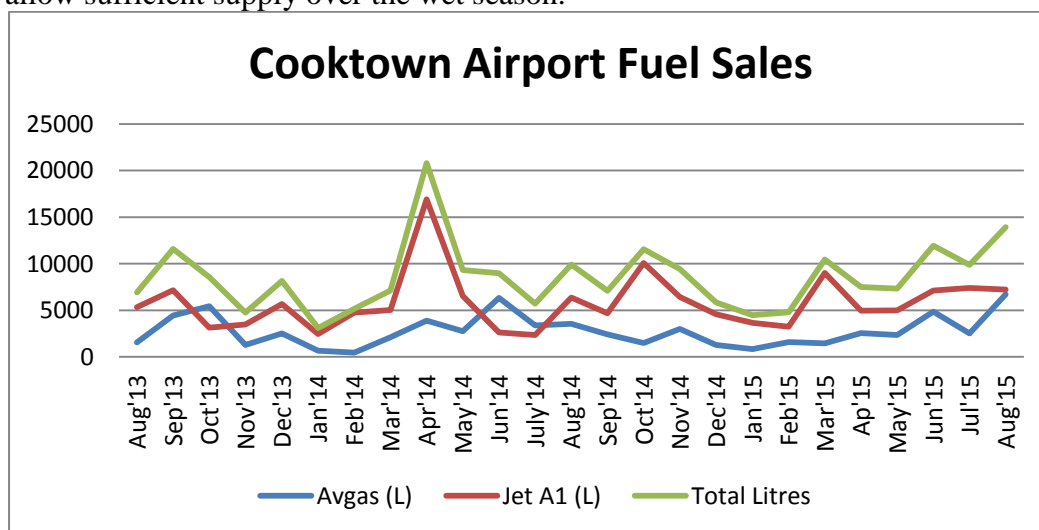
The new LED hazard beacon on Mt Tully was sent to the manufacturers for repair under warranty. Numerous other faults mainly broken bulbs and light fittings have been repaired or replaced. The cleaning and levelling of all runway light fittings is currently underway.

Slashing of the runway approach clear areas has been completed and slashing within the aerodrome boundary continues. Also mowing around landside areas was ongoing throughout the month.

The audit report resulting from CASA's surveillance visit to the Cooktown and Coen aerodromes was received in August. A response to the reports finding has been submitted and remedial work is ongoing.

Preparations are underway in planning for an emergency exercise which is to be held in October at the Cooktown aerodrome.

Preparations are also underway for upcoming projects at the Coen aerodrome, these being the reseal of the Apron and Taxiway and the instillation of an extra AVGAS storage tank to allow sufficient supply over the wet season.



**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Coen Airport

Core business activity

Total landings for the month: 89

Fuel Sales	Avgas	JetA1
Litres	10428	7490
\$ Value	25548.6	11984.00

Plant and Equipment

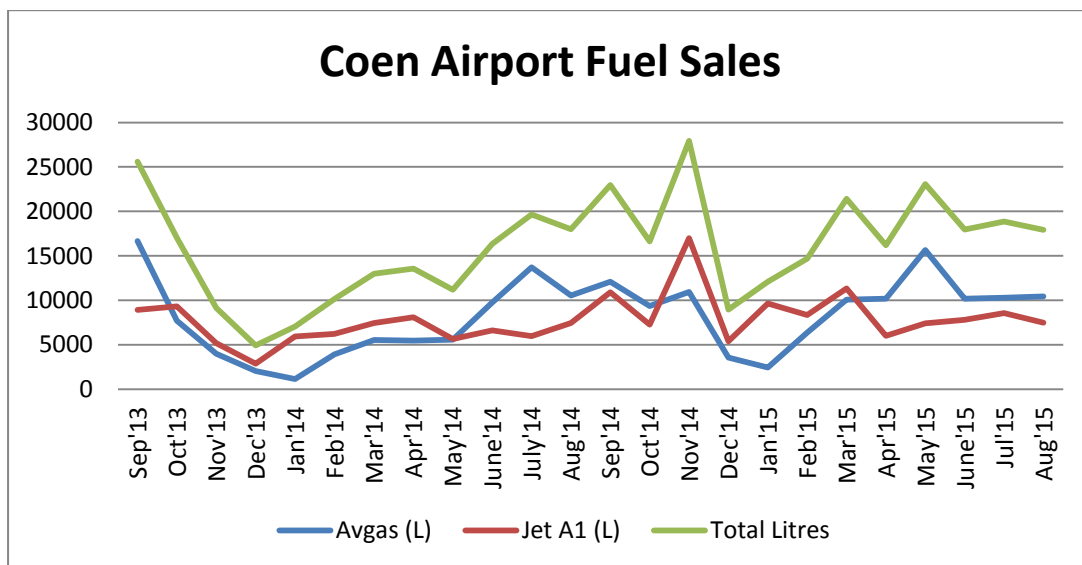
- Tractor seat suspension has not arrived as yet
- Tractor ignition switch is faulty – this causes irregularities in starting and lack of accessories including air-conditioning. The problem has been reported and I believe a new switch may have been ordered.
- New compressor and jacks have arrived so the new tyre can be fitted to the tractor.
- The hydraulic specialist has notified he will be in Coen in the first week of September to look further into the slow Avgas pump. As yet no final solution has been provided.

Aerodrome Maintenance

- Maintenance is carried out as required and refurbishing of gardens around the waiting area is underway.
- Slashing and zero turn mowing airside has been kept to a minimum due to fire risk and unserviceability of tractor for long periods of operation
- Some minor fence repairs have been carried out around perimeter fence.

Other Issues

- Flying doctor is now landing at night again following changes to ERSA entries.



Parks and Gardens

4.1 General

- Tree maintenance – removal of dangerous or damaged limbs, obstructive vegetation, fallen palm fronds etc; clearing of vegetation at Harrigan/Savage St intersection for visibility; felling and removing two dangerous trees in Botanic Gardens. Completion of de-nutting coconut trees within parks, reserves and road reserves around Cooktown; Large dead bloodwood removed from Botanic Gardens
- Mowing and whipper-snipping, including within parks and reserves, the Cooktown cemetery, council blocks and facilities, and road reserves including Helen, Harrigan and Charlotte Streets. Mowing operations now becoming confined to irrigated areas. Similar maintenance undertaken in towns including Rossville, Ayton, Lakeland, Laura, Coen and Portland Roads.
- Loose litter collection within parks and reserves and roadsides, road kill removal and outlying windyloo servicing
- Weed control within parks and streets through herbicide spraying including gutters, channels, footpaths and around posts etc
- Debris removal from roadside gutters and crossovers
- Botanic Gardens and general garden maintenance
- 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; Hand watering of recent and younger street trees, and planter tubs
- Playground inspections undertaken
- John St Oval field line marking and extra bins put out for matches
- Reconciliation Rocks area tidied up
- Assisted with seniors morning tea event
- Mangroves along Sherrin Esplanade cut back from roadway to open up carriageway improve visibility for vehicles
- Staff undertaking training in Cert III Civil Construction, and weed identification and trends at Weed-spotter seminar
- Indoor plants purchased for use at Admin buildings
- Two picnic tables at botanic gardens refitted with new timbers due to deterioration of old ones
- Tree trimming undertaken at Annan water treatment house to facilitate internet connection
- Short-listing for position of mowing crew operator

Appendix A

Splash Pad set out



Shower Wall



Locker Wall



Hand Basin Wall



Toilet & Ensuite waterproofing



Ensuite

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



Bin Enclosure



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

View Mound



Full height retaining wall

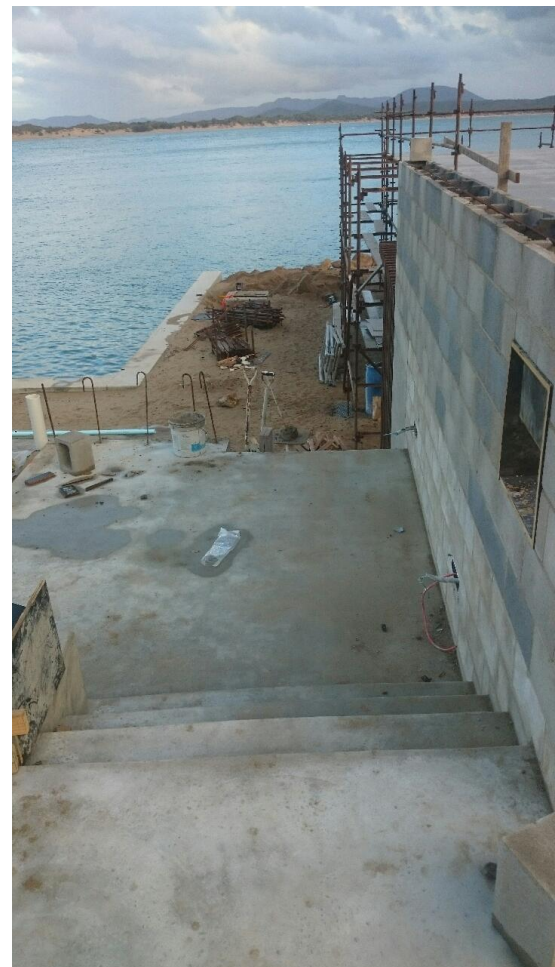
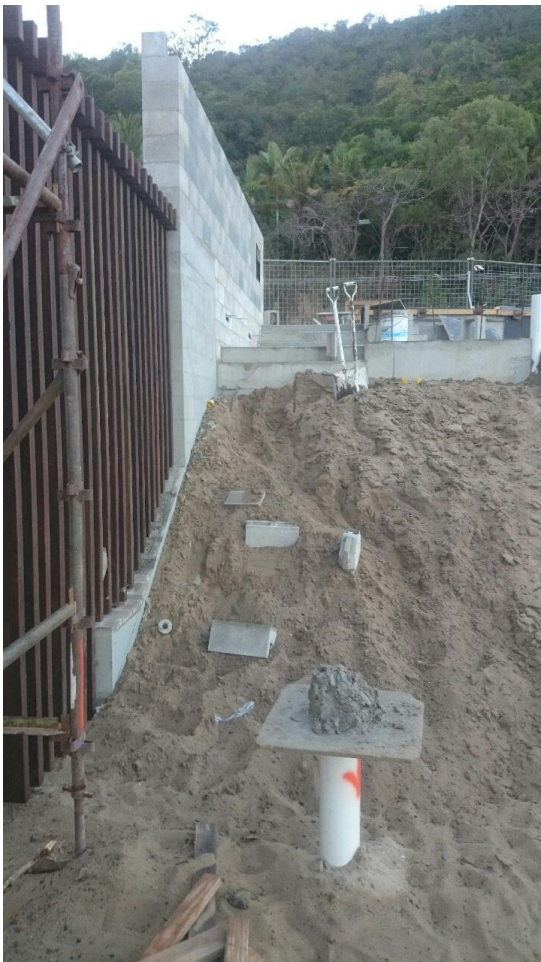


Full height retaining wall

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**



View Mound Stairs Top & Bottom



View Mound exit to roof

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



Ring Chair to be constructed



Hand Rail Wall



Fishing Platform Footings

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Machine Access



Park Lighting footings



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Plant Room set out



Full Site from roof top



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

TRAFFIC COUNTER FIGURES													
	AUGUST	SEPT	OCTOBER	NOV	DEC	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUGUST
	2014	2014	2014	2014	2014	2015	2015	2015	2015	2015	2015	2015	2015
M.R.D. GAZETTALS													
PENINSULAR DEVELOPMENTAL ROAD													
Little Laura River	430	433	344	272	222	67	46	48	176	349	294**	367	321
Musgrave	321	236	236	153	121	25	13	19	104	196	314	377	103**
Coen Aerodrome D.P.I.	227	203	143	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MULLIGAN HIGHWAY													
Town Grid	2055	1876	1876	1620	1151	1555	1024	1524	1718	1759	1815	3019*	2016*
Little Annan Bitumen	723	***	***	557	679	465	373	477	597	812	876	940	727
ENDEAVOUR VALLEY ROAD													
Endeavour Falls	475	484	484	388	286	302	353	353	361	422	468	554	531
COOK SHIRE COUNCIL ROADS													
Moreton	155	142	89	21	36	7	5	2	35	88	184	309	202
Portland Roads Road	80	Counter Burnt	N/A	N/A	49	*	*	*	*	*	173	152	120
Battlecamp Road [Old Laura Stn]	57	43	23	18	8	N/A	N/A	N/A	N/A	*	*	*	
Lakefield Rd (Olivevale)	139	133	115	65	49	***	9	7	25	94	209	221	172
Lakefield Road [New Laura Stn]	116	117	163	28	20	5	4	5	9	46	171	185	170
Marina Plains Road	***	33	33	54	75	2	0**	0**	9	37	75	105	41
Rossville-Bloomfield Road [Blackpinch]	365	***	***	308	338	86**	94**	214**	262	342	394	489	387
Rossville-Bloomfield Road [Willie Creek]	327	296	296	***	376	311	247	*	Discontinued	Discontinued	Discontinued	Discontinued	Discontinued
Rossville-Bloomfield Road [Granite Creek]	397	333	333	392	366	311	***	*	Discontinued	Discontinued	Discontinued	Discontinued	Discontinued
Honey Dam Rd				112	89	61	*	*	76	74	87	97	85
Whites Creek Rd	27	21	18	20	26	8	6	6	19	24	25	34	29
Poison Ck Rd [Minke Rd Intersection]	***	*	*	283	222	172	217	229	160	122	164	*	82
Charlotte Street (Seaview Motel)	2508	2435	2435	2175	2091	2084	1175	1904	1782	1268**	1286**	***	3248*
**** Hose moved from road by mtnc gang.	These figures are Average Daily Traffic counts.												
*** Hose Damaged	6/8/15 - Batteries replaced in Poison Ck Rd counter, hose replaced on Charlotte St counter.												
** Reading Suspect	New counter installed on Charlotte St 15/9/15, more replacements to come												
* Counter Defective													

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

PLANNING AND ENVIRONMENT

BUILDING APPROVALS – FOR THE MONTH OF AUGUST 2015

Report No. D15/16540 from Lisa Miller Development Coordinator

Application No:	Landowner	Builder	Value	Building	Street Address	Certifier
DA/3465	Cameron Orchard	Brett Thornton	\$27, 500	Shed	21 Slaughter Yard Road, Marton	Cook Shire Council
DA/3469	Dustin & Lisa Miller	Mad Keen Constructions Pty Ltd	\$195,000	Dwelling	45 Garden Street, Cooktown	Cook Shire Council
DA/3470	Roland & Mariana Tree	Mad Keen Constructions Pty Ltd	\$180,000	Dwelling	12 Kimberley Street, Cooktown	Cook Shire Council
DA/3474	John & Margaret Hencz	Peter Thornton	\$132,730	Dwelling	57a Garden Street, Cooktown	Cook Shire Council

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

DA/3435	CSC Lease to Christian Community Ministries	Osborne Construction Solutions Pty Ltd	\$1,670,198	Stage 3 Endeavour Christian College	12 Charles Street, Cooktown	Cook Shire Council
DA/3476	Ang-Gnarra lease to South Cape York Catchments	Neil Bartlett	\$35,200	Shed Extension	George Close, Laura	Cook Shire Council
DA/3450	Kim Burke	Owner	\$17,000	Shed	10 Ironwood Avenue, Cooktown	Cook Shire Council
DA/3484	Daniel & Maria Buhmann	Mad Keen Constructions Pty Ltd	\$54,000	Shed	103 Charlotte Street, Cooktown	Cook Shire Council
DA/3495	Daniel Hall & Margo Steiner	Owner	\$400,000	Dwelling	Rosville Bloomfield Road, Bloomfield	GMA Certification Group

Total value of approvals this period: \$ 2, 711, 628.00

Total value of approvals same period last year: \$ 576, 219.48

Total value of approvals to date

(Financial year 2014/2015): \$ 3, 160, 845.00

Total value of approvals to date same period last year: \$ 8, 231, 584.48 (included \$7.1Mil for Flex Learning Centre)

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Plumbing Approvals for AUGUST 2015

DA Number	Owner	Plumber	Street and Number	Type of development
DA/3481	Cooktown District Youth Assoc.	DNT Plumbing & Gas	30 Charlotte Street, Cooktown	Sewer Connection
DA/3479	Wendy Kozicka	Heath S Flannery	Bramwell Road, Shelburne	New plumbing work
DA/3491	Dustin & Lisa Miller	DNT Plumbing & Gas	45 Garden Street, Cooktown	Plumbing new dwelling

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

	CURRENT RECONFIGURATION AND MCU DEVELOPMENT APPLICATIONS AS AT 31 AUGUST 2015	
	<i>Report No.D15/16771from Town Planning Officer</i>	

AGENDA AND BUSINESS PAPERS

DA/No	Applicant	Owner	Type of Application	Location	Current Status
DA/3215	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/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 • SARA referral coordinator give applicants a further 12 month (20.06.2016) for the applicant to respond to the Referral Information Request – 17 June 15 •

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<p>DA/3265</p>	<p>AUSTRALIAN VOLUNTEER COASTGUARD ASSOC</p>	<p>AUSTRALIAN VOLUNTEER COASTGUARD ASSOC. COOKTOWN FLOTILLA</p>	<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 • Applicant’s response to Referral Info Request received 13 Aug 15 • Referral Decision period commenced •
-----------------------	--	---	--	---	---

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<p>DA/3285</p>	<p>BANA YARRALJI BUBU INCORPORATED C/- AURECON AUSTRALASIA PTY LTD</p>	<p>JABALBINA YALANJU LAND TRUST TTE</p>	<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 15 – 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 • Notice of compliance of public notification received 22 June 15 • Council extend Decision period to allow the application to
-----------------------	--	---	---	---	---

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

					<ul style="list-style-type: none"> • be presented to July Council Meeting • Approved with Conditions 21 July 2015 • Decision Notice issued 24 July 2015. • Applicant request Negotiated Decision 26 Aug 2015 •
DA/3312	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 •

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<p>DA/3315</p>	<p>T & P INDERBITZIN & LEVIN ENTERPRISES</p>	<p>T & P INDERBITZIN & LEVIN ENTERPRISES</p>	<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>Dept. Energy & Water Supply (DEWS) Particular Dams</p> <p>through State Assessment & Referral Agency (SARA)</p>	<p>Lot 219 on Plan SP218120 – Peninsula</p> <p>and</p> <p>Lot 1 on RP912529 and</p> <p>Lot 142 on RP912529</p> <p>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 • Applicant request further extension of time to refer application to SARA and respond to Council’s Information Request - 1 June 2015 • Council grant extension to 30 Nov 15 on the 1 June 2015 • Dept Infrastructure Local Gov. & Planning (DILGP) (SARA) notify Council the application has been referred 12 June 2015 • Council issue an Amended Acknowledgement Notice as per advice from SARA to include affected properties 24 June 2015 • SARA issue applicant with an Information Request 9 July 2015 •
-----------------------	--	--	--	---	--

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

DA/3379	MARILYN CLARK C/- PROJEX PARTNERS PTY LTD	BARRY, MARILYN, ERIC & SUE CLARK	<p>Reconfiguration of a Lot into two (2) lots</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Nil</p>	<p>Lot 1 on Plan RP902192 – 41 Mt Amos Road, Cooktown</p> <p>Zone - Rural</p>	<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 19 May 2015 • Decision Notice issued 26 May 2015. • Applicant request Negotiated Decision 16 June 2015 • Report to September Council Meeting •
DA/3380	MALCOLM MCCUDDEN C/- BRAZIER MOTTI PTY LTD	MCCUDDEN HOLDINGS PTY LTD	<p>Material Change of Use – Caravan Park (Expansion of existing)</p> <p>Impact Assessable</p> <p>Referral Agencies</p> <p>Nil</p>	<p>Lot 26 on Plan RP725840 – 1 Sesame Street, Lakeland</p> <p>Zone – Village</p>	<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 May 2015 • Notice of Compliance for Public Notification received 11 June 2015 • Council extend Decision Period to allow presentation to July Meeting 6 July 2015 • Approved with Conditions 21 July 2015 • Decision Notice issued 24 July 2015 • Submitters appeal period commenced and letters issued 20 Aug 2015 •

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

DA/3393	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 29 April 2015 • Referral Response received 3 August 2015 • Council Decision period commenced • Council extend period to allow presentation to September Council Meeting •
DA/3399	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 September 2014 • Acknowledgement Notice issued 29 September 2014 • 25 March 2015 Information Request 15 October 2014 • Application referred to SARA received 24 April 2015 • Referral Agency Referral received 21 May 2015 • Public Notification can commence when response to Information Request received • Applicant request extension to respond to Council Info Request 21 Aug 2015 • Council grant a further 3 months 25 Aug 2015 •

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

DA/3406	CHARLES FARRUGIA C/- PLANZ TOWN PLANNING	CHARLES FARRUGIA	<p>Material Change of Use- Caravan 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 38 on Plan SP172667 – 412 Shiptons Flat Road, Rossville</p> <p>Zone - Rural</p>	<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 • Notice of completion of Public Notification received 14 May 2015 • Decision Period commenced • Council extend the Decision making period to the 23 July 2015 to allow presentation to the July Council Meeting 10 June 2015 • Preliminary Approval only granted with Conditions 21 July 2015 • Decision Notice issued 24 July 2015 • Submitters appeal period commenced letters issued 19 Aug 2015 •
DA/3408	MAROKO C/- U&I TOWN PLAN	ALAN & MARIA HICKEY	<p>Reconfiguration of a Lot into eight (8) 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 Plan C17996 – 109 Endeavour Valley Road, Cooktown</p> <p>Zone – Rural Residential</p>	<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 • Referral Agency response received 26 May 2015 • Applicant response to Council Info Request received 3 July 2015 • Decision period commenced – Council extend Decision period to allow application to be presented to August Council Meeting 31 July 2015 • Approved with Conditions 18 Aug 2015 • Decision Notice issued 24 Aug 2015.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

DA/3417	DAVID & RACHEL BASS C/- U&I TOWN PLAN	DAVID BASS	<p>Reconfiguration of a Lot into three (3) lots</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 1 on Plan SP221164 – Mt Amos Road, Cooktown</p> <p>Zone – Rural</p>	<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 • Applicant notify application has been referred to SARA 16 June 2015 • Referral Agency issue applicant with an Information Request 29 June 2015 • Applicant respond to SARA Referral Info Request 9 July 2015 • SARA Referral decision period • SARA Referral Response received 5 Aug 2015 • Council Decision period commenced • Council extend decision period to allow presentation to September Council Meeting 31 Aug 2015 •
DA/3423	ERIC GEORGE MYERS C/- U&I TOWN PLAN	ERIC G MYERS	<p>Material Change of Use – Other Residential</p> <p>Impact 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 12 on Plan SP148758 – Foyster Drive, Lakeland</p> <p>Zone – Village</p>	<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 • Applicant's response to Council Info Request received 9 June 2015 • Public Notification can commence • Applicant notify Council of referral of application to SARA - 11 June 2015 • Referral response received 18 June 2015 • Notice of commencement of Public Notification received 18 June 2015 • Notice of Compliance with Public Notification received 10 July 2015 • Council Decision Period • Council extend decision period to allow presentation to August Council Meeting 6 Aug 2015

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

					<ul style="list-style-type: none"> ● Approved with Conditions 18 Aug 2015 ● Decision notice issued 24 Aug 2015.
DA/3424	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>The State removed referral requirements</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 ● Notice of commencement of Public Notification received 21 May 2015 ● One (1) submission received ● Notice of compliance with Public Notification received 18 June 2015 ● Council extend Decision Period 2 July 2015 ● Report to August Council Meeting ● Approved with Conditions 18 Aug 2015 ● Decision Notice issued 24 Aug 2015. ● Applicants appeal period commenced ● ● Submitters...
DA/3431	CARDNO	CHRISTIAN COMMUNITY DEVELOPMENTS	<p>Operational Works for Road Construction</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Nil</p>	<p>Parkinson Street - 12 Charles Street</p>	<ul style="list-style-type: none"> ● Application received 21 May 2015 ● File lapsed – reactivated see DA/3499.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

DA/3432	ROSS FRANZI C/- U&I TOWN PLAN	ROSS FRANZI	<p>Material Change of Use – Undefined Use (Helicopter Pad & associated Storage)</p> <p>Impact Assessable</p> <p>Referral Agencies</p> <p>through State Assessment & Referral Agency (SARA)</p> <p>Dept Natural Resources & Mines (DNRM) clearing vegetation</p> <p>The State removed referral requirements</p>	<p>Lot 3 on Plan RP906541 – 2622 Rossville Bloomfield Road, Bloomfield</p> <p>Zone – Rural</p>	<ul style="list-style-type: none"> • Application received 6 May 2015 • Acknowledgement Notice issued 20 May 2015 • Council issue applicant with an Information Request 1 June 2015 • Response to Council Information Request received 15 June 2015 • Notice of Commencement Public Notification received 3 July 2015 • Notice of Compliance with Public Notification received 4 Aug 2015 • Four submissions received • Council Decision period commenced • Council extend Decision period to allow presentation to September Council Meeting 31 August 2015 •
DA/3433	PEDDLE THORP FAR NORTH	COEN REGIONAL ABORIGINAL CORPORATION	<p>Material Change of Use – Office (Extension to existing)</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>through State Assessment & Referral Agency (SARA)</p> <p>Dept Transport & Main Roads (DTMR) within 100m / 25m of a Main Road</p>	<p>Lot 7 on Plan MPH22174 – 29 Taylor Street, Coen</p> <p>Zone – Village</p>	<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 • Referral Agency response received 22 June 2015 • Applicant’s response to Council Info Request received 7 July 2015 • Council Decision period • Memo report to Director Planning & Environment – approved with Conditions 6 August 2015 • Decision Notice issued 6 August 2015.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

DA/3441	ANNALIE SENEKAL	ANNALIE SENEKAL	<p>Material Change of Use – Host Farm</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 102 on Plan SP229625 – Esk Valley Road, Cooktown</p> <p>Zone – Rural</p>	<ul style="list-style-type: none"> • Application received 21 May 2015 • Council notify Applicant no further information will be required to assess 18 June 2015 • Applicant notify application has been referred 19 June 2015 • Referral Agency issue applicant with an Information Request 29 June 2015 • Applicant respond to SARA Referral Info Request 6 July 2015 • SARA extend Referral assessment period (1 Sept) 28 July 2015 • Memo Report to Director Planning & Environment 27 August 2015 •
DA/3448	JOHN HAY	JOHN HAY	<p>Operational Works – Road & Access construction for DA/3322</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Nil</p>	<p>Lot 14 on Plan SP254691 – 1 Ironwood Avenue, Cooktown</p> <p>Zone – Rural Residential</p>	<ul style="list-style-type: none"> • Application received 26 May 2015 • Council issue applicant with an Information Request 11 June 2015 •
DA/3458	CAIRNS HARDWARE COMPANY PTY LTD C/- RPS AUSTRALIA EAST PTY LTD	COOK SHIRE COUNCIL	<p>Reconfiguration of a Lot - into six (6) lots</p> <p>Material Change of Use for a Shop</p> <p>Impact Assessable</p> <p>Referral Agencies</p> <p>Nil</p>	<p>Lot 201 on Plan C17915 – 48 Charlotte Street, Cooktown</p> <p>Zone – Low Density Residential</p>	<ul style="list-style-type: none"> • Application received 10 June 2015 • Acknowledgement Notice issued 22 June 2015 • Council issue applicant with an Information Request 1 July 2015 • Applicant respond to Council Info Request 9 July 2015 • Amended Acknowledgement Notice issued 15 July 2015 • Public Notification commence received 16 July 2015 • Notice of Compliance with Public Notification received 14 Aug 2015 • No Submissions received • Council Decision period commenced

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<p>DA/3472</p>	<p>JEFFREY BENJAMIN</p>	<p>WILLIAM REDDIE & LAURA WALLACE</p>	<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>Dept. Energy & Water Supply (DEWS) Particular Dams</p> <p>through State Assessment & Referral Agency (SARA)</p>	<p>Lot 101 on Plan SP256276 – Peninsula Developmental Road, Lakeland</p> <p>Zone - Rural</p>	<ul style="list-style-type: none"> • Application received 23 July 2015 • Acknowledgement Notice issued 28 July 2015 • Council issue applicant with an Information Request 3 August 2015 • Applicant request extension of time to refer the application to the State 24 August 2015 • Extension of time granted 26 August 2015 •
-----------------------	-------------------------	---	---	---	--

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

DA/3485	LYON INFRASTRUCTURE PTY LTD C/- PLANZ TOWN PLANNING	TROY & ERICA D'ADONNA	<p>Material Change of Use - Public Utility (20mWac Solar Photovoltaic & Battery Storage – and –</p> <p>Reconfiguration of a Lot (1 into 2 lots)</p> <p>Code Assessable</p> <p>Referral Agencies</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) 14 August 2015 • Acknowledgement Notice issued 21 August 2015 • Applicant notify Council application has been referred to the State 24 Aug 2015 • Council issue applicant with an Information Request 26 August 2015 •
DA/3486	RICKY ASHCROFT	RICKY & TERRI ASHCROFT	<p>Material change of Use - House in the Hillslopes Overlay Code</p> <p>Code Assessable</p> <p>Referral Agencies</p> <p>Nil</p>	<p>Lot 51 on Plan SP170378 – 21 Baird Road, Cooktown</p> <p>Zone Low Density Residential</p>	<ul style="list-style-type: none"> • Application received 14 August 2015 • Council issue applicant with an Information Request 27 August 2015 •

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

	DIRECTOR OF PLANNING & ENVIRONMENT REPORT	
	<i>Report No D15/16808 from Director Planning & Environment September 2015</i>	

Purpose – For Information

A report from the Director of Planning and Environment providing information regarding ongoing and emerging issues.

1. Building Maintenance & Emergency Management- Events Centre, Cooktown

Subject Building: Cook Shire Community Events Centre, Corner of Charles Street and May Street, Cooktown.

The Events Centre building design was approved with conditions under Development Approval DA/2658, and dated 3 March 2010.

A copy of the Cooktown Community Events Centre, Cyclone Shelter Redesign Report: Stage 1 (“the Redesign Report”), has been sent to Councillors, and is tabled at this Meeting for formal discussion. The Redesign Report: Stage 1, comprises Four (4) Reports from the expert Cyclone shelter design team, as set out below:

1. Architecture – Sketch Design,
2. Mechanical Services Schematic Design.
3. Electrical Services Schematic Design
4. [Engineering] Schematic Design

The Redesign Report: Stage1 provides details and recommendations by the expert Public Cyclone Shelter design team, engaged by the DHPW, proposed to bring the Cook Shire Community Events Centre, in accordance with the *Design Guidelines for Queensland Public Cyclone Shelters, September 2006* (Qld Government, Dept of Public Works).

The Redesign Report 2015, was circulated to the Cook Shire Councillors and Executive Management Team, on the 7th September 2015.

The Report maintains the position that the Events Centre as it stands would still be the best public assembly building in the Shire, for use as a **place of refuge** in the event of a disaster.

Bruce Campbell , Manager Disaster Coordination Unit, DHPW has advised Council that the DHPW is currently engaging the services of an Internal Quantity Surveyor to develop a cost schedule to provide an estimate on the recommended works. This process is expected to take approximately 3 weeks.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

BIOSECURITY

	BIOSECURITY MONTHLY REPORT – SEPTEMBER 2015	
	<i>Report No. D15/16495 from Senior Biodiversity Officer</i>	

Précis

Report on the activities of the Biosecurity Unit including legislative changes, contracts and current works in progress.

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)

Nil.

Survey and Control Work

Weeds:

- Gamba Grass treatment surveyed on road reserve between Coen and Weipa. 6 photo monitoring points also established.
- Sample taken of suspected prickly pear at Finch Bay and sent to Queensland Herbarium. Identified as drooping tree pear (*Opuntia monacantha*), a class 2 weed. The infestation has been scheduled for treatment during the coming wet season as has a sole stand of mimosa bush (*Acacia farnesiana*), which has been incorrectly reported several times a Mimosa.
- Planning for weed treatment over the coming wet season has commenced.

Pest Animals:

- Pig trapping (Council's loan traps): A total of 9 pigs were reported as captured and euthanased. Two traps are now based in Lakeland.
- Baiting: As requested in 2014 Biosecurity Services is in the process of co-ordinating an early 1080 baiting program for the north of the Shire.

Contract Work

GIS maps have been provided to Main Roads depicting all roadside weed spraying activities undertaken by Council contractors by area and weed treated for last contract period.

A quote for \$80,000 for treating weeds on State Controlled Roads for the coming season was rejected and a revised quote of \$30,000 has been submitted in line with the budget available, and has been accepted. As this is insufficient to undertake even a basic weed spraying program across the main road network to reduce the spread of weeds it is felt that Council should raise the issue with the Minister for Main Roads. Please refer to separate report for consideration by Council.

Cook Shire Biosecurity Plan workshops

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Biosecurity Services held 6 consultation workshops to aid development of the Cook Shire Biosecurity Plan. The workshops were attended by 32 individual participants. Further input has been sought from stakeholders and with first round of submissions closing on the 2nd October 2015. Meetings are planned with State Government Agencies late in September to seek their input on priorities and to encourage coordinated pest programs.

Customer Requests

Four requests for weed identification were received and actioned. None have been identified as unusual or significant.

Three properties requested and received 1080 baiting services.

Five requests for pig traps were received; one request is yet to be actioned.

Training/Workshops/Meetings/Conferences

Laura Beef Cattle Producers Roundtable attended by Darryn Higgins.

FNQROC Natural Asset Management Advisory Committee meeting attended by Cathy Waldron.

Panama TR4 Regional Working Group Meeting attended by Cathy Waldron – notes from meeting attached.

Lakeland Washdown Bay

Advice received from Biosecurity Queensland regarding chemicals to use to treat the Lakeland Washdown Bay for Panama TR4. Biosecurity Services sought additional information on disposal of the chemically treated water and sediment.

Signage: new sign designs have been presented to DTMR and are awaiting approval.

RECOMMENDATION

Report submitted for information.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Panama TR4 Regional Working Group Meeting 24/8/15
Notes – Cathy Waldron

Follow up on previous actions

Tool box talks - list of people requesting talks has been generated but no time frame for delivery has been set yet; several positions advertised for BQ and some will assist with delivery of talks; contact Simone if you want a talk delivered.

Wash downs - BQ have provided info on decontamination guidelines (guide only); if need info on engineering then need to employ specific engineering advice; BQ will not provide this advice.

Media release issued last week re regional group formed.

LG Risk Assessments/Registers have been sent to BQ in Brisbane and no concerns raised so far.

SES has been contacted re protocols in place; Wayne Coots is aware of issues; Simone to provide toolbox talks to SES groups.

Small farmers - Simone will be visiting Lakeland, Cooktown and Hopevale soon; I suggested they attend the markets in Cooktown; Simone thought it a good idea. I asked Simone to let me know when she will be in Cooktown.

BS update - Russell Gilmore

Another plant confirmed positive last week at same Tully farm; sampled during second round of surveillance; number of sick looking plants; currently being sampled; planning to destroy another hectare of plants; destroyed 10 ha previously; neighbours concerned about property as divided by road. The property has 63 different requirements to comply with to be able to market fruit; 58 are being complied with; issue with containment of wash down water; decontamination of equipment taking large quantity of water. Overflow from dam on property goes into creek & Tully River - of concern; trying to find a solution. Property meant to be fenced entirely; gates not fitted yet. Upgrading fences with adjoining properties to pig proof; no one wants to pay for it.

Surveillance continuing - Small number of growers won't allow BQ on properties for inspections: low risk properties only.

Moving to a response program; containment, spread prevention; funded for 12 months by State Govt. due to start 1 Sept.

Pigs: Michael Graham at DAF providing advice on pig management and assisting landowners with baiting etc.

Treatment of infected plants: infected plant and 20-25 plants around it are cut down and bagged then black plastic covering put over the area. Not sure how going to deal with the bagged material - staying on property at this stage. Entering a period of potential spread; plants stressed during winter and will go into growth spurt in spring while still stressed: more demand for water but vascular system damaged.

Doug Phillips - ABGC

New infection found on other side of road is a concern to other growers in the area. Disease is difficult to contain. Biosecurity Training for farmers progressing well; 2 R&D projects approved for funding.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Issue raised re what being done to encourage farms not doing much for biosecurity: Doug's response - a challenge to get everyone doing their bit, but unless go down enforcement path then not much can be done; feels that commercial pressure will come in when non compliant farmers get charged more for people servicing properties that do not have good biosecurity measures. There is no appetite for regulation at this stage.

Managing Collateral environmental risks: Runoff containment - Nigel Holmes Principle advisor incident management EHP

Copy of presentation will be sent by Alison.

Info on current disinfectants used:

All -high acute toxicity

Spore kill and Sterimax have mod persistence and bioaccumulation - hold & irrigate: binds strongly to soils and biodegrades. Has 200 day half life. Need to keep soils on site while breaking down (i.e. prevent sediment leaving site). Active ingredient is found in many household cleaners.

Concentration used is usually low. Test levels in water before irrigate.

ROUND TABLE

Tools and resources:

Farm activity management (EHP/ABGC partnership)

Banana management practice environmental guidelines

BMP workshops

Natural Disaster situations:

Location of infected properties is provided to emergency services once it is quarantined.

Need to develop decontamination checklist (use appendix 1 checklists - could be adapted for weed seed hygiene)

Spread of spores during flood events: if settle in sediments and remain underwater then spores will die within 30 days.

Mapping:

Maps of banana growing areas provided for each region. Let Alison know changes required to maps: need to check street names and location data.

Request made to provide maps on Google Earth coverage to give more context.

Pig Traps:

Cassowary Coast Council have \$ 250 deposit on pig traps: also use hog hoppers

Also Qld Parks have 5 traps for loan to neighbouring properties.

Let people know what is available and from who: other regions are organising workshops re managing pigs on banana farm areas and coordinating across stakeholders.

Dept Defence

Have vehicle wash downs on site

Lakeland wash down

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Banana growers are concern that overflow from washdown could have spores that wash into Honey Dam. I asked about testing water for fungus/spores. Response: cannot test water for Panama as may have a clear result from one area but it could be in another part of water body; cannot effectively test for it in soil either. Alison to follow up on the request for mapping of water flow between the washdown and Honey Dam.

To do: Ask if BQ and EHP can attend the Lakeland Progress Asocial meeting next Tuesday or another one.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

	ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES DIVISIONAL REPORT – AUGUST 2015	
	<i>Report No.D15/16745 from Economic Development and Community Services Director.</i>	

1. GRANTS

Applications Submitted

- Department of State Development, Building our Regions Round 1 - Cooktown Airport
- Green Army Round Four – Rehabilitation and Restoration of the Scenic Rim Walk, Alligator Creek and Botanic Gardens

Applications in Progress

- Department of National Parks, Sports and Racing – Get Playing Places and Spaces Round Four - Coen amenities block.
- State Library of Queensland Tech Savvy Seniors Queensland – Digital Technology Training for Seniors at Cook Shire Libraries

2. ARTS AND CULTURE

Cook Shire Council has been successful in its bid for Arts Queensland funding to continue the Regional Arts Development Fund (RADF) program for 2015-16. Two Council lead initiatives have been identified in this year's program including delivery of community arts management workshops and support and development of arts and culture along the Peninsular Development Road.

The Arts and Culture Officer attended the Coen Advisory Group meeting and discussed the recently initiated Arts and Culture survey. This community consultation enables engagement with a broader audience and asks respondents to identify what they see as local arts and cultural priorities. The results of this survey will be used to develop an annual Arts and Culture Strategy document to guide Council's arts programs and community assessment of RADF grants.

3. MEDIA, MARKETING and COMMUNICATIONS

Social media

Insights for Council's official Facebook page, Cook Shire Connect, as of September 11, 2015

- Total 'likes' – 1,718 (up 29 since last month).
- The most popular post by Council was "Are you a tradie?" posted on August 11 regarding trades expressions of interest for Lyon Infrastructure's Cook Shire Solar Project at Lakeland.. It reached more than 1,100 people, and garnered 27 likes, 4 comments and 17 shares.

Insights for Council's official Twitter account, @CookShire, as of September 11, 2015

- Council's page has a steadily growing group of followers – now at 342, an increase of 11 from last month.

AGENDA AND BUSINESS PAPERS 22 SEPTEMBER 2015

- New followers include James Cook University Communications Manager and Marine Biologist Dr Ian McLeod, Ngan-Aak Kunch Aboriginal Corporation and Local Government Association of Queensland Media Executive Craig Johnstone.

Council is also growing followers for its recently re-activated Instagram account, Cooktowntnq, (with 206 followers, up 44 since last month) and YouTube account, cooktownandcapeyork (18 subscribers and 4,302 views, up 24 since last month). Regularly posted images and videos are keeping the accounts active and interesting, with followers increasing week by week. Cooktown Tropical North Queensland, Council's official tourism Facebook page, now has 3,472 likes. @MyCooktown, Council's official tourism Twitter account, has 1,245 followers.

Media coverage

Media coverage this month has included grease trap fees increase, Regional Arts Development Fund committee restructure, Cook Shire's GM canola-free stance, changes to the Engineering Services department and advertising the position of Infrastructure Services Director. An average of seven Council and Cook regional press releases a month are released to Far Northern media outlets.

4. EVENTS and FESTIVALS

Upcoming Events and Date Claimers

- 19-21 September Cardiac Challenge
- 22-23 September Cooktown Mountain Bike Rally
- 25-27 September Wallaby Creek Festival
- 25-27 September Cooktown Hog Hunt
- 17-24 October Lizard Island Black Marlin Classic
- 30-31 October Sovereign Resort Barramundi Fishing Competition
- 7 November Cooktown Races

5. TOURISM

Meetings

- Cooktown 2020
- Chamber of Commerce
- Cardiac Challenge
- RV Rest Area Trial Review
- Nature's Powerhouse

RV Rest Area Trail Review

Council conducted two public meetings on 24 August in regards to the future of the RV Rest Area in Cooktown. 15 community members attended these meetings.

The RV Rest Area is for fully self contained vehicles only for a maximum of 48hrs. It was agreed at these meetings that Cooktown was to remain an RV Friendly Town and have a designated parking area for fully self contained vehicles. The current rest area on Adelaide Street may not be the most suitable place in town. A community reference group was formed to work with council to determine a more suitable area that is within 5km of town that can accommodate a reasonable number of fully self contained vehicles.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Council is currently investigating the costs associated with being able to clear and use the freehold and reserve land near the racecourse entrance as a permanent RV Rest Area.

Nature's Powerhouse

The current management contract at Nature's Powerhouse will cease on 4 October. Two meetings have been held with members of the community to discuss the future of Nature's Powerhouse. It has been agreed that the focus for Nature's Powerhouse should be on flora and fauna, Banks and Solander's contributions and achievements and ethno botany to compliment the other tourist attractions in town. Council is currently working on options for the immediate operation of the cafe, information centre and gallery.

James Cook Museum Statistics

Month	2015	2014	2013
January	707	445	897
February	175	No data given	17
March	212	391	479
April	1,031	764	1,032
May	1,656	1,624	1,698
June	3,880	3,055	4,033
July	5,555	5,375	5,445
August	4032	4,199	4,180
September		2,778	2,840
October		1,881	1,814
November		710	817
December		701	784
Total		20,512	24,036

Nature's Powerhouse / Visitor Information Centre

Month	2015	2014	2013
January	85	549	715
February	112	118	433
March	142	174	405
April	607	203	664
May	1091	826	1,659
June	2129	1,509	3,515
July	3173	3,534	4,258
August	2149	2,750	2,422
September		1,570	824
October		1,071	498
November		436	358
December		220	281
Total		12,304	16,032

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

6. ECONOMIC DEVELOPMENT

Meetings and workshops

- Cooktown Employment and Training Committee
- Strategic Economic Development and Planning workshop
- Cooktown Chamber of Commerce and Tourism
- Coen Advisory Group
- Laura Inter-Agency Working Group
- FNQROC meeting in Cairns

Cook Shire solar project

Another setback has seen this project moved back to the mid September board meeting with ARENA. This means the whole project has been delayed by a month including the community engagement aspect that is still yet to be undertaken.

Lyon Infrastructure are formulating a plan to contact key representatives within the State and Federal Government explaining the project details regarding the National Stronger Regions Fund application and the benefits of rolling out further 5MW solar farms within the Cook Shire region.

A visit to Lakeland mid-September is being organised in which the executive members of the Lakeland Progress Association will be invited. This is not a public meeting and will not be widely advertised.

Incubation Hub at Cooktown Library

The first workshop was held at the Incubation Hub on Saturday 29 August and was hosted by Damian Zammit from theSPACE Cairns. This free workshop was aimed at small business startups and entrepreneurs looking to identify their customers and build their skills around mitigating risk and other important aspects to starting a business. Nine people attended from a diverse range of industries and was thoroughly enjoyed by all.

The next training program to be implemented is the Get Up To Speed 12 week online program commencing 19 September in which participants can undertake this study from their homes as it is a live webinar every Tuesday night, however the webinars are recorded and can be viewed at a more suitable time.

Cook Shire Council has heavily subsidized the cost from \$995.00 to \$495.00 per participant to encourage participation, as part of Council's ongoing commitment to building local business and industry development. The course outlines search engine optimisation, social media, selling online, email marketing and to keep the course relevant, participants are encouraged to work on their digital marketing strategy or website plan. The Media and Communications Officer as well as the Tourism and Events Officer will both be undertaking this course to enhance their skills for use on Council's websites, www.cook.qld.gov.au and www.tourismcapeyork.com.au.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Economic Development Grants tracking

Organisation Name	Project Name	Project start date	Project End Date	Council amount approved	Project acquitted
Portland Roads Property Services	Interpretive signage for Portland Roads	1/12/2014	30/11/2015	\$ 5,000.00	n/a
Cooktown Chamber of Commerce & Tourism	Explore Cooktown Tourist Guide Booklet	30/09/2014	31/01/2015	\$ 5,000.00	acquitted
Lakeland Progress Association Inc	Establishment and Future planning workshop	1/10/2014	30/06/2015	\$ 2,218.00	acquitted
Cooktown Re-enactment Assoc	Cooktown Historical Tourism Lecture Tour and Promotion - Melbourne 2015	1/03/2015	30/04/2015	\$ 500.00	acquitted
Cooktown Photographic & Framing	10 Must see places to visit in Cooktown Coffee Table Book	1/01/2015	31/05/2015	\$ 2,000.00	Overdue

Request for NBN expansion of service delivery

There are approximately 703 rateable properties contained outside the designated area for Cooktown's planned fixed wireless NBN rollout.

The coverage map presented to Council on 20.7.15 does not capture future growth areas, Cooktown's Waterfront (esplanade) or either of the two industrial areas including Cooktown Airport. As discussed previously, a tower on Mt Tully 1/RP719723 could provide a better coverage to capture more residents (on rateable properties) covering both the Marton side and Quarantine Bay sides of Mt Tully over the Mulligan Highway.

An application into the Technology Choice Program was submitted in which a case was put forward to further explain the need for fixed wireless in these areas, in which the Senior Account Manager for Commercial Infrastructure explained that a site at Marton is still being investigated, however NBN Co are working towards mapping a predicted zone to capture residents for fixed wireless connection.

7. LIBRARY UPDATE

Cooktown

- A well attended writing workshop by renowned author Helen Chryssides was recently held in the Cooktown library.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

- Chinwags interactive storytellers have been booked for two sessions in the Cooktown library for early next month.

Bloomfield

- Overall library usage has been busy with good attendances at both playgroup and the monthly market.

Coen

- The State library Our Dreaming interactive exhibition has been particularly well received in Coen with several repeat visits from the school.

Library	Membership Adults, Junior Instt &Temp	Loans	Internet Usage	Reservations
Cooktown	A 901, J 123, Y 13 Inst. 3, T4	2316	1001 vouchers issued	236
Bloomfield	A90, J6 , Inst. 1	262		40
Coen	A26, J 5	28		2

Annual statistics for Cook shire libraries:

	Loans 2014/15	Previous Year	Reservations 2014/15	Previous Year
Cooktown	24690	22531	2788	1972
Bloomfield	2476	2532	476	325
**Coen	125		7	

** Coen figures inaccurate as Aurora was down for most of the 2014/15 financial year

8. COOKTOWN SWIMMING POOL

Maintenance

- Ventilation installed in chemical room
- Pool testing completed by JC Pools
- New irrigation pump installed to water gardens with backwash water.

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

2015/16	<i>Jul</i>	<i>Aug</i>	<i>Sep</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	Total
General Entry	165	334											499
Swim 4 Your Life	23	38											61
Aqua Aerobics	7	11											18
Private Lessons		1											1
School Lessons													0
Swim Club													0
UnderWater Hockey													0
Alternate Care													0
CDCC													0
Gungarde													0
Total	195	384	0	0	0	0	0	0	0	0	0	0	579

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

CORPORATE SERVICES

FINANCE

	FINANCE STATUS AUGUST 2015	
	<i>Report No.D15/16484 from Senior Finance Officer</i>	

Accounts Payable – Aug 2015

Cheques issued	20	Value	\$ 62,914.78
EFTs paid	328	Value	\$ 6,215,228.51
Cancelled EFT	2	Value	\$ (1,613.45)
Cancelled Cheques	0	Value	\$ (0.00)
Total Expenditure			\$ 6,276,529.84

Accounts Receivable – Aug 2015

Invoices Issued	151	Value	\$ 6,753,353.56
Credits Notes	10	Value	\$ (13,059.23)
Aged Balances	Current		\$ 149,015.12
	30 Days		\$ 24,070.27
	60 Days		\$ 11,325.54
	90 Days		\$ 5,199.00 - 1 x ARL – Legal: 1x ARL - Judgement
	90+ Days		\$ 60,750.87 - 1 x entered Pment arrangement, 1
Recall			_____ From Debt Collector. 1x sent for Debt
Co			
Total Outstanding			\$ 250,360.80
Letters of Demand	3		

Wharfage Report July 2015

Vessel	Days at Wharf	
Jerbondy	2	Selling Prawns
Arafura Queen	2	
Iona	3	
Coral Princess	3	
Guiding Star	5	
Unloads		
Vessel	Unload to	Unloaded

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Rates Report –
August 2015

R1 - Property Transfers When properties are sold change of ownership details are recorded by Council	Month	Number of Transfers	
	July	12	
	Aug	16	

R2 - Change of Addresses When ratepayers change their address details are recorded by Council	Month	Number of COAs
	July	9
	Aug	14

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
	July	6
	Aug	2

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
	July	11	1
	August	11	1

R5 - Valuation Changes	Month	Number of Valuation Changes
	July	4
	Aug	6

AGENDA AND BUSINESS PAPERS

22 SEPTEMBER 2015

**Debt
Recovery
Report**
No.

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
	July	654747.83	3,641,835.17	-96,448.83	-44,536.50	7,136.28	-2,412.43	-2.21	4,160,319.41
August	654,747.83	3,640,964.59	-1,466,008.32	-45,159.81	12,652.95	72,403.10	3.39	2,724,790.72	

Number of Assessments by Category	Residential	Commercial	Rural	Extractive	Other
July	93	13	15	45	53
August	87	13	15	44	50

Number of Assessments by Years	Current	1 Year	2 Years	3 Years	Greater than 3 years
July	16	166	20	10	6
August	36	141	19	8	5

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
July	13	30	132	27	11	6
August	19	33	115	26	10	6

AGENDA AND BUSINESS PAPERS

22 SEPTEMBER 2015

<u>D2 - Letters Sent</u>	Month	Rates Reminders	Final Demands	Legal Letters
	July	0	0	0
	Aug	0	0	0

<u>D3 - Payment Arrangements</u>	Month	Arrange-ments	Debt Collectors	Sale of Arrears
	July	20	45	0
	Aug	22	44	0

AGENDA AND BUSINESS PAPERS

22 SEPTEMBER 2015

Grants update - August 2015		
FUNDING BODY		
		Amount
Grant Monies Received August 2015	REASON	Received
Queensland Reconstruction Authority	Cyclone Nathan 2015 - 30% Advance	\$2,485,916.30
Queensland Reconstruction Authority	Cyclone Nathan 2015 - 30% Advance	\$1,952,955.53
Queensland Reconstruction Authority	Cyclone Nathan 2015 - 30% Advance	\$2,122,496.10
	Total Received	\$6,561,367.93
Grant Monies Outstanding as at 31 August 2015		
Dept Local Government, Community Recovery & Resilience	GraffitiSTOP Clean Up Program	\$3,921.60
Dept State Development, Infrastructure and Planning	Arts Queensland - RADF 2015-16	\$40,705.00
Dept Premier and Cabinet	Centenary of Gallipoli Landing	\$2,148.30
Dept Local Government, Community Recovery & Resilience	Waterfront Amenities/Water Play	\$350,000.00
Dept State Development, Infrastructure and Planning	Waterfront construction	\$1,500,000.00

	Total outstanding	\$1,892,853.30
Note: ANNUAL SUBSIDY/GRANTS		
Dept Community Safety - Emergency Management Queensland	<i>Annual Local Government Subsidy (Yearly Payment)</i>	+/- \$22,000.00
Dept of Local Government Community Recovery & Resilience FAG - Roads FAG - General	<i>(2015/2016 paid by quarterly instalments) Identified Road Grant - \$1,501,328 General Purpose Grant - \$7,033,425</i>	\$8,534,753.00
Department of Infrastructure & Transport <i>Roads to Recovery over 1 year period up to</i> <i>ATSI TIDS - Bamaga Road _ Sailors Hill Seal (6km)</i> <i>ATSI TIDS - Pormpuraaw Rd Culvert (Lukin Overflow)</i>	2015-2016 (for the next 1 year) 2015-2016 2015-2016	\$2,661,290.00 \$1,850,000.00 \$150,000.00
Cape York Natural Resource Management Ltd 2015 1 Mar 1-Sep-15 15-Sep-15	Acceptance of interim progress report Acceptance of yearly progress report Acceptance of Financial Report	\$64,000.00 \$32,000.00 \$64,000.00
State Library of Queensland	Best Start Family Literacy Initiative (Annual Amt for 4yrs from 2014)	\$7,059.00

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Precis

Finance Reports from Accounts Payable, Accounts Receivable & Rates

Background/History

Monthly Report

Link to Corporate Plan

Finance Section

Consultation

None

Legal Implications (Statutory, basis, legal risks)

None

Policy Implications

None

Financial and Resource Implications (Budgetary)

None

Recommendation

Report be received for information

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

	BUSINESS SERVICES, RECORDS, ADMINISTRATION & IT REPORT – SEPTEMBER 2015 – FOR INFORMATION	
	<i>Report No. D15/16773 from Business Services 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

Phone Calls:	1565.00
Enquiries	424.00
RV's	0.00

Receipting

Total No	531
Total Value	462851.05
Break Down	
Cash	61027.80
Chqs & M/O	194423.75
Credit Cash	177558.02
EFT	29841.48
Other	0.00

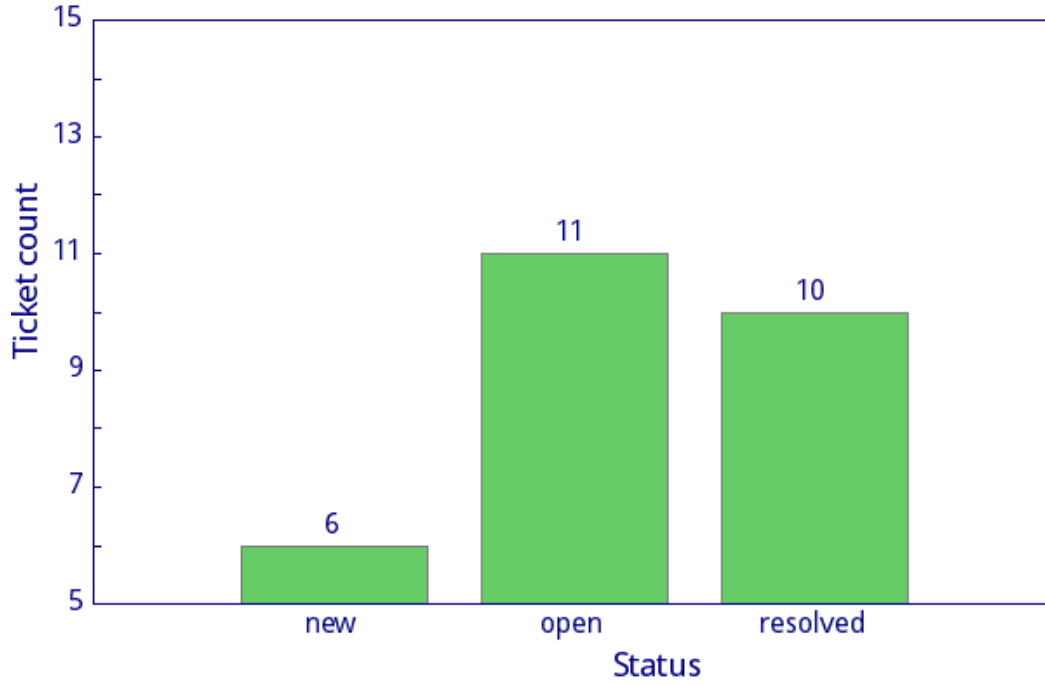
Stores

Total	500.00
Value	1605179.80
Quantity	24367.00

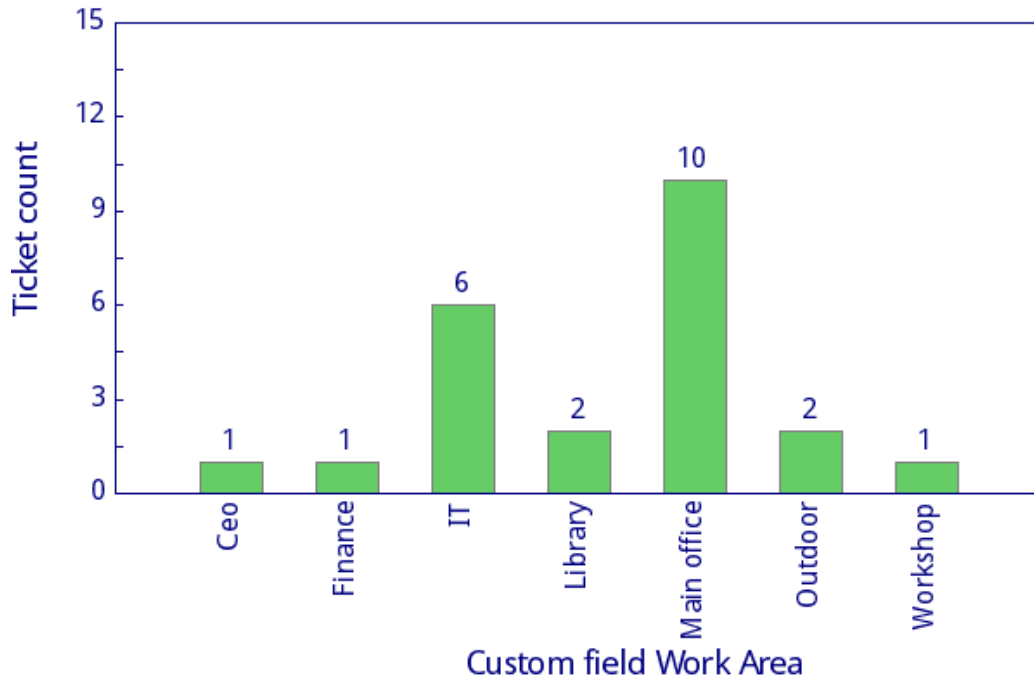
AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

INFORMATION TECHNOLOGY

August Created Tickets : 27

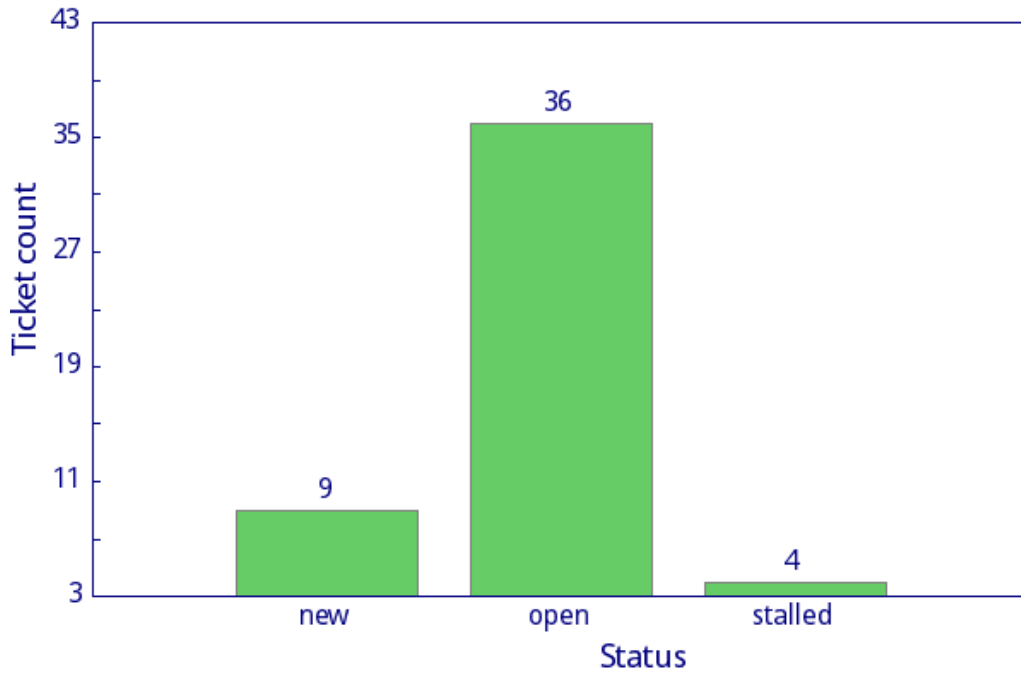


August Resolved Tickets : 23

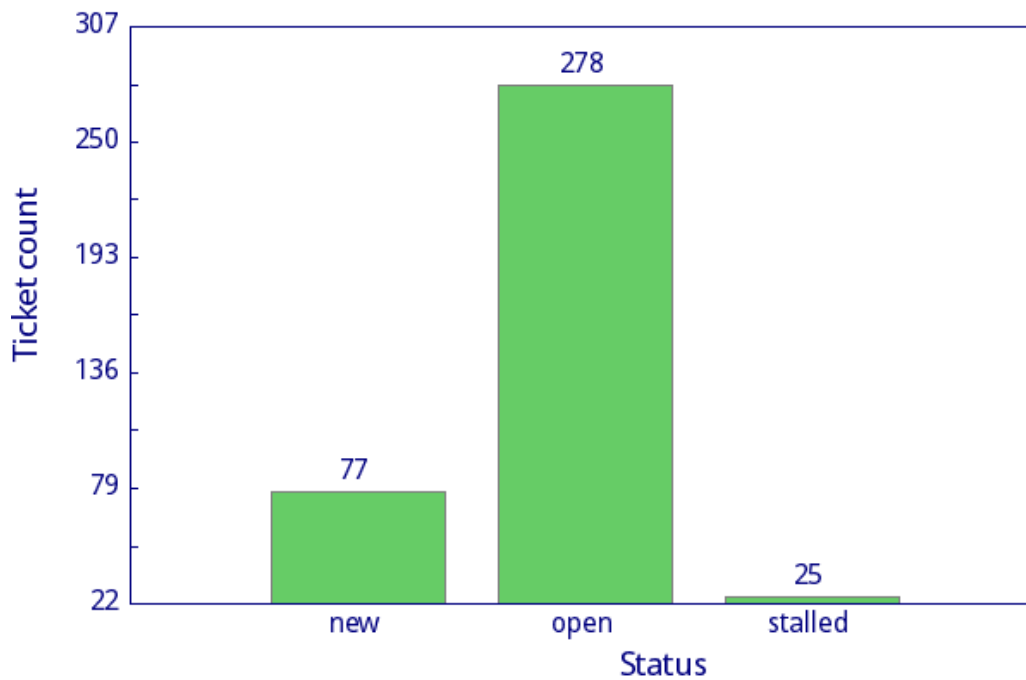


AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

August Updated Tickets by Status : 49



Current Open Tickets : 380



- Progress on Rebel radio with streaming backup now in place now.
- Focus on improving communications to the Annan Treatment plant to address the overloading of the Hopevale Cell tower.
- Commenced Windows 10 evaluation.
- Ongoing work on Council Communications evaluation.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

RECORDS & CORRESPONDENCE

	DOCUMENTS	SCANNED DOCUMENTS	OTHER	TOTALS
Records Officer	56	14	0	70
Correspondence Officer	113	249	0	362
Senior Admin Officer	56	123	0	179
RECORDS TOTALS	225	386	0	611
WHOLE OF COUNCIL	862	930	261	2053

Whole of government scoring puts Council in the top 20% of government agencies with reference to best practice records management.

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

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

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.
Procurement & Asset Disposal (Contracting)	
<i>Procurement Overhaul - In House Training, Procedural Change and Forward Planning Programs</i>	
<i>Register of Panels for All Staff</i>	Immediate requirement for products and services advertised week starting Monday 21st September 2014.
<i>Ongoing Procurement Training</i>	Majority of staff certified. Those persons who have not attended yet are being scheduled as of September 15, 2014.
<i>Review of Locality Allowance.</i>	Review policy and establish how local business and industry can best be supported by policy.
<i>Procurement Forecasts</i>	Forecasts to be followed up and matched to panels and preferred supplier arrangements (part of strategic procurement management 12 month and 5 year plans).
<i>Advertised Quote Procedure</i>	Pending finalised and management endorsed strategic procurement plan (12 months and 5 years)
<i>Contract for Transport & Disposal of Waste</i>	Bulk Haulage Tender Expires Early 2015. Combine with Disposal. Part of FNQROC initiative.
<i>Tender for Road Transport</i>	To be advertised week starting Monday September 21st 2015.
<i>Accommodation for all councillors and staff (Tender for Travel Agency).</i>	To be advertised week starting Monday September 21st 2015.
<i>Banking Tender</i>	To be advertised week starting Monday September 21st 2015.
<i>Printing Panel of Pre-Qualified Suppliers.</i>	To be advertised week starting Monday September 21st 2015.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<i>Sole Supplier Register</i>	Before Council October 2015 (amendments).
<i>FNQROC Templates, Panels and Contracts Portal</i>	Ongoing.
<i>Air Con Panel (cleaning and servicing)</i>	To be advertised week starting Monday September 21st 2015.
<i>Plumbing Panel</i>	To be advertised week starting Monday September 21st 2015.
<i>Irrigation</i>	To be advertised week starting Monday September 21st 2015.
<i>Salary Sacrifice.</i>	To be advertised week starting Monday September 21st 2015.
<i>Performance Appraisal System.</i>	To be advertised week starting Monday September 21st 2015.
<i>Electrical Wholesalers</i>	To be advertised week starting Monday September 21st 2015.
<i>Hire of Plant 2016</i>	Redraft Tender Docs. Amend invoicing. Include non-contact provision.
<i>Tree Lopping</i>	To be advertised week starting Monday September 21st 2015.
<i>Hardware</i>	To be advertised week starting Monday September 21st 2015.
<i>Painting - Buildings - Inside and Out</i>	To be advertised week starting Monday September 21st 2015.
<i>Pest Control (due May 2016)</i>	To be advertised week starting Monday September 21st 2015.
<i>Roofing</i>	To be advertised week starting Monday September 21st 2015.
<i>BP Fuel Townsville</i>	Source ongoing supply and storage air fuel Coen. Ongoing discussions re. Operational requirements.
<i>Pressure Cleaning.</i>	To be advertised week starting Monday September 21st 2015.
<i>External Windows</i>	To be advertised week starting Monday September 21st 2015.
<i>Electrical Panel</i>	To be advertised week starting Monday September 21st 2015.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Wharfinger to Tender	To be advertised week starting Monday September 21st 2015.
Contractor Performance Report	Implement for 2016. Drafts source from Tablelands, Mareeba and Cairns.
Legal / Land Tenure	
Strathmay Fence	Fence inspection indicates damage existed prior to Council works. Closed pending response from DATSIP
Gravel Extraction - Urgent	Tenure over all pits
Kalpower Gravel Pits - Extraction Agreement	Agreement for 2015 with Kalpower. 2015 works no longer able to take advantage of agreement. Move to long-term leasing proposed.
Gravel Aputhama and Heathlands	Agreement for 2015 with organisation. 2015 works no longer able to take advantage of agreement. Move to long-term leasing proposed.
Water and ILUA's	Agreement for 2015 with organisation. 2015 works no longer able to take advantage of agreement. Move to long-term leasing proposed.
Nagle	Agreement for 2015 with organisation. 2015 works no longer able to take advantage of agreement. Move to long-term leasing proposed.
Mangkuma	Agreement for 2015 with organisation. 2015 works no longer able to take advantage of agreement. Move to long-term leasing proposed.
Daarba	Agreement for 2015 with organisation. 2015 works no longer able to take advantage of agreement. Move to long-term leasing proposed.
Junjawarra	Agreement for 2015 with organisation. 2015 works no longer able to take advantage of agreement. Move to long-term leasing proposed.
Ngulan	Agreement for 2015 with organisation. 2015 works no longer able to take advantage of agreement. Move to long-term leasing proposed.
Battlecamp	Agreement for 2015 with organisation. 2015 works no longer able to take advantage of agreement. Move to long-term leasing proposed.
Kalpower – Gravel Claim	Defended claim. No further response received. Closed pending further feedback.
Kalpower Rates	With debt collection company. Claim lodged.
Tinpitch	Agreement reviewed. Charges agreed upon. Compensation dollars as per case law.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Wuthathi Claim – Trespass.	Allegation refuted. No accurate positioning available. Claim can not be established. Closed pending further response from Cape York Land Council.
CYWAFAP Handover to NatureCall.	Dispute notice lodged. Legal understanding established. Interdepartmental meeting and response pending.
Harrigan Street Lot - Sale	DA to be Approved to meet special conditions.
NBN - Tenure - Organise Trustee Lease	Feedback received September 2015. To be reviewed.
Additional Land Christian School	Terms agreed to. Transfer to be effected October 2015.
Review of JS Love Use and Building Condition	Initiate review.
Battlecamp and Mclvor Gravel Leases - DATSIMA	Facilitate Gravel Leases for Engineering with DATSIMA
Reenactment Society - Renew Lease	Delegated to Records. Negotiations commenced.
Historical Society - Renew Lease	Delegated to Records. Negotiations commenced.
CDCC - Renew Lease	Delegated to Records. Negotiations commenced.
Commercial Use of Property - Olkola	Receipt of task. Submitted to Rates.
Hall Review - Use, community service, insurance, maintenance, etc.	Outsourcing management under consideration.
JS Love Building Repairs & Tenure	Whole of building to be leased.
Airport Subdivision	Draft leases and secure Council approval. September 2015.
Internal Controls, Corporate Governance & Administration	
Ongoing Register Management	Finalise reporting mechanism. With Admin.
CRM Management	Finalise new reporting structure and re-configuration of tasks. Implement. Link to customer service charter. Expand to include internal works orders.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Customer Service Charter & Media Release	Finalise Draft. Interdepartmental consultation and presentation to EMT and Council.
Report on Complaints for All Complaints 2011/2015.	Compile report on all complaints since 2011. Findings and recommendations, versus current corporate governance and practice. Annual report requirement.
Annual Report 2014/2015.	Receipt of task as of end of year and auditors.
Lease Register – Include in Authority Registers	Part of lease management and operational requirements. Closed as task. Sits with Records.
Privacy Impact Statement.	Reviewed and actioned as required.
CCC Policy	Create CCC Policy in accordance with changes in legislation and templates as released by CCC.
Corporate Portfolio of Forms and Templates – Process and Action 2014	Operational works – sits with Admin
Conflict of Interest Register & Policy	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. Linked to benefits and gifts. With EMT for approval. Amend Register in Authority to combine benefits and gifts and conflict of interest.
Policy Review	Undertake review of policy management.
Benefits and Gifts.	Completed. With EMT for approval.
Cleaning Contract	With Administration. Standard improved post notice of contract breach.
Expenses Policy	Employee reimbursement for travel related expenses: drafted. With EMT for approval.
Wardrobe Policy	Completed. With EMT for approval.
Records Management	
Retrieve corporate records from historical society	Part of 12 month and 5 year operational planning. With Records.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<i>Records - Email Dumps, Central Processing, Councillors, Applying Retention to DW Docs</i>	Part of 12 month and 5 year operational planning. With Records.
<i>Review of Records Management - Possibility of Central Management.</i>	Part of 12 month and 5 year operational planning. With Records.
<i>Review of TRIM—Security, Classifications, Retention</i>	Reviewed.
Complaint and Information Management.	
<i>Complaint #10 (May 2015)</i>	Concluded. Pending final response (Rates complaint).
<i>Complaint # 16 (July 2015)</i>	With Planning and Environment. (Dust complaint)
<i>Complaint # 19 (July, 2015)</i>	Closed. Passed to CEO for action and policy implemented for reasonable requests. (Information provision complaint). Final response due.
<i>Complaint # 18 (July 31, 2015)</i>	Information for Ombudsman—Lease E. Closed by Ombudsman.
<i>Complaint - Escalation</i>	Cattle. Ombudsman to close complaint.
Risk Management.	
<i>Risk Register—Strategic</i>	Handed to EMT for action. Closed.
<i>Operational Risk Register.</i>	Handed to EMT for action. Closed.
Staffing & Training.	
<i>Performance Appraisals.</i>	Performance appraisals for Business Services Employees. Operational.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

<i>IP, RTI, TRIM, Purchasing and Authority Training—Whole of Organisation</i>	Ongoing Project. Operational.
Planning	
<i>Planning 1 and 5 Year.</i>	Long term and yearly operational plans - review based on all Business Services functions. 12 months activities. 5 year corporate goals. Resources.
On Hold.	
<i>Oak Tree Retirement Village</i>	On Hold.

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

CUSTOMER REQUESTS FOR THE MONTH OF AUGUST 2015

Note: Reports do not show age and therefore cannot accurately gauge how effective any given department is at turning over customer requests. Amended reporting is expected to be in place during October (2015).

Aug-15				
Description	Open at Start of Month	Opened	Closed	Open at end of Month
EXECUTIVE SERVICES				
Accidents & Incidents (WHS Officer)	3			3
Councillors Requests (Executive Assistant)	0	2		2
Employment Conditions Enquiry (Human Resources Officer)	0			0
Land History/Native Title Enq (Land Tenure Officer)	0			0
Land Use Complaints (Land Tenure Officer)	0			0
Recruitment (Human Resources Officer)	0			0
Training Requests (Human Resources Officer)	0			0
TOTAL	3	2	0	5
CORPORATE SERVICES				
Complaints Sent to Other Govt (Business Services Manager)	0			0
Compliments (Correspondence Officer)	2	1		3
Damaged Wheel Bin - Contract (Correspondence Officer)	1			1
Disaster & Emergency Management (Director Corporate Services)	0			0
IT User Support - TRIM (Records Officer)	0			0
Payroll Enquiry (Payroll Officer)	0			0
Property Management (Business Services Manager)	1			1
Public Toilets - Cooktown Area (Senior Administration Officer)	0			0
Rating Enquiry (Rating Enquiry)	0			0
Records Request (Records Officer)	0			0
RTI & IP (Business Services Manager)	0			0
Senior Accommodation Living Units - General Request (Senior Admin Officer)	0	1	1	0
Senior Accommodation Living Units - Personal Request (Senior Admin Officer)	0			0
SES Request (Director Corporate Services)	0			0
Tendering Complaint (Business Services Manager)	0			0
Tendering Enquiry (Business Services Manager)	0			0
Termination Enquiry (Payroll Officer)	0			0
Water Billing Enquiries/Complaints (Rates Officer)	0			0

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

Wheelie Bin Exchange (Rating Enquiry)	0	0	0	0
TOTAL	4	2	1	5
ECONOMIC DEVELOPMENT & COMMUNITY SERVICES				
Arts & Culture (Arts & Culture Officer)	0	0	0	0
Community Consultation (Economic Development)	0	0	0	0
Community Planning Enquiry (Director ED&CS)	0	2	0	2
Donations (ED&CS Admin)	0	0	0	0
Economic Development Inquiries (Economic Development)	0	0	0	0
Events (Tourism & Events)	0	1	0	1
Library Enquiry (Cooktown Librarian)	0	0	0	0
Sports & Recreation (Director ED&CS)	0	0	0	0
Swimming Pool (Director ED&CS)	2	0	0	2
Tourism Enquires (Tourism & Events)	0	1	1	0
TOTAL	2	4	1	5
PLANNING & ENVIRONMENT				
Abandoned Vehicle Concerns (Local Laws Officer & Waste Management Officer)	5	1	0	6
Animal Permit Required (Local Laws Officer)	0	0	0	0
Bio-Security - Feral Pig Control (Bio Security Officer)	1	6	3	4
Bio-Security - Incentive Scheme Applications (Bio Security Officer)	0	0	0	0
Bio-Security - Weed Control (Bio Security Officer)	0	4	3	1
Bio-Security - Wild Dog Control (Bio Security Officer)	0	2	1	1
Building Enquiries/Complaints (Development Coordinator)	0	1	0	1
Cemetery Request (Assistant Environmental Health Officer)	0	0	0	0
Control of Nuisances - Air-Borne Hazard (Local Laws Officer)	1	0	0	1
Control of Nuisances - Fire Hazard (Local Laws Officer)	0	0	0	0
Control of Nuisances - Fire in the Open (Local Laws Officer)	0	0	0	0
Control of Nuisances - Noise Pollution (Environmental Health Officer)	1	0	0	1
Control of Nuisances - Overgrown Vegetation (Local Laws Officer)	1	2	0	3
Control of Nuisances - Visual Pollution (Local Laws Officer)	0	2	0	2
Council Properties - Maintenance (Building)	8	5	0	13
Council Properties - Plumbing Maintenance (Master Plumber)	5	7	0	12
Council Properties - Electrical Works (Electrician)	14	1	0	13
Dog Attack (Local Laws Officer)	0	1	0	1
Dog Barking (Local Laws Officer)	1	7	0	8
Domestic Animals - Excess (Local Laws Officer)	0	0	0	0
Domestic Animals - Payment (Local Laws Officer)	0	0	0	0

**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Officer)				
Domestic Animals - Rush/Menace (Local Laws Officer)	1	1		0
Domestic Animals - Wandering at Large (Local Laws Officer)	1	3		4
Domestic Animals - Welfare (Local Laws Officer)	1	1		2
Environmental Complaint (Environmental Health Officer)	7	5	2	10
Food Premises Complaint (Environmental Health Officer)	0			0
Food Premises Enquiry (Environmental Health Officer)	0			0
Illegal Camping (Local Laws Officer)	0	1		1
Littering/Illegal Dumping (Waste Management Coordinator)	0	1		1
Land Care Enquiry (Landcare Officer)	0			0
Land Use & Planning Enquiries (Development Coordinator)	0	1		1
Landfill/Rubbish/Recycling Enquiry (Waste Management Coordinator)	0	3	2	1
Livestock Complaints (Local Laws Officer)	0	2		2
Local Law Complaints (Assistant Environmental Health Officer)	2			2
Missed Waste Service Pickup (Waste Management Coordinator)	0	2	2	0
Mulch Delivery (Waste Management Coordinator)	0			0
On-site Sewage Management System (Master Plumber)	0			0
Other Premises Enquiry (Environmental Health Officer)	0			0
Pick up of Large Livestock (Local Laws Officer)	0			0
Planning Application Enquiry (Development Coordinator)	0			0
Plumbing Enquiries/Complaints (Master Plumber)	4	2		2
Private Swimming Pools (Director PE)	0			0
Public Toilets - Cape Area (Environmental Health Officer)	0	1		1
Request for Weed Identification (Bio Security Officer)	0			0
RV - Rest Area Inspections (Local Laws Officer)	0			0
Senior Accommodation Living Units - Maintenance Request (Building)	42	3	7	39
Trade Waste Matters (Plumber)	0			0
Waste Management Odour Issues (Waste Management Coordinator)	0			0
TOTAL	95	65	20	133
ENGINEERING SERVICES				
Airport - General Maintenance (Director Engineering)	0			0
Bridge Damage (Construction & Maintenance Shire Overseer)	1			1

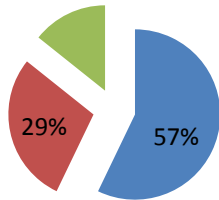
**AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015**

Cemetery - Tidy up Funerals (Parks & Gardens Manager)	0			0
Commercial TV & Radio (Project/Administration Officer)	0			0
Damaged Traffic Signs, Rails (Construction & Maintenance Shire Overseer)	1			1
Drainage Diagrams/Maps (Shire Surveyor)	0	1		1
Fallen Trees (Parks & Gardens Manager)	1			1
Footpaths & Bikeways (Construction & Maintenance Shire Overseer)	2			2
GIS/LIS Map Request (Shire Surveyor)	0			0
Identification - Plant ID (Parks & Gardens Manager)	0			0
Information Signage Request (Project/Administration Officer)	0	3		3
Monuments (Parks & Gardens Manager)	0	1	1	0
Operational Works Enquiries (Director Engineering)	0			0
Park Furniture (Parks & Gardens Manager)	1			1
Parks & Gardens - Other Maintenance (Parks & Gardens Manager)	3	3	2	4
Parks & Reserve Mowing (Parks & Gardens Manager)	0	2		2
Pick up of Dead Animals Small (Parks & Gardens Manager)	0			0
Request - Guided Walking Trail (Parks & Gardens Manager)	0			0
Road - Opening & Closing (Assistant Engineer)	0			0
Road Conditions Website Enquiry (Project/Administration Officer)	0			0
Roads Maintenance (Construction & Maintenance Shire Overseer)	31	7		38
Sewerage (Water & Sewerage Manager)	0			0
Sewerage Diagrams/Maps (Shire Surveyor)	0			0
Sewerage Services Enq/Com (Water Administration Officer)	0			0
Stormwater Drainage (Construction & Maintenance Shire Overseer)	5			5
Street Lighting (Project/Administration Officer)	0			0
Street Numbering (House/Rural) (Project/Administration Officer)	4	2		6
Verge Mowing Enquiries (Project/Administration Officer)	2			2
Water Billing Enquiries		1		1
Water Quality Request/Complain (Water Administration Officer)	0			0
Water Supply Enquiries/Repairs (Water Administration Officer)	0			0
Water Reticulation Maintenance (Master Plumber)	9	2		7
Wharves, Boat Ramps & Fishing pontoons (Construction & Maintenance Shire Overseer)	1			1
TOTAL	61	22	3	76
OVERALL TOTALS	165	95	25	224

AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

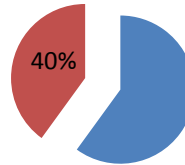
CORPORATE SERVICES

■ Open at Start of Month ■ Opened ■ Closed



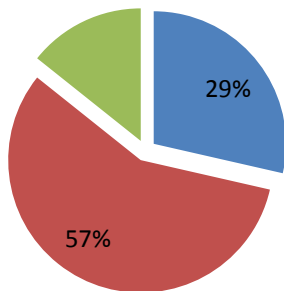
EXECUTIVE SERVICES

■ Open at Start of Month
■ Opened
■ Closed



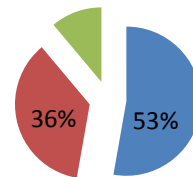
ECONOMIC DEVELOPMENT & COMMUNITY SERVICES

■ Open at Start of Month ■ Opened ■ Closed



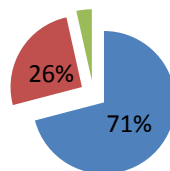
PLANNING & ENVIRONMENT

■ Open at Start of Month



ENGINEERING SERVICES

■ Open at Start of Month ■ Opened ■ Closed



AGENDA AND BUSINESS PAPERS
22 SEPTEMBER 2015

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.