



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

**Date:** Tuesday, 23 August 2022  
**Time:** 9.00am  
**Location:** Council Chambers  
Administration Office  
10 Furneaux Street, Cooktown

## **AGENDA AND BUSINESS PAPERS**

### **Ordinary Council Meeting**

**23 August 2022**

**Heather Kelly**  
Acting Chief Executive Officer

**GALLERY COPY**



## Order Of Business

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**1 AGENDA CONTENTS****2 ATTENDANCE****3 MEETING OPENED****4 APOLOGIES****5 ACKNOWLEDGEMENT OF COUNTRY**

Cook Shire Council acknowledges the Traditional Owners of country throughout the Shire and recognises their continuing connection to lands, water and community. We pay our respects to the many Aboriginal and Torres Strait Islander peoples across our vast Shire and to elders and leaders past, present and emerging.

**6 DECLARATIONS OF INTEREST****7 MAYORAL MINUTE**

Nil

**8 NOTICE OF BEREAVEMENT**

A minute's silence will be observed as a mark of respect for those residents who passed away during the previous month.

**9 LEAVE OF ABSENCE****10 CONFIRMATION OF MINUTES**

Ordinary Council Meeting held on 26 July 2022

**11 BUSINESS ARISING**

## 12 NOTIFIED MOTIONS

### 12.1 NOTICE OF INTENTION TO REPEAL - 2022 LGAQ CONFERENCE MOTION - CALCULATION OF MEMBERSHIP FEES

**File Number:** D22/18312

**Attachments:** Nil

I, Mayor Peter Scott, give notice that at the next Ordinary Meeting of Council be held on 23 August 2022, I intend to move a motion to repeal Resolution 2022/159 from the 26 July 2022 Ordinary Council Meeting.

#### RATIONALE

New information has become available since the 26 July 2022 Ordinary Council Meeting indicating that the inclusion of Disaster Recovery Funding Arrangements (DRFA) grant funding in the total expenditure amount used by the Local Government Association of Queensland (LGAQ) to calculate Cook Shire Council's annual membership fee, may be unique to Cook. If this is the case, the motion resolved to submit to the LGAQ Annual Conference would not be applicable to other councils.

Correspondence will be drafted and sent to LGAQ to request that the expenditure component used for future membership calculations exclude DRFA grant funding, which equates to approx. 50% of Cook Shire Councils total recurrent expenditure.

I commend this Notice of Repeal to Council.

#### MOTION

That the Resolution 2022/159, below, related to Item 7.1 of the 26 July 2022 Ordinary Council Meeting, be repealed.

*"That Council resolves to request the Local Government Association of Queensland to include the following motion on the 2022 LGAQ Annual Conference agenda:*

*That the Local Government Association of Queensland member councils acknowledge and agree to the following:*

- 1. That the formula used to calculate LGAQ membership subscriptions is inequitable because it includes expenditure that is tied to grant funding; and*
- 2. That the members vote to change the LGAQ membership subscription formula to include only own-source revenue expenditure in the calculation; and*
- 3. That this proposed change in membership calculation will provide fairness by recognising that grant funds are not available to meet LGAQ subscriptions."*

## 13 COUNCILLORS' REPORTS

### 13.1 COUNCILLORS' MONTHLY REPORTS

<b>File Number:</b>	<b>D22/18275</b>
<b>Author:</b>	<b>Executive Assistant</b>
<b>Authoriser:</b>	<b>Heather Kelly, Acting Chief Executive Officer</b>
<b>Attachments:</b>	<b>1 Mayor Peter Scott</b>
	<b>2 Deputy Mayor Robyn Holmes</b>
	<b>3 Cr Peter Burns</b>
	<b>4 Cr John Dessmann</b>
	<b>5 Cr Ross Logan</b>
	<b>6 Cr Marilyn Morris</b>

#### PRECIS

Councillors' monthly activity reports are tabled for noting and endorsement by Council.

#### BACKGROUND/HISTORY

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

*(Cr Larissa Hale's report was unavailable at the time of preparing the agenda)*

#### LINK TO CORPORATE PLAN

**Theme 6 Organisational Capability** - A Council characterised by strong leadership, good governance, effective community engagement and excellence in delivery.

**ORG 1:** Manage Council's activities and decision-making with strategic oversight, transparency and accountability.

**Org 1a:** Sound governance and management practices are reflected in responsible long term financial viability with clear strategic direction built around core local government business and affordable levels of service.

**Org 1d:** Communities are kept adequately informed and is satisfied with the overall leadership and strategic direction undertaken by Council.

#### CONSULTATION

Various groups as per individual reports.

#### LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

#### POLICY IMPLICATIONS

Councillor Expense Reimbursement Policy

#### FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Operational Budget

**RECOMMENDATION**

That the activities and updates contained in the individual Councillors' monthly reports tabled on 23 August 2022, including future travel requirements, be noted and endorsed by Council.





## Monthly Activity Report | Councillor Peter Scott (Mayor)

### UPDATES RELATING TO STRATEGIC AND GEOGRAPHIC PORTFOLIO AREAS

- *Cooktown, Marton and Endeavour Valley areas*
  - *Strategic Regional Representation*
  - *Finance, Audit and Risk*
  - *Community Wellbeing, Housing and Inter-agency Groups*
  - *Disaster Management and Mass Gatherings*
- Continued involvement in the progression of key regional issues through FNQROC, TCICA and LGAQ boards and sub-committees, such as:
    - Housing
    - Unlocking land tenure / reserves
    - Financial sustainability of local government

### COMMUNITY ENGAGEMENT – MEETINGS, EVENTS AND ACTIVITIES

Date	Event or Meeting Name	Location	Comments
21/07/2022	Arup	Council Chambers	FNQROC stakeholder interview for the Regional Resource Recovery Plan
25/07/2022	Sports Marketing Australia and Chugg Entertainment	Zoom	Meeting re. proposed 2023 Reconciliation Rocks concert
26/07/2022	Ordinary Monthly Council Meeting	Council Chambers	Meeting as per agenda published in advance
	Councillor Workshop	Council Chambers	Various matters discussed with Councillors
28/07/2022	Cooktown Interagency Meeting	Council Chambers	Bimonthly meeting of local agency representatives
29/07/2022	Torres and Cape Hospital and Health Service	MS Teams	Monthly meeting of all Torres and Cape Mayors and CEOs
02-03/08/2022	Far North Queensland Regional Organisation of Councils	Canberra	Mayoral delegations with approx. 20 Federal Government Ministers
09/08/2022	Councillor Workshop	Council Chambers	Various matters discussed with Councillors
	Tennis Queensland	Council Chambers	Meeting with CEO, Tennis Queensland
11/08/2022	Queensland Fire and Emergency Services	MS Teams	IGEM Assessment Review
	Dept. State Development, Infrastructure, Local Government and Planning	MS Teams	LGAQ Rural and Remote Councils Policy and Legislation Committee Meeting
16/08/2022	Path to Treaty Event	Parliament House, Brisbane	Invited to attend by Premier Annastacia Palaszczuk celebrating the announcement of the next steps of the Queensland Government's Path to Treaty


**COMMUNITY ENGAGEMENT – MEETINGS, EVENTS AND ACTIVITIES**

Date	Event or Meeting Name	Location	Comments
	Dept. State Development, Infrastructure, Local Government and Planning	Parliament House, Brisbane	Quarterly meeting of the LGAQ Rural and Remote Council Compact Guardians, with the Deputy Premier
18/08/2022	Long Tan Day / Vietnam Veteran's Day	ANZAC Park, Cooktown	Attend service and provide Mayoral address

**UPCOMING MEETINGS AND TRAVEL FOR ENDORSEMENT**

Date	Event or Meeting Name	Location	Comments
19/08/2022	TCHHS	MS Teams	Monthly meeting of all Torres and Cape Mayors and CEOs
23/08/2022	Ordinary Monthly Council meeting	Council Chambers	Meeting as per agenda published in advance
	Councillor Workshop	Council Chambers	Various matters discussed with Councillors
	Regional Development Australia	Lakeland	Town Centre Design Workshop with Lakeland community, facilitated by AEC Group
26/08/2022	Dept. Environment and Science	MS Teams	Briefing on the recent independent evaluation of the Queensland Estuarine Crocodile Management Program
31/08 – 1/9/2022	Local Government Association of Queensland	PCYC Cooktown Events Centre	Policy Executive Committee meeting and visits to Hope Vale and Wujal Wujal townships
02/09/2022	Dept. Energy and Public Works	Council Chambers via MS Teams	Briefing about the Northern Queensland Renewable Energy Zone (QREZ) and upcoming Queensland Energy Plan
06/09/2022	Metallica Minerals	Council Chambers	Update re. Cape Flattery Silica Project
14 – 22/09/2022	<i>Personal leave</i>		



## Monthly Activity Report | Councillor Robyn Holmes (Deputy Mayor)

### UPDATES RELATING TO STRATEGIC AND GEOGRAPHIC PORTFOLIO AREAS

- *Cooktown, Marton and Endeavour Valley areas*
  - *Lakeland, Laura and the southwest shire areas*
  - *Finance, Audit and Risk*
  - *Community Wellbeing, Housing and Youth*
  - *Biosecurity, Weeds and Feral Animals*
  - *Economic Development and Tourism*
  - *Health and Education*
  - *Disaster Management and Mass Gatherings*
- 
- Lakeland Health Services – Qld Health planning team met with Council in late July. Further information and statistics to be obtained and report forwarded to Health Planning Team.
- 
- Regional Aged Care Services Project Business Case to be promoted to various interested parties and funding bodies. Looking for Infrastructure funding and Aged Care Provider to progress project.
- 
- Lakeland Progress Association, quarterly meeting held. SES First Responders concerns yet to be addressed however progressed through LDMG & QFES.
  - Community seeking inclusion in proposed new Town Plan. 2 grants received to progress planning in 2 areas.
  - AEC, Townsville scheduled to deliver a Design Workshop with Lakeland Community late August – workshop provides opportunity for Community to have input into how they anticipate their community will look.

### COMMUNITY ENGAGEMENT – MEETINGS, EVENTS AND ACTIVITIES

Date	Event or Meeting Name	Location	Comments
19/07/2022	Councillor Workshop	Chambers	
20/07/2022	Lakeland Health Services	Chambers	Meeting with TCHHS to discuss Health Services for Lakeland
	Qld Health Local Areas Needs Assessment	Chambers	Meeting with TCHHS Planning to discuss Local Area Needs in Cook Shire
	Cooktown MPHHS Community Advisory Network Meeting	Cooktown	Agenda and discussion
21/07/2022	Cooktown Amateur Turf Club Meeting	Cooktown	Agenda and discussion
26/07/2022	Councillor Meeting	Chambers	Councillor discussion. Citizenship Ceremony.
	Ordinary Council Meeting	Chambers	Agenda <a href="http://www.cook.qld.gov.au/council-desc/council-meetings/council-minutes">http://www.cook.qld.gov.au/council-desc/council-meetings/council-minutes</a>
	Councillor Workshop	Chambers	
28/07/2022	Invasive Plants And Animal Committee (IPAAC) Meeting	Chambers	Agenda and discussion including review of Cook Shire Biosecurity Plan.


**COMMUNITY ENGAGEMENT – MEETINGS, EVENTS AND ACTIVITIES**

Date	Event or Meeting Name	Location	Comments
	Progress/Information update session	Chambers	Information session with Director Community Economy & Innovation re Steering Group, Youth Council, Lakeland, Health and other community matters
29/08/2022	Cooktown Horse Sports Assoc meeting	Cooktown	Planning meeting for upcoming event
02/08/2022	Councillor Workshop	Chambers	
03/08/2022	Council Member's PCYC Steering Group	Chambers	Review Draft PCYC Management Agreement & KPI's
09/08/2022	Councillor Meeting	Chambers	Councillor discussion. Portland Roads Social Club interest in future community development. Progress on Cooktown Airport Development.
	Councillor Workshop	Chambers	
10/08/2022	Progress/Information update session	Chambers	Information session with Director Community Economy & Innovation re Steering Group, Youth Council, Lakeland, Health and other community matters
11/08/2022	Lakeland Progress Association Meeting	Lakeland	Agenda and discussion around NBN, Health, Perfume Gully, Rec Park, drainage & footpaths.

**UPCOMING MEETINGS AND TRAVEL FOR ENDORSEMENT**

Date	Event or Meeting Name	Location	Comments
16/08/2022	Queensland's Path to Treaty – Next Steps	Live Stream, Chambers	Qld Govt to announce the next steps on the State's Path to Treaty.
17/08/2022	Cooktown MPHHS Community Advisory Network Meeting	Cooktown	
23/08/2022	Ordinary Council Meeting	Chambers	Agenda <a href="http://www.cook.qld.gov.au/council-desc/council-meetings/council-minutes">http://www.cook.qld.gov.au/council-desc/council-meetings/council-minutes</a>
	Councillor Workshop	Chambers	
	Lakeland Design Workshop	Lakeland	Workshop with Lakeland Community – facilitated by AEC <a href="https://www.aecgrouppltd.com">https://www.aecgrouppltd.com</a>
24/08/2022	Events Centre Management Agreement Negotiations Committee Meeting	Chambers	Review Draft Management Agreement



## Monthly Activity Report | Councillor Peter Burns

### UPDATES RELATING TO STRATEGIC AND GEOGRAPHIC PORTFOLIO AREAS

- Cooktown, Marton and Endeavour Valley areas
- Coen, Portland Roads and the northern shire areas
- Finance, Audit and Risk (proxy)
- Community Wellbeing, Housing and Inter-agency Groups (Coen Inter-Agency Group, Lakeland Progress Assoc.)
- Economic Development and Tourism
- Environment and Waste
- RADF Committee

### COMMUNITY ENGAGEMENT – MEETINGS, EVENTS AND ACTIVITIES

Date	Event or Meeting Name	Location	Comments
26/7/22	Councillors Meeting	Chambers	
26/7/22	Ordinary Monthly Council Meeting	Chambers	Refer agenda
26/7/22	Councillor Workshop	Chambers	Risk analysis, etc.
27/8/22	Laura Interagency Meeting	Bob's Place, Laura	A good meeting, many topics discussed, refer minutes for details
28/7/22	Cooktown Interagency Meeting	Chambers	A good number of agencies represented, housing and DV emphasised
30/7/22	Cooktown Markets	Park	Always interesting
2/8/22	Councillor Workshop	Chambers	
8-12/8/22	Leave		Attend funeral in Melbourne
13/8/22	Lakeland Photo Competition	Lakeland	A great community event not to mention the talented entries, recommended

### UPCOMING MEETINGS AND TRAVEL FOR ENDORSEMENT

Date	Event or Meeting Name	Location	Comments
16/8/22	Path to Treaty	Chambers	
23/8/22	Ordinary Monthly Council Meeting	Chambers	Agenda



## Monthly Activity Report | Councillor John Dessmann

### UPDATES RELATING TO STRATEGIC AND GEOGRAPHIC PORTFOLIO AREAS

- *Cooktown, Marton and Endeavour Valley areas*
- *Ayton, Bloomfield, Rossville and the southeast shire areas*
- *Indigenous (Bama) Partnerships*
- *Climate Change and Sustainability*
- *Great Barrier Reef*
- *Economic Development and Tourism*

### COMMUNITY ENGAGEMENT – MEETINGS, EVENTS AND ACTIVITIES

Date	Event or Meeting Name	Location	Comments
19/07/2022	Councillor Workshop	Chambers	
21/07/2022- 05/08/2022	Personal Leave		
01/08/2022	RSL Committee Meeting	Cooktown	Agenda and discussion
09/08/2022	Councillor Meeting	Chambers	Councillor discussion
	Councillor Workshop	Chambers	

### UPCOMING MEETINGS AND TRAVEL FOR ENDORSEMENT

Date	Event or Meeting Name	Location	Comments
16/08/2022	Queensland's Path to Treaty – Next Steps	Live Stream, Chambers	Qld Govt to announce the next steps on the State's Path to Treaty.
23/08/2022	Ordinary Council Meeting	Chambers	Agenda <a href="http://www.cook.qld.gov.au/council-desc/council-meetings/council-minutes">http://www.cook.qld.gov.au/council-desc/council-meetings/council-minutes</a>
	Councillor Workshop	Chambers	



## Monthly Activity Report | Councillor Ross Logan

### UPDATES RELATING TO STRATEGIC AND GEOGRAPHIC PORTFOLIO AREAS

- *Cooktown, Marton and Endeavour Valley areas*
- *Coen, Portland Roads and the northern shire areas*
- *Environment and Waste*
- *Community Wellbeing, Housing and Inter-agency Groups (Coen Inter-Agency Group, Lakeland Progress Assoc.)*
- *Economic Development and Tourism*

### COMMUNITY ENGAGEMENT – MEETINGS, EVENTS AND ACTIVITIES

Date	Event or Meeting Name	Location	Comments
06.08.2022	Markets	Park (Cooktown)	
09.08.2022	Councillor Workshop	Chambers	
11.08.2022	FNQROC Regional Resource Recovery Group	MS Teams	Meeting
11.08.2022	Lakeland Progress Association	Lakeland Hall	Meeting





## Monthly Activity Report | Councillor Marilyn Morris

### UPDATES RELATING TO STRATEGIC AND GEOGRAPHIC PORTFOLIO AREAS

- *Cooktown, Marton and Endeavour Valley areas*
- *Ayton, Bloomfield, Rossville and the southeast shire areas*
- *Finance, Audit and Risk (proxy)*
- *Indigenous (Bama) Partnerships*
- *Sport and Recreation, and the Arts*
- *Health and Education*

Sport – attend rugby games at Wujal and Cooktown. Follow up on concerns from Cooktown Crocs re John Street Oval (sensitive weed and white shade structures). Begin discussions on agreements with Crocs, Cricket and Tennis. Start research on Pickleball for the region.

Discussions re Waalmbal Birri Centre – design for storage plus outdoor area for workshops & performance space.

Follow up on letter from Rossville Residents Association – before Sunday 21<sup>st</sup> August meeting.

Volunteer at Black Mountain Unplugged Festival.

### COMMUNITY ENGAGEMENT – MEETINGS, EVENTS AND ACTIVITIES

Date	Event or Meeting Name	Location	Comments
25/07/2022	Waalmbal Birri Centre	Council	Discuss Stage 2 – revised format to original plan
26/07/2022	Ordinary Council meeting	Chambers	Meeting, then workshop.
28 July – 6 August	<i>Personal travel</i>	<i>Gold Coast</i>	<i>Spend time with parents.</i>
02/08/2022	Councillor Workshop	Zoom	
08/08/2022	Six hour Volunteer shift	WB Centre	Promote the 48 day story, sales, gardening.
09/08/2022	Councillor Workshop Meeting Tennis Australia	Chambers	Valuable meeting with Steve Thomas, Rhianna Lauriston & Trent Grayson. Local club has many committed members, great interest in future growth – present courts need work. New outdoor courts in Event Centre Precinct will cost \$300,000 each!!!
11/08/2022	NP Steering Committee	Council	Powerhouse, Café and Visitor Centre extremely busy. Local patrons continue to support well.
12 - 21 August	Volunteer at Black Mountain Unplugged	Helenvale	Local musicians & artists perform, plus Intra & interstate performers. Patrons camping the week enjoyed Cooktown, Wujal and Rossville.
15/08/2022	Six hour volunteer shift Reenactment Management meeting	WB Centre	Promote the '48 day' story, sales, gardening. Meeting – discuss finances, work plan for all committee to share gardening, cleaning etc...
16/08/2022	QLD Path to Treaty	Council	
18/08/2022	Wallaby Creek Festival	WCF site	Meeting to discuss upcoming festival
20/08/2022	Wallaby Creek Festival	WCF site	Meeting to walk the site and discuss logistics




**COMMUNITY ENGAGEMENT – MEETINGS, EVENTS AND ACTIVITIES**

Date	Event or Meeting Name	Location	Comments
21/08/2022	Rossville Residents Association meeting	Rossville	

**UPCOMING MEETINGS AND TRAVEL FOR ENDORSEMENT**

Date	Event or Meeting Name	Location	Comments
25/08/2022	NQSF Sportstar meeting Barrier Reef Steering Committee meeting	Chambers	Meet with Director & staff members to discuss candidates to nominate for upcoming awards.
26/08/2022	Six hour Volunteer shift	WB Centre	Promote the 48 day story, sales, gardening.
27/08/2022	Six hour volunteer shift School of Arts AGM	WB Centre Eliz Guzely Gallery	Promote the 48 day story, sales, gardening.
02/09/2022	Six hour volunteer shift	WB Centre	Promote the 48 day story, sales, gardening.
03/09/2022	Three hour volunteer shift	WB Centre	Promote the 48 day story, sales, gardening.
06/09/2022	Metallica Minerals meeting	Chambers	
7 - 8 Sept	CYNRM Board meeting	Atherton	Board & staff meeting (expenses paid CYNRM)
9/09/2022	NQSF Board meeting	Townsville	Board, Advisory & Workshop (plane Cairns Townsville return paid by Cook Shire Council)
10/09/2022	Football Grand Final	John Street Oval	
11 – 16 September	TCICA and Community meetings	Coen, Weipa	Drive to Coen, Portland Roads, Weipa, Mapoon. Four Councillors, new CEO & Council staff.

***Thankyou,  
Marilyn Morris***



## 14 EXECUTIVE SERVICES - REPORTS

### 14.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

**File Number:** D22/18278  
**Author:** Executive Assistant  
**Authoriser:** Heather Kelly, Acting Chief Executive Officer  
**Attachments:** 1 Chief Executive Officer's Monthly Report

#### PRECIS

Chief Executive Officer's monthly report.

#### BACKGROUND/HISTORY

Each month the Chief Executive Officer reports on external activities. An endorsement of the report is an endorsement of the attended and future activities. Not all activities will be listed in advance due to timing.

This report contains external activities of the Acting CEO, Heather Kelly, up until Friday 19 August 2022 and future external activities of Council's new CEO Brian Joiner, who will commence in his role on Monday 22 August 2022.

#### LINK TO CORPORATE PLAN

**Theme 6 Organisational Capability** - A Council characterised by strong leadership, good governance, effective community engagement and excellence in delivery.

**ORG 1:** Manage Council's activities and decision-making with strategic oversight, transparency and accountability.

**Org 1a:** Sound governance and management practices are reflected in responsible long term financial viability with clear strategic direction built around core local government business and affordable levels of service.

**Org 1d:** Communities are kept adequately informed and is satisfied with the overall leadership and strategic direction undertaken by Council.

#### CONSULTATION

Various agencies, businesses, organisations and community members as indicated in the attached report.

#### LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

CEO's expenditure is in accordance with Council's Annual Budget.

**RECOMMENDATION**

That the activities contained in the Acting Chief Executive Officer's monthly report tabled on 23 August 2022, be noted and endorsed by Council.



### Monthly Activity Report | Acting Chief Executive Officer

Date	Event or Meeting Name	Location	Comments
02.08.2022	Councillor Workshop	Council Chambers	Various matters discussed with Councillors
09.08.2022	Councillor Workshop	Council Chambers	Various matters discussed with Councillors
11.08.2022	Dept. Communities, Housing and Digital Economy	Phone call	Meeting re. housing in Cooktown
	Natures Powerhouse Steering Committee	Council Chambers	Quarterly meeting
16.08.2022	Path to Treaty Event	Council Chambers via livestream	Event livestreamed from Parliament House, Brisbane, celebrating the announcement of the next steps on the Queensland Government's Path to Treaty
18 – 19.08.2022	Industrial Relations Commission	Brisbane	Meeting re. CSC Certified Agreements

### Monthly Activity Report | Chief Executive Officer

UPCOMING MEETINGS AND TRAVEL			
Date	Event or Meeting Name	Venue	Details / Comments
26.07.2022	Ordinary Monthly Council meeting	Council Chambers	Meeting as per agenda published in advance
	Councillor Workshop	Council Chambers	Various matters discussed with Councillors
23.08.2022	Regional Development Australia	Lakeland	Town Centre Design Workshop with Lakeland community, facilitated by AEC Group
02.09.2022	Dept. Energy and Public Works	Council Chambers via MS Teams	Briefing about the Northern Queensland Renewable Energy Zone (QREZ) and upcoming Queensland Energy Plan
06.09.2022	Metallica Minerals	Council Chambers	Update re. Cape Flattery Silica Project
11 - 15.09.2022	Northern Trip		CEO and Councillors travelling to Coen, Portland Roads, Lockhart River and Weipa
14 – 15.09.2022	Torres and Cape Indigenous Council Alliance	Weipa and Mapoon	Bimonthly TCICA board meeting
16.09.2022	Queensland Fire and Emergency Services	Cairns	Coordinating Team Operating in Disaster Masterclass
22.09.2022	Cooktown Interagency Meeting	Council Chambers	Bimonthly meeting of various local agency and NGO representatives

## 15 COMMUNITY, ECONOMY AND INNOVATION - REPORTS

### 15.1 ARTS AND CULTURE POLICY

**File Number:** D22/16629

**Author:** Tourism, Arts and Events Manager

**Authoriser:** Lawrence Booth, Director Community, Economy and Innovation

**Attachments:** 1 Arts and Culture Policy 2022

#### PRECIS

Cook Shire Council (Council) recognises and promotes the role of arts and culture in contributing to a sense of identity and the enrichment of community life. Council has developed an Arts and Culture Policy to:

- Provide a framework to develop and support arts, culture, and heritage to engage with and enrich the lives our residents and visitors; and
- Create a community focus on arts, culture and heritage

#### BACKGROUND/HISTORY

“The arts have the power to inspire, entertain and unite. They connect people with ideas, emotions and stories; and spark imagination, creativity and joy. The arts are intrinsically important and contribute to individual and collective wellbeing – they play an essential role in the daily lives of Australians.” (Australia Council for the Arts, 2017).

A vibrant arts and cultural life is an important ingredient of a healthy, sustainable and liveable community. It affirms our sense of place, our values and our identity. It helps us to give voice to the things that matter. It brings us together through our stories and shared experiences. It’s our way of connecting the present with the past and the future. It’s what makes us and our region distinctive.

Governments around the world agree that for ongoing human development to be functional and sustainable, culture needs to be recognised in public policy (United Cities and Local Governments [UCLG], 2002). Today, cultural policy at the local government level is understood to be the “fourth pillar of sustainability”, alongside established responsibilities for social, environmental and economic policy (The Fourth Pillar of Sustainability: Culture’s Essential role in Public Planning, Jon Hawkes, Common Ground Publishing, 2001).

The Federal Government supports inclusiveness and growth in Australia’s creative sector and protects and promotes Australian content and culture. The Queensland government expresses a strong commitment to supporting arts and culture. It’s priorities include elevating First Nations arts, driving social change across the State, strengthening Queensland communities and sharing our stories and celebrating our storytellers.

Over many years, Council and the community have made a considerable investment in the arts and cultural life of the Cook Shire community. The Arts and Culture Policy provides the framework to guide the continued investment in the arts and culture in the region.

The Arts and Culture Policy was originally adopted by Council in May 2006 and has been periodically reviewed and updated since it was adopted. A further review has been conducted and the Policy updated as follows:

- Updated Scope;
- Updated Provisions;
- Updated definitions to more clearly define Arts, Culture and Heritage to align with Council's Arts and Culture Strategy (2021 – 2025); and
- Updated Measures of Success.

### **LINK TO CORPORATE PLAN**

Theme 6 Organisational Capability - *A Council characterised by strong leadership, good governance, effective community engagement and excellence in delivery*

ORG 1 Manage Council's activities and decision-making with strategic oversight, transparency and accountability.

Org 1b. Council activities comply with applicable legislation through well-maintained policies, procedures and information systems that guide and facilitate good decision making

Org 1c. Work management systems and procedures are reviewed and adjusted to support improved organisational service provision, compliance and efficiency

### **CONSULTATION**

This policy has been reviewed by relevant Council staff.

### **LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)**

There are no identified legal implications from adopting the updated Policy.

### **POLICY IMPLICATIONS**

This policy will replace the current Arts and Culture Policy.

### **FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)**

There are no identified financial and resource implications from the Policy changes. Arts and cultural development in the Shire is jointly funded by Council through its adopted budget and the Queensland State Government through our commitment to the Regional Arts Services Network (RASN) and the Regional Arts Development Fund (RADF).

### **RECOMMENDATION**

That Council adopts the Arts and Culture Policy dated August 2022.




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## ARTS AND CULTURE POLICY

### **INTENT**

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The purpose of this Policy is to provide a framework for Cook Shire Council (Council) to develop and support arts, culture and heritage to engage with and enrich the lives of our residents and visitors, whilst creating a community focus on arts, culture and heritage.

Council acknowledges that arts and culture form one of the major pillars of any sustainable economy and commits to working with the community to pursue economic advantage for the region, whilst preserving those unique features of our heritage, culture and artistic endeavours that reflect the Shire's community, its character and its strengths.

### **SCOPE**

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This policy will provide a framework through which the results of regular community consultation can be applied to identify and refine arts and cultural strategic initiatives. These initiatives helped to shape the *Arts and Cultural Strategy* that reflects the arts and cultural priorities of the community and serves as a foundation for Council's arts funding initiatives.

This policy is designed to assist Council in making decisions and determining how resources will be invested to support the specific needs of local people and their communities.

This policy applies to all Councillors and employees of Council, including contractors, agents and volunteers.

The policy will provide guidance for the assessment of applications to Council funding programs.

This policy reflects the strategic direction as established in:

- Cook Shire Community Plan 2021- 2031;
- Cook Shire Council Corporate Plan 2022-2027; and
- Cook Shire Council Annual Operational Plans.

This policy has the potential to be supplemented by additional policies as appropriate.

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## PROVISIONS

This policy should be considered in conjunction with;

- Cook Shire Council Community Plan 2021 – 2031;
- Cook Shire Council Corporate Plan 2022-2027;
- Cook Shire Council Planning Scheme;
- Cook Shire Council Public Art Policy;
- Cook Shire Council Annual Operational Plan;
- Cook Shire Council Arts and Cultural Strategy;
- Cook Shire Council Community Grants and Support Program Policy; and
- Cook Shire Council Plaques Memorials and Monuments Policy.

## DEFINITIONS

Throughout this document the terms **arts**, **culture** and **heritage** are used in a broad sense to include all traditional, new and emerging forms of artistic expression, cultural and heritage activities.

TERM	DEFINITION
<b>Arts</b>	The arts are an expression of culture, the activities that enable expression of cultural meaning, through performing, visual, media and literacy art forms, or a combination of those.
<b>Culture</b>	Refers to the cumulative repository of knowledge, experience, beliefs, values, attitudes, meanings, hierarchies, religion, notions of time, roles, spatial relations, concepts of the universe, and material objects and possessions acquired by a group of people in the course of generations through individual and group endeavour. Three key dimensions of culture are: <ul style="list-style-type: none"> <li>- Our sense of place, our values and our identity</li> <li>- The material products of creative processes</li> <li>- Our engagement with and participation in, cultural and creative processes</li> </ul>
<b>Heritage</b>	Cultural heritage is the legacy of physical artefacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations

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TERM	DEFINITION
	This may include historic buildings, artwork, books and manuscripts and other artefacts that have been passed down from previous generations. They are of special value and are worthy of preservation.

## GUIDING PRINCIPLES

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The following principles underpin Council's commitment to the provision of its arts, cultural and heritage activities:

- *The cultural vitality of Cook Shire is expressed in the arts, cultural and heritage pursuits of its people and is the key to a proud sense of identity, resilience, harmony and economic diversity;*
- *Building the capacity of local artists and art organisations to strengthen and enliven the community;*
- *Respecting cultural diversity to make the arts more relevant, dynamic, innovative, and inclusive - encouraging mutual respect and social harmony; and*
- *Artistic excellence is encouraged; to lead to artistic work with the highest merit, quality, sustainability, relevance, vibrancy and value for money.*

## POLICY

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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;

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- 2.2. Improved standards and best practice in art form skills, organisational governance and enterprise readiness;
  - 2.3. Collaboration and the development of partnerships within the arts and cultural sector; and
  - 2.4. The sustainability of arts, cultural and heritage enterprises.
- 3. Council will take an active role in promoting and protecting our cultural and heritage assets.**
- 3.1. Council will facilitate and maintain partnerships with relevant cultural, arts and tourism bodies.
  - 3.2. Council will encourage, facilitate and support community groups assisting with the preservation the Shire's cultural heritage.
  - 3.3. Council will ensure it meets relevant state and national legislative requirements:
    - i. *Aboriginal Cultural Heritage Act 2003;*
    - ii. *Aboriginal and Torres Strait Islander Heritage Protection Act 1984;*
    - iii. *Environment Protection and Biodiversity Conservation Act 1999;*
    - iv. *Historic Shipwrecks Act 1976;*
    - v. *Queensland Native Title Act 1993;*
    - vi. *Protection of Movable Cultural Heritage Act 1986;*
    - vii. *Queensland Heritage Act 1992; and*
    - viii. *Torres Strait Islander Cultural Heritage Act 2003.*

## **MEASUREMENT OF SUCCESS**

The outcomes of this Policy can be measured by:

- Increased access to and satisfaction with a number of quality arts and cultural experiences, projects, events or activities delivered in Cook Shire;
- Increased number of arts development opportunities available to the local residents and arts and cultural sector;
- Strong community of arts with quality partnerships between the arts and culture sector, communities, businesses and non-arts sector; and
- Increased level of active and diverse participation by Cook Shire residents in local arts and cultural activities and events.
- The number of active partners, sponsors or collaborators directly involved with arts projects
- The contribution of the arts sector to the social, cultural, civic, environmental and economic value to the community

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**REVIEW**

<b>SPONSOR:</b>	Director Community Economy and Innovation
<b>OFFICER RESPONSIBLE FOR REVIEW:</b>	Tourism, Arts and Events Manager
<b>ADOPTION DATE:</b>	23 August 2022
<b>REVIEW DATE:</b>	August 2025

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

**AMENDMENT HISTORY**

VERSION	AMENDMENT DETAILS	AMENDMENT DATE	APPROVAL
1.0	New Policy	May 2006	Council
	2010-2013 Policy Only	November 2010	Council
2.0	Change as per resolution	March 2013	Council
3.0	Change as per resolution	March 2015	Council
4.0	Change as per resolution	March 2019	Council
5.0	Change as per resolution	August 2022	Council Resolution

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**16 ORGANISATIONAL BUSINESS SERVICES - REPORTS****16.1 APPLICATION FOR A DEVELOPMENT PERMIT DA/4474 - MATERIAL CHANGE OF USE FOR A TELECOMMUNICATIONS FACILITY - 10 WALKER STREET, COOKTOWN - LOT 101 ON C1793**

**File Number:** D22/18209

**Author:** Reel Planning Pty Ltd

**Authoriser:** Lisa Miller, Manager, Planning & Environment

**Attachments:** 1 Appendix A - Proposed plan of development - DA4474 - MCU Telecommunications Facility - 10 Walker St  
2 Appendix B - DA4474 - Photomontages - Telecommunication Facility - 10 Walker St, Cooktown

**PRECIS**

**Applicant:** BMM Group

**Property Owner:** Telstra Corporation Limited

**Location:** 10 Walker Street, Cooktown

**Real Property Description:** Lot 101 C1793

**Site Area:** 1,012m<sup>2</sup>

**Zone:** Centre Zone

**Proposed Use:** Telecommunications Facility

**Level of Assessment:** Impact Assessment

**Referral Agencies:** None

**Submissions:** Twenty-three (23) submissions

**Decision Due:** 26 August 2022 (applicant agreed extension)

**EXECUTIVE SUMMARY**

This development application seeks a Development Permit for a Material Change of Use for a Telecommunication Facility at the existing Cooktown Exchange located on the south-eastern corner of Charlotte and Walker Street, Cooktown.

The facility consists of a tower with an overall height of 26.4m and associated infrastructure positioned in the south-eastern rear corner of the lot.

The proposed facility includes 4G and 5G technology and seeks to address a demonstrated need for improvements to the existing telecommunication network.

The application is Impact Assessable and subject to public notification. During the notification period twenty-three (23) submissions were received, two (2) of which were supportive of the application. Twelve (12) submissions were considered properly made. The grounds for the submissions raised concerns regarding impact on heritage values, visual impact and amenity, impact on health due to electromagnetic emissions and inadequate consultation with the community.

In response to the submissions, the design of the proposed monopole was modified to a 'slimline and compact profile'. Inspection of the site revealed that the existing boundary fencing and buildings have not been maintained and present poorly to both Charlotte and Walker Streets. The applicant was contacted in relation to this and has agreed to make improvements to the site and existing buildings to improve the overall visual amenity.

Assessment of the application has determined that the proposal can achieve compliance with the provisions of the Cook Shire Planning Scheme 2017 and is recommended for approval subject to conditions.

**THE SUBJECT SITE**

The subject site is situated on the fringe of the established Cooktown central business area. Surrounding land uses comprise a mix of commercial and residential uses.

The site is located on the south-eastern corner of Charlotte and Walker Street with existing development comprising of the Telstra exchange facilities accommodated within a number of buildings. Existing vehicle access to the site is achieved from Walker Street.

Immediately adjoining the site to the east fronting Walker Street are commercial offices currently occupied by the Queensland Government, to the south of the site fronting Charlotte Street, a mix of commercial uses and to the south-east fronting Helen Street an office and single detached residential dwelling. The Cooktown Hotel (The Top Pub) is located on the opposite side of Walker Street.



**Figure 1:** Subject Site and surrounding area (Source: QLD Globe 22/04/2022)

## **PROPOSED DEVELOPMENT**

The proposed development seeks to install a telecommunication tower with an overall height of 26.4m and associated infrastructure positioned in the south-eastern corner of the lot approximately 50m from the Charlotte Street frontage and 20 m from the Walker Street frontage.

The location of the proposed monopole is identified in Figure 1. The proposed plans are attached in Appendix A.

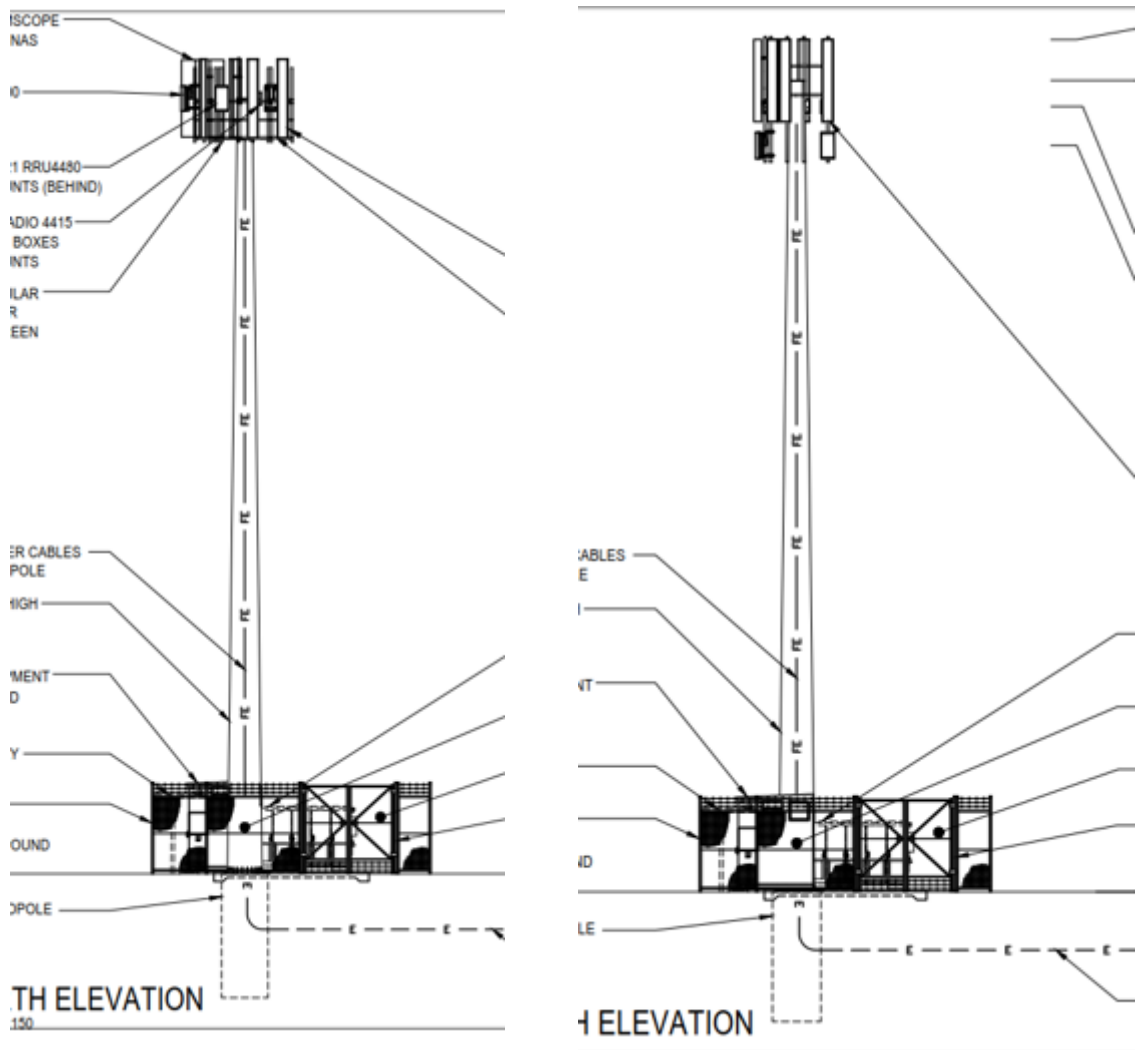
In response to submissions regarding the visual impact of the facility, the design of the proposed monopole was modified to a 'slimline and compact profile'. For comparison the original design which was subject to public notification and the modified design are provided in Figure 2 below.

The proposed telecommunication facility comprises of:

- One (1) x 25 metre monopole coloured eucalyptus green;
- Circular headframe mounted at 25m coloured eucalyptus green;
- Nine (9) x Telstra panel antennas mounted on the headframe with a maximum overall height of 26.4m;
- One (1) equipment shelter approximately 3.0m x 2.4m coloured eucalyptus green;
- One (1) x 450mm wide elevated cable ladder running between the proposed monopole and equipment shelter. The feeder cables are to run internally within the pole;
- One (1) x outdoor unit (cabinet 2.5m x 3.0m) to house Optus equipment; and
- Security compound fencing (2.5m high), double access gates (approximately 3m wide).

The application material stated that *'the proposed facility will upgrade the existing small cell facility at the Cooktown Exchange to a high-capacity site that will relieve congestion and capacity at Telstra's existing facilities which are not able to adequately cover the northern end and central parts of Cooktown. The proposed facility includes 4G and 5G technology and will improve network*

capacity and ensure a continuity of coverage to Telstra’s residential and business customers in the area and will address the coverage constraints within the local area’.



*Original proposed plans (plans subject to public notification)*

*Proposed amended plans in response to submissions regarding visual impact*

**Figure 2:** Original and proposed amended tower design

As part of the proposal, the applicant has also agreed to upgrade the fencing along the street frontages and the existing buildings on the site, which present poorly to the streets.

**TOWN PLANNING CONSIDERATIONS**

In accordance with section 45(5) of the *Planning Act 2016*, Impact Assessment is an assessment that –

- (a) *must be carried out only –*
  - (i) *against the assessment benchmarks in a categorising instrument for the development;*
  - and*
  - (ii) *having regard to any matters prescribed by regulation for this paragraph; and.*
- (b) *may be carried out against, or having regard to, any other relevant matter, other than a person’s personal circumstances, financial or otherwise.*

Pursuant to section 43(3) of the Act, the categorising instrument for the development is the Cook Shire Council Planning Scheme 2017 (v2).

Sections 30 and 31 of the *Planning Regulation 2017*, prescribe additional assessment benchmarks and matters that must be considered in deciding an Impact Assessable development application. The additional assessment benchmarks and matters that are relevant to the development are identified as follows:

Assessment benchmarks	Comment
Schedule 9	Schedule 9 is not applicable as the application is not for building work under the Building Act.
Schedule 10	The application did not trigger a referral to SARA under Schedule 10, Part 8, Division 2, Subdivision 1, Table 15, Item 1 – assessable development, development on or adjoining a Queensland Heritage Place, as the development did not result in works occurring on a Queensland heritage place (stone kerb and channel.  Refer section below.
Regional Plan	Section 2.2 of the Planning Scheme identifies that the Cape York Regional Plan has been adequately reflected in the Planning Scheme. A separate assessment against the Regional Plan is not required.
State Planning Policy, part E	Section 2.1 of the Planning Scheme identifies that the superseded version of the <i>State Planning Policy</i> is integrated in the Planning Scheme. A review of the current version of the SPP (July 2017) and mapping has determined that the state interests are reflected in the Planning Scheme and no additional assessment provisions in the current SPP (part E) or updated mapping are applicable requiring further assessment against the SPP.
Temporary State Planning Policy	There are no Temporary State Planning Policies.
Local Government Infrastructure Plan (LGIP)	This matter is addressed in a separate section of this report.
Any development approval for, and any lawful use of the premises, or adjacent premises	There is no relevant site history to be considered as part of the application.
The common material	All the material received about the application has been assessed and has informed the recommendation of this report.

### Cook Shire Council Planning Scheme 2017

#### Zone and land use definition

The subject site is included in the Centre zone.



In accordance with Schedule 1 of the Planning Scheme, Telecommunications Facility is defined as:

**Telecommunications Facility**

*means the use of premises for –*

*a facility that is capable of carrying communications and signals by guided or unguided electromagnetic energy.*

The land use definition is consistent with the Telecommunications Facility land use definition in Schedule 24 of the *Planning Regulation 2017*.

The proposal is considered to comply with the land use definition.

Category of development and assessment

In accordance with Table 5.5.3 the development application for a Material Change of Use for a Telecommunications Facility is subject to Impact Assessment within the Centre Zone.

The subject site is included in the following overlays:

- Character Overlay

Assessment Benchmarks

The applicable assessment benchmarks are the:

- Strategic Framework;
- Centre Zone Code;
- Character Overlay;
- Works, Services, and Infrastructure Code; and
- Parking and Access Code.

**Strategic Framework**

The strategic frameworks sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs in the planning scheme area for the life of the scheme.

The proposed development is considered to demonstrate compliance with the higher order policy intent sought by the planning scheme. Compliance with the relevant themes are summarised below.

3.3 Economic Wellbeing

The proposed development seeks to upgrade the existing small cell facility at the Cooktown Exchange to improve network capacity and coverage. Access to improved mobile coverage supports the economic outcomes of Cooktown in improving access to infrastructure to support businesses and improved services to residents and visitors.

3.4 Land Use Pattern

The proposed monopole is located on a centre zoned site currently accommodating the Cooktown Exchange. The use is considered an appropriate use of the site.

While the proposed monopole with an overall height (including the panels) of 26.4m will be visible from surrounding areas, it is considered that facility is an expected form of development located in

an urban area and will not have an adverse impact on the overall visual amenity of the site and locality. In response to submissions regarding the visual impact, the design was modified, to the 'slimline and compact profile' to reduce the visual bulk of the structure. The subject site is designated within Neighbourhood Character area on the Character Overlay Map. It is considered that the proposed facility will not have an adverse impact on the heritage values of the streetscape, character and amenity of the subject site or immediate adjoining lots.

### 3.5 Environmental Wellbeing

The proposed development is not located on a site identified as an area of environmental significance. Onsite works will be minimal and can be controlled through appropriate erosion and sediment control measures. In response to anticipated concerns regarding the health impact from electromagnetic emissions the applicant has confirmed the regulatory frameworks and standards for compliance. Exposure to electromagnetic emissions and associated health impacts, have been addressed by the applicant in a supporting technical report.

### 3.6 Infrastructure and servicing

The strategic framework acknowledges the importance of reliable communication infrastructure with adequate capacity to service the needs of the community and protection of the environment. The proposed development seeks to improve the network capacity and coverage while minimising impacts on visual amenity of the streetscape and locality.

### 3.7 Strong communities

The preferred location of the facility has been identified by Telstra considering a range of factors such as consumer demand, location of existing facilities, targeted coverage area, environmental factors and impact on the heritage values of the streetscape and Cooktown's natural scenic backdrop. The proposed facility has been designed and sited to improve the level of telecommunication service in the catchment while minimising impacts on the heritage values, streetscape and overall visual amenity.

### **Centre Zone Code (6.2.3)**

The purpose of the Centre zone is to provide for a variety of uses and activities to service all or part of the local government area.

The overall outcomes relevant to this proposal are:

- (a) Land is used for a range of business, commercial, retail, professional, tourism and entertainment facilities;
- (b) Land in the Centre Zone functions as the town centre with a range of retail and commercial activities to support the local community and tourists and visitors; and
- (c) Retail and commercial uses are consolidated within this zone, to achieve greater efficiency and accessibility.

The proposal is considered consistent with the purpose and overall outcomes of the Centre Zone code and achieves compliance with either the prescribed Acceptable Outcomes (AO) or Performance Outcomes (PO) as summarised below.

- The proposed monopole including the panels has an overall height of 26.4m significantly higher than the acceptable outcome of 11 m.

- The proposed pole will be visible from surrounding areas as depicted in the photomontages supporting the application (Appendix B). In response to submissions regarding the visual impact, the monopole has been modified to a 'slimline and compact profile'. The monopole, panels and associated shelter shed will be finished in eucalyptus green to minimise the visual dominance of the structure.
- While the monopole will be visible, it is considered that the infrastructure is an expected and anticipated form of development within a built-up urban environment and the proposed siting of the monopole and associated infrastructure will not have an adverse impact on the streetscape and built form character of development in the immediate vicinity of the site (PO1 and PO2).
- It is considered that the siting of the facility will not have an adverse impact on the amenity of the immediate adjoining land uses. The commercial office to the east is built to the side boundary with a block wall and no window openings along the entire length of the boundary. The adjoining residence to the south-east is located to the front of the site fronting Helen Street and the commercial premises to the south comprises a number of buildings with the primary commercial buildings fronting and addressing Charlotte Street.
- The existing vehicle access to the site from Walker Street will be retained. The land use does not require the designation of formal car parking spaces. There is more than adequate area available onsite to meet the infrequent parking demand.

#### **Character Overlay Code (8.2.4)**

The purpose of the Character overlay code is to ensure development protects heritage places and areas of local or state heritage value.

The overall outcomes relevant to this development are:

- (a) The built heritage values of historic streetscapes and individual sites within those streetscapes are protected and (where feasible) enhanced;
- (b) New buildings or structures and extensions to new buildings and structures incorporate (but not necessarily identically replicate) the main features of existing historic architectural styles and streetscape values within the character precinct and are sympathetic to and blend with the original building types in the character precinct;
- (e) Development on or adjacent to a Heritage Place will not have an adverse impact in terms of:
  - (i) Visibility
  - (ii) Public accessibility
  - (iii) Public change; or
  - (iv) Damage or removal.

The subject site is included in the designated neighbourhood character area as detailed in Figure 3 below. The neighbourhood character area is primarily centred along both frontages of Charlotte Street extending from the intersection of Charlotte Street and Hogg Street, one lot to the south of the subject site to the waterfront foreshore to the north. The neighbourhood character area designation includes individual lots and extended sections of the street that contribute to the overall historic streetscape of Cooktown. The neighbourhood character designation seeks to ensure that development is sympathetic to the historic streetscape values and does not have an impact upon the overall streetscape amenity.

The subject site does not include or adjoin a local heritage place. Cooktown Hotel (Top Pub), a local heritage listed place is located opposite the site on the north-eastern corner of Walker and Charlotte Streets.

The stone kerb and channel along the Walker Street and Charlotte Street frontage of the site is listed as a state heritage place.

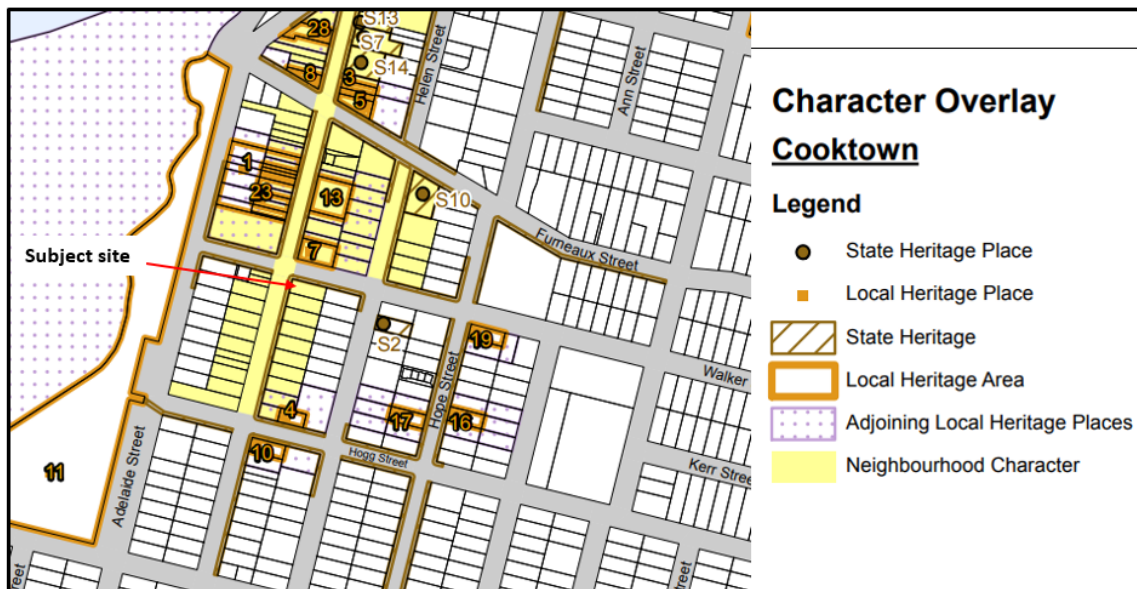


Figure 3: Character Overlay

The proposal is considered consistent with the purpose and overall outcomes of the Character Overlay Code and achieves compliance with either the prescribed Acceptable Outcomes (AO) or Performance Outcomes (PO) as summarised below.

- The proposed tower has been located in the rear south-eastern corner of the lot to minimise the visual dominance on the streetscape.
- When viewed from surrounding areas it is considered the proposal will not have an adverse impact on or detract from the heritage values of the heritage listed places in the vicinity of the site.
- While the tower will be visible due to the height of the structure, it is considered that the development will not have an adverse impact on the overall streetscape amenity.
- The proposed development will utilise the existing access driveway to the site with no change or impact on the State heritage listed stone kerb and channel.

**Parking and Access Code (9.4.2)**

The purpose and overall outcomes of the Parking and Access Code is to ensure access and parking is safe, efficient and convenient.

The proposed tower and existing buildings do not require personal to be onsite and the operation of the facility does not generate a demand for onsite parking. Parking demand during the construction period can be accommodated onsite and surrounding on-street parking. The existing access from Walker Street is considered adequate and will be retained.

The proposal is considered consistent with the purpose and overall outcomes of the Parking and Access Code and achieves compliance with either the prescribed Acceptable Outcomes (AO) or Performance Outcomes (PO).

### **Works, Services and Infrastructure Code (9.4.3)**

The purpose of the Works, Services and Infrastructure Code is to ensure the development is provided with the range of infrastructure services required by the development and are of a suitable standard.

The subject site is connected to required urban services. No additional services are required as a result of this development. Minor earthworks will be required to establish a level building area of the proposed tower and associated infrastructure.

### **Relevant Matters**

#### **Need and alternative sites**

The applicant advised that:

- the proposed tower is responding to an existing demonstrated need to deliver improved telecommunications services to Cooktown;
- the development involves the upgrade of the existing small cell facility at the Cooktown Exchange to a high-capacity site to relieve congestion and capacity at Telstra's existing facilities which are not able to adequately cover the northern end and central parts of Cooktown; and
- In the targeted coverage area in Cooktown (refer Figure 4 below), smaller radio cell sizes are needed with equipment at sufficient height to deliver the service required.



**Figure 4** - Telstra targeted coverage area (extract from application material)

In identifying the required infrastructure and location the applicant advised:

- Telstra undertakes a review of the existing Telstra telecommunication facilities to identify opportunities to improve deficiencies in the network through optimisation of the existing network hardware;
- An in-depth site selection process is undertaken addressing planning, engineering and radio frequency and coverage factors;
- A number of candidate locations were considered, including;
  - co-location on existing telecommunication facilities and other structures
  - northern end of Cooktown central area between Charlotte Street and Helen Street, across from the Endeavour River foreshore;
  - elevated area near the intersection of Hope and Green Street; and
  - co-location on the television mast at 70-72 Hope Street.
- The site selection process gave significant weight to the historical and cultural significance of the Cooktown commercial area and foreshore location.

In summary, the subject site through a detailed site selection process was identified as the preferred location.

#### Electro Magnetic Emissions

The applicant's response to electromagnetic emissions considerations is summarised below:

- ACMA's regulatory arrangements require base stations to comply with the exposure limits set in the relevant Australian safety standard; the Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100kHz to 300GHz (2021), known as RPS S-1 or the ARPANSA Standard;
- All of Telstra's mobile base stations are designed to comply with the RPS S-1. The estimated levels are calculated on the maximum mobile call and data capacity anticipated for a particular site;
- Actual EME levels will generally be significantly less than predicted, due to path losses and the base station automatically transmitting power to only serve established phone calls and data transmissions;
- Telstra's engineers conduct a thorough EME compliance assessment as part of the base station design;
- A site compliance certificate is prepared by a National Association of Testing Authorities (NATA) Assessor to certify that the site has been assessed and complies with the Radio Frequency Exposure Limits as specified by the Australian Communication and Media Authority (ACMA) Licence Condition Determination (LCD) and the requirements of RPS S-1. A copy of Site Compliance Certificate for a site (once operational) can be accessed via the RFNSA; and
- In summary, Telstra relies on the advice of a number of international and national health authorities including the WHO for overall assessments of health and safety impacts. The WHO and other public health authorities advise that there is no substantiated scientific evidence that radiofrequency technologies that operate within national and international safety standards (for Australia RPS-S1 and the ICNIRP guidelines), including mobile phones and base stations, cause any adverse health effects.

**REFERRALS****Schedule 10 Planning Regulation 2017**

The application material identified that a referral to the State Assessment Referral Agency (SARA) was required under Schedule 10, Part 8, Division 2, Subdivision 3, Table 2, Item 1 – Development adjoining a Queensland heritage place.

The stone kerb and channel along the Walker Street and Charlotte Street are Queensland Heritage listed.

In assessing the referral, SARA advised (email dated 12 April 2022) that the application did not trigger referral as the development involved no works on the Queensland heritage place.

**THIRD PARTY ADVICE (CASA)**

The applicant sought advice from the Civil Aviation Safety Authority (CASA). CASA advised that as the monopole does not have a height of 100m or more above ground level (AGL) CASA is not required to be notified for assessment.

With respect to the proximity to the Cooktown Base Hospital the applicant was recommended to notify operators using the nearby helipad, including the Royal Flying Doctor Service (RFDS).

**INFRASTRUCTURE CHARGES**

The proposed development is located within the PIA (Priority Infrastructure Area). In accordance with Council's Infrastructure Charges Resolution (No. 2) 2018, a Telecommunication Facility is included in the Minor Uses category. In accordance with Table 2.2 Infrastructure Charges are not applicable for land uses in the Minor Uses category.

**PUBLIC NOTIFICATION**

The development application was subject to public notification from 12 May 2022 to 2 June 2022.

The applicant submitted a Notice of Compliance on 3 June 2022 confirming that the Public Notification actions (letters to adjoining landowners, notice on property and notice in newspaper) were undertaken in accordance with the provisions of the Development Assessment Rules.

During the notification period there were newspaper and social media posts regarding the public notification actions and alleged non-compliance with the legislative requirements, in particular the timing of placement of the public notice on the property and the elected newspaper for the advertisement. A review of the Applicants' Notice of Compliance has determined that the Public Notification was undertaken in accordance with the Development Assessment Rules. The Public Notice was placed in The Express Newspaper on 11 May 2022. The Express Newspaper is accepted as newspaper that is available and circulating in the locality.

A review of Council's records has determined twenty-three (23) submissions were received, comprising of:

- Twelve (12) – properly made submissions; and
- Eleven (11) - not properly made submissions.

Two (2) submissions (1 properly made and 1 not properly made) were in support of the application. Twenty-one (21) submissions were against.

In accordance with Schedule 2 of the *Planning Act 2016* a properly made submission is a submission to a development application that is:

- (a) signed by each person who made the submissions;
- (b) received during the public notification period;
- (c) state the name and residential or business address;
- (d) state grounds for the submission; and
- (e) include postal or electronic address.

On receipt of a 'not properly made' submission a response was sent to the submitter providing advice on how to make a properly made submission.

In response to the submissions, the applicant provided further information addressing the matters raised.

The issues raised in the submissions, officer response and applicant's response are summarised in the following table.

Issue	Response	Summary of applicant's response
<p><b>Heritage values</b> – impact on streetscape and heritage places (Cooktown Hotel)</p>	<p>The proposed tower has been located in the rear south-eastern corner of the lot to minimise the visual dominance on the streetscape.</p> <p>It is considered the proposal when viewed from surrounding areas will not have an adverse impact on adjoining heritage listed places or overall streetscape.</p> <p>The proposed development will utilise the existing access driveway to the site with no change or impact on the state heritage listed stone kerb and channel.</p>	<p>The site selection process gave significant weight to the historical and cultural significance of the commercial area and foreshore locations.</p>
<p><b>Visual impact and amenity</b> – greater surrounding area and adjoining lots</p>	<p>In response to concerns raised regarding the visual impact the monopole has been modified to a 'slimline and compact profile'.</p> <p>The proposed tower will be visible from surrounding areas as depicted in the photomontages supporting the application (Appendix B).</p>	<p>Amendment to the design to a modified slimline and compact profile as a measure to reduce the visual bulk.</p> <p>Updated photo montages submitted.</p> <p>The photomontages demonstrate that the proposed facility is positioned and designed to that it integrates well within its urban setting.</p>



Issue	Response	Summary of applicant's response
	<p>The monopole, panels and associated shelter shed will be finished in eucalyptus green to minimise the visual dominance of the structure.</p> <p>While the monopole will be visible it is considered that the infrastructure is an expected and anticipated form of development within a built-up urban environment and the proposed siting of the monopole and associated infrastructure will not have an adverse impact on the streetscape and adjoining and uses.</p>	<p>The facility will be finished in 'eucalyptus green' to improve visual integration.</p>
<p><b>Visual appearance</b> - site</p>	<p>The current development on the site does not provide a positive visual contribution to the streetscape with poor maintenance of existing buildings, fencing and lack of landscaping.</p> <p>In consultation with the applicant, the applicant has proposed planting of trees along the front boundaries, replacement of fence and maintenance of buildings.</p> <p>A condition of approval will require a site improvements plan to be submitted to Council for approval.</p>	<p>Noted. Recommended site improvements.</p>
<p><b>Health</b> – Electro magnetic emissions</p>	<p>The potential for health impacts associated with the telecommunication tower has been addressed by the applicant in a technical report.</p> <p>Compliance with National Standards or International Standards is regulated by other jurisdictions.</p>	<p>Once the tower becomes operational, a site compliance certificate is prepared by a National Association of Testing Authorities (NATA) Assessor to certify that the site has been assessed and complies with the Radio Frequency Exposure Limits as specified by the Australian Communication and Media Authority (ACMA) Licence Condition Determination (LCD) and the requirements of RPS S-1. A copy of Site Compliance Certificate for a site (once operational) can be accessed via the RFNSA.</p>
<p><b>Location</b> – need / alternative sites</p>	<p>The applicant has demonstrated that the subject site is the</p>	<p>In identifying the preferred site Telstra undertakes a detailed review of existing</p>

Issue	Response	Summary of applicant's response
	preferred location for the telecommunication facility to meet the need in the community for improved telecommunication services.	facilities, opportunities to utilise existing network and in-depth site selection process addressing planning, engineering, radio frequency and coverage factors. A number of alternative sites were considered in the process giving significant weight to minimise impact on historic and cultural significance of the commercial area and foreshore.
<b>Aerospace hazard</b> – users of hospital helipad	The proposed tower is not at a height that requires notification to CASA for assessment.  Condition of approval requires a construction communication plan to be submitted to Council requiring the applicant to notify operators utilising the helipad of the development and timing of construction.	Hospital Helipad is located approximately 850m south of the subject site.  The site is not impacted by any OLS or airspace limitations and advise sought from CASA confirmed CASA assessment is not required.  Applicant intends to provide details of the proposal to Royal Flying Doctor Service prior to commencement of construction.
<b>Consultation</b> – lack of / poor / no consultation with neighbours	A review of the notice of compliance has determined that the public notification actions were undertaken in accordance with the Development Assessment Rules.	

**LINK TO CORPORATE PLAN*****Theme 1 - Places for People***

PLA 3 Improve the amenity, value and sustainable uses of our streetscapes and public open spaces.

Pla 3a. Consider planning and development controls, design guidelines, traditional ownership, cultural heritage and sustainable development principles when making planning decisions.

***Theme 2 – Accessibility and Connectivity***

ACC 2 Encourage the development of partnerships to promote investment in state-of-the art and efficient telecommunications services that meet the growing needs of our region.

Acc 2b Work with key industry partners to pursue innovative solutions to improve telecommunications across the Shire.

***Theme 4 – Economic Development***

ECO 2 Adopt land use, transport and infrastructure planning methodologies which encourage and facilitate public and private sector investment and development.

Eco 2a Position the Shire to encourage public and private sector investment through strategic land use, transport and infrastructure development planning.

**Theme 6 – Organisational Capability**

ORG 1 Manage Council’s activities and decision-making with strategic oversight, transparency and accountability.

Org 1b Council activities comply with applicable legislation through well-maintained policies, procedures and information systems that guide and facilitate good decision making.

ORG 3 Focus on collaborative projects that add value to the Shire’s economic, social and environmental outcomes.

Org 3b Ensure that opportunities for future residential, commercial and industrial development in all parts of the Shire are optimised.

**CONSULTATION**

Consultation during assessment of the application was undertaken with:

- Department of Infrastructure staff; and
- Planning and Environment staff.

**CONCLUSION**

The proposed development for Material Change of Use for Telecommunication Facility is considered an appropriate use and has been designed and sited to improve the level of telecommunication service in the catchment while minimising impacts on the heritage values, streetscape and overall visual amenity.

An assessment of the proposed development has been undertaken in accordance with the requirements set out in the *Planning Act 2016* and *Planning Regulation 2017* for Impact Assessable development applications. The proposed development achieves compliance with the relevant assessment benchmarks and is therefore recommended for approval subject to reasonable and relevant conditions.

**RECOMMENDATION**

1. That Council issue an approval for the development application submitted by BMM Group for a Development Permit for Material Change of Use for Telecommunications Facility over land described as Lot 101 on C1793, subject to the following conditions:
2. That the following reasons for the decision be included on the notice on Council's website (as required by section 63(4) of the *Planning Act 2016*) in the event that Council decides to approve the application:
  - a. An assessment was made against the applicable assessment benchmarks and the proposed development demonstrated compliance.
  - b. The proposed development for Material Change of Use for a Telecommunication facility is an appropriate use to be located on the site.
  - c. The facility has been designed and sited to improve the level of telecommunication service in the catchment while minimising impacts on the heritage values, streetscape and overall visual amenity.

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

1. The development must be carried out generally in accordance with the following proposal plans except for any modifications required to comply with the conditions of this approval:
  - Site Layout and Access, Sheet S1, Issue 2, dated 23/06/22;
  - Site Setout Plan, Sheet S1-1, Issue 2, dated 23/06/22;
  - Antenna Plan, Sheet 1-2, Issue 2, dated 23/06/22;
  - North Elevation, Sheet S3, Issue 2, dated 23/06/22;
  - Antenna Configuration Table, Sheet S3-1, Issue 2, dated 23/06/22; and
  - Aerial Photo Locality Plan S7 23/06/22 P Issue No. 2, Dated 23/06/22.

**Colour**

2. The approved monopole, associated headframe, antennas and equipment shelter must be finished in eucalyptus green colour.

**Landscaping and fencing**

3. Prior to the issue of a Development Permit for Building Works a landscape and fencing plan must be submitted for approval by Council's delegated officer. The landscaping plan must incorporate a minimum of four (4) trees along the Charlotte Street frontage and four (4) trees along the Walker Street frontage.
4. Prior to the commencement of use of the approved tower, the landscaping and fencing must be completed to the satisfaction of Council's delegated officer.

**Site Improvements**

5. Prior to the commencement of use of the approved tower, the existing buildings and structures on site must be refurbished and/or repainted to the satisfaction of Council's delegated officer.
6. All buildings, structures, fencing and landscaping must be regularly maintained.

**Access**

7. Vehicle access to the site must be achieved from the existing access crossover from Walker Street. Should the access be damaged during the construction works, the access must be reinstated. No works are permitted to be undertaken on the State Heritage listed stone kerb and channel without obtaining the appropriate approvals.

**Construction communication plan**

8. Prior to the issue of a Development Permit for Building Works, a construction communication plan must be submitted to Council. The plan must, at a minimum, detail the period of construction works and communication strategy notifying adjoining landowners and any operators using the Cooktown Base Hospital Helipad.

**Traffic management plan**

9. Prior to the issue of a Development Permit for Building Works, the applicant must submit to Council a traffic management plan for the period of construction works. The plan must be prepared by a suitability qualified professional.

**Public Utilities**

10. The developer/applicant is responsible for the cost of any alterations to public utilities, services or installations as a result of complying with the conditions of this approval.

**Environmental**

11. The developer/applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development and appropriate erosion and sediment controls are in place.

**Stormwater**

- 12 Stormwater must be directed to a legal point of discharge.

**Compliance**

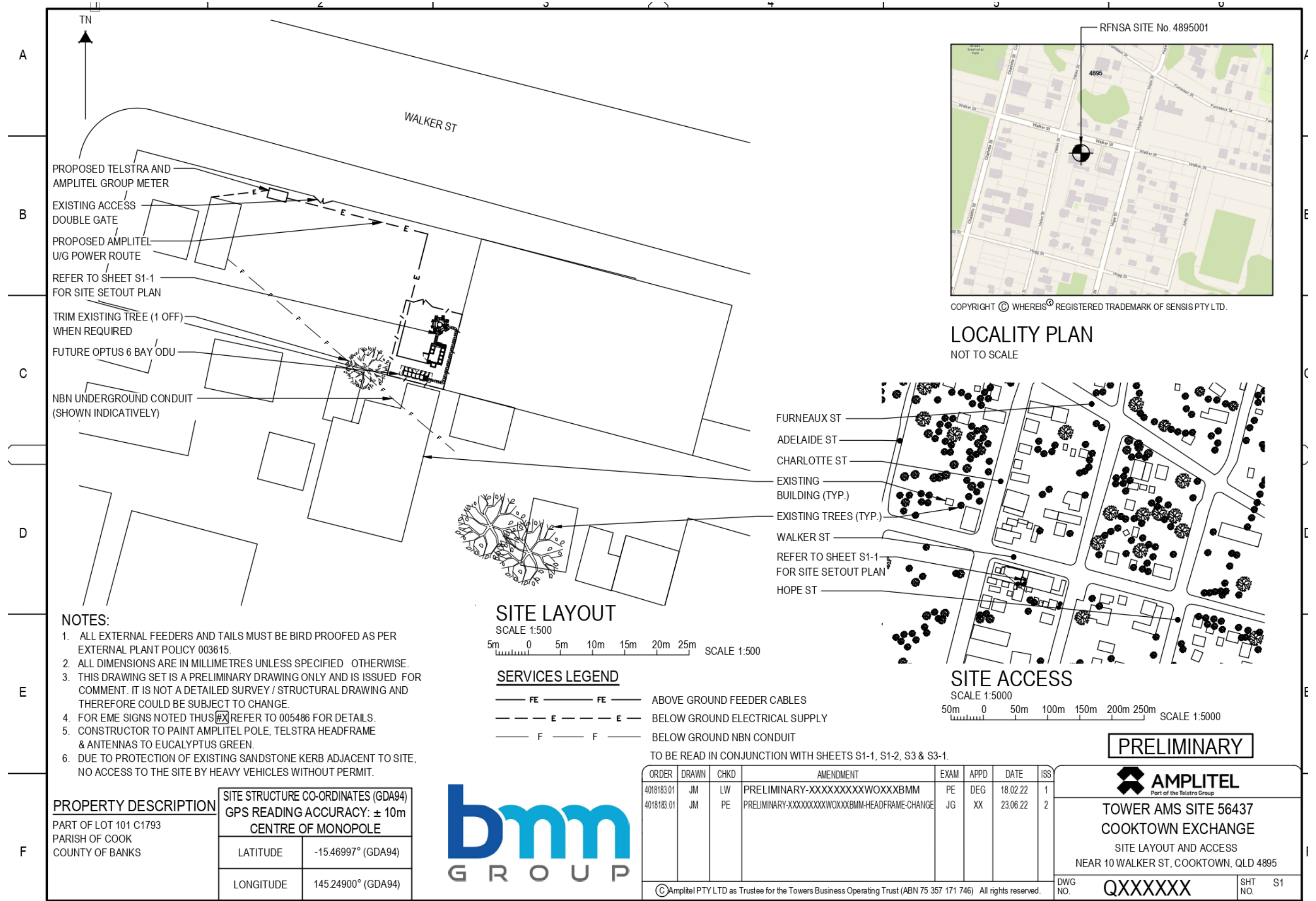
13. All conditions of this Development Permit are to be complied with prior to the use commencing and, where relevant, maintained during operation.

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

1. A development permit is required for carrying out Building Works, prior to the construction of any buildings or structures associated with this development.
2. The currency period for this application is six (6) years. Should the approved use not commence within this time, the approval shall lapse.
3. The applicant/owner must notify Council their intention to commence the use after acceptable of and compliance with these conditions or negotiated conditions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.
- 4 The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act* and in particular 'the duty of care' that it imposes on all landowners.







PROPOSED TELSTRA AND  
AMPLITEL GROUP METER

EXISTING ACCESS  
DOUBLE GATE

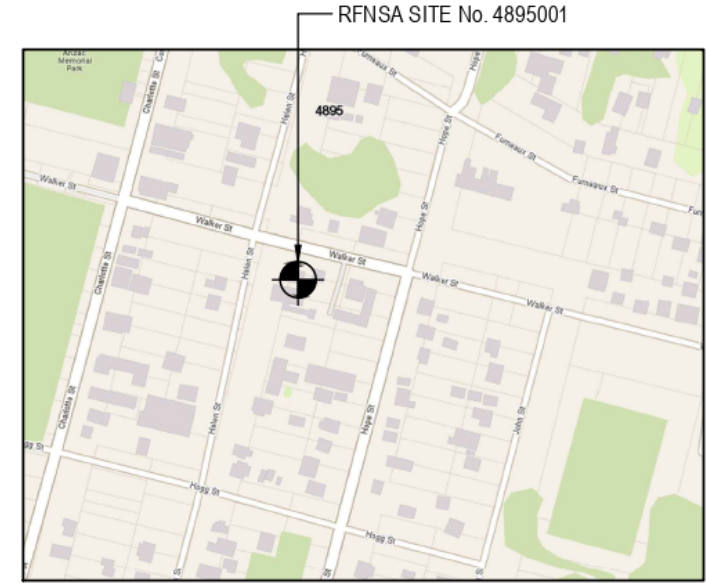
PROPOSED AMPLITEL  
U/G POWER ROUTE

REFER TO SHEET S1-1  
FOR SITE SETOUT PLAN

TRIM EXISTING TREE (1 OFF)  
WHEN REQUIRED

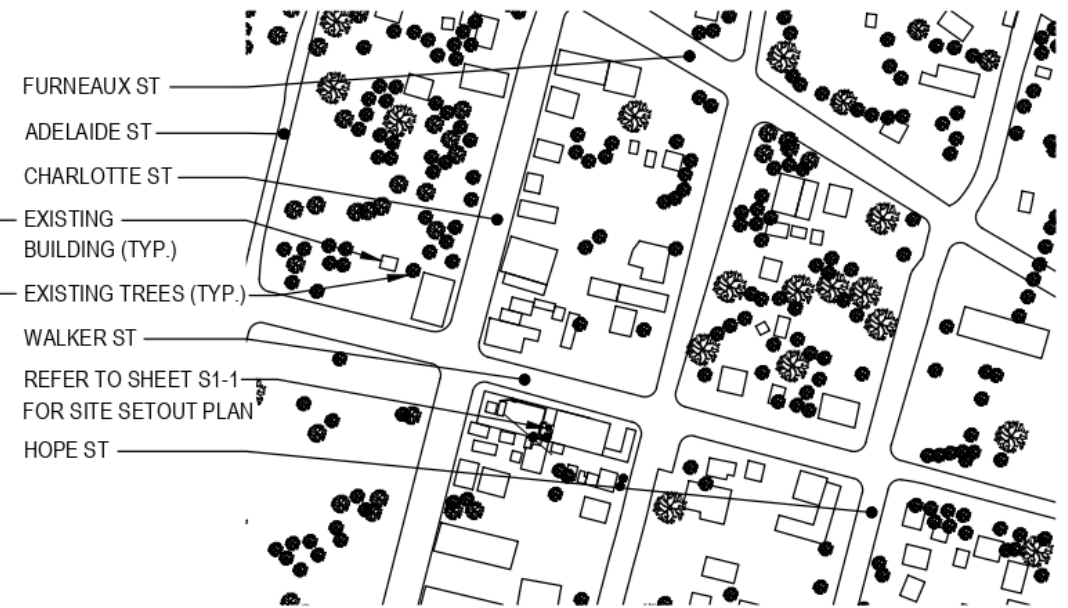
FUTURE OPTUS 6 BAY ODU

NBN UNDERGROUND CONDUIT  
(SHOWN INDICATIVELY)



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LOCALITY PLAN  
NOT TO SCALE



SITE ACCESS  
SCALE 1:5000

50m 0 50m 100m 150m 200m 250m SCALE 1:5000

NOTES:

1. ALL EXTERNAL FEEDERS AND TAILS MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS SPECIFIED OTHERWISE.
3. THIS DRAWING SET IS A PRELIMINARY DRAWING ONLY AND IS ISSUED FOR COMMENT. IT IS NOT A DETAILED SURVEY / STRUCTURAL DRAWING AND THEREFORE COULD BE SUBJECT TO CHANGE.
4. FOR EME SIGNS NOTED THUS [X] REFER TO 005486 FOR DETAILS.
5. CONSTRUCTOR TO PAINT AMPLITEL POLE, TELSTRA HEADFRAME & ANTENNAS TO EUCALYPTUS GREEN.
6. DUE TO PROTECTION OF EXISTING SANDSTONE KERB ADJACENT TO SITE, NO ACCESS TO THE SITE BY HEAVY VEHICLES WITHOUT PERMIT.

SITE LAYOUT  
SCALE 1:500

5m 0 5m 10m 15m 20m 25m SCALE 1:500

SERVICES LEGEND

- FE — FE — ABOVE GROUND FEEDER CABLES
- - - E - - - E - - - BELOW GROUND ELECTRICAL SUPPLY
- F — F — BELOW GROUND NBN CONDUIT

TO BE READ IN CONJUNCTION WITH SHEETS S1-1, S1-2, S3 & S3-1.

PROPERTY DESCRIPTION

PART OF LOT 101 C1793  
PARISH OF COOK  
COUNTY OF BANKS

SITE STRUCTURE CO-ORDINATES (GDA94)  
GPS READING ACCURACY: ± 10m  
CENTRE OF MONOPOLE

LATITUDE	-15.46997° (GDA94)
LONGITUDE	145.24900° (GDA94)



ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4018183.01	JM	LW	PRELIMINARY-XXXXXXXXXXWOXXBMM	PE	DEG	18.02.22	1
4018183.01	JM	PE	PRELIMINARY-XXXXXXXXXXWOXXBMM-HEADFRAME-CHANGE	JG	XX	23.06.22	2

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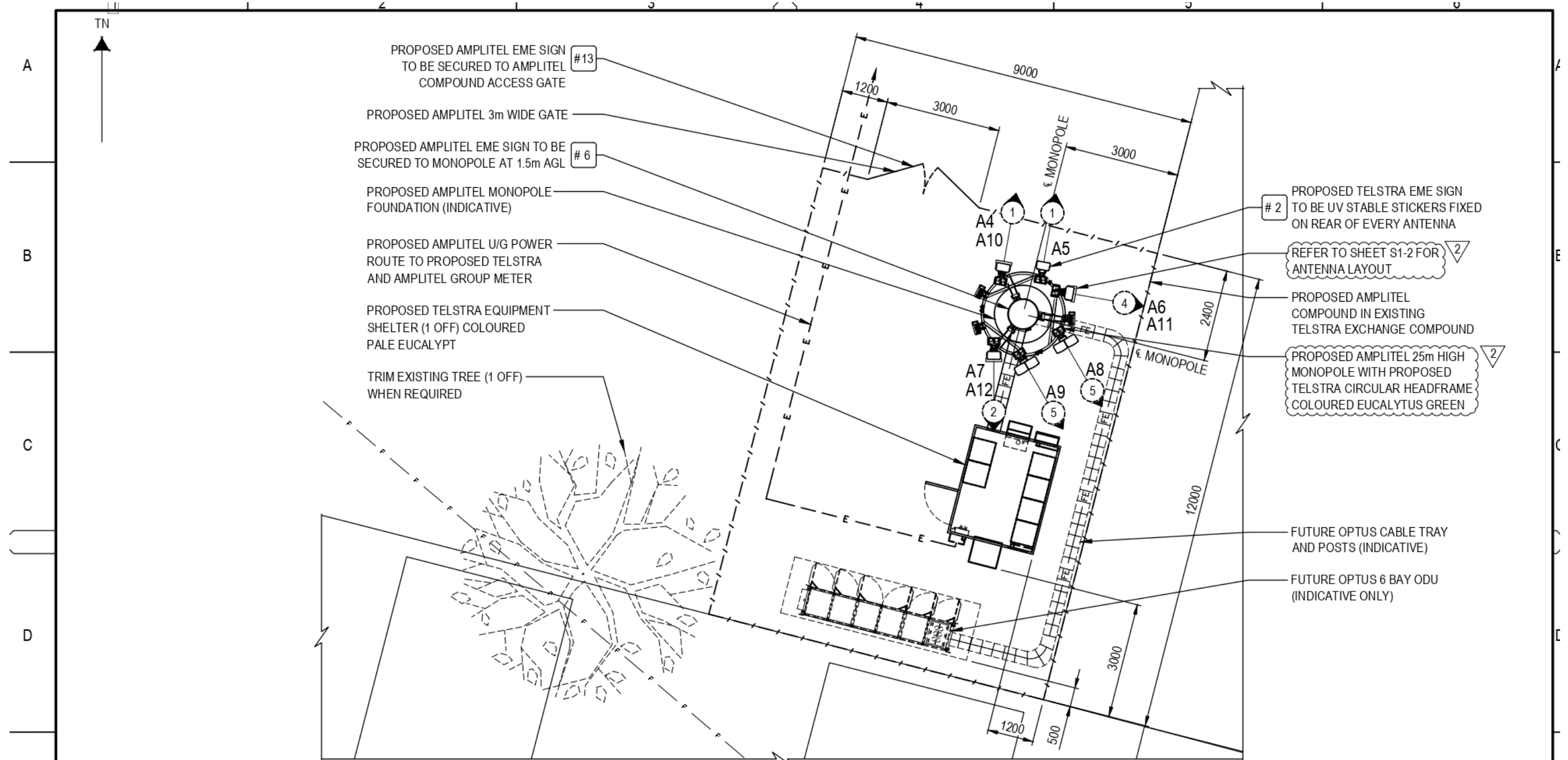
PRELIMINARY



TOWER AMS SITE 56437  
COOKTOWN EXCHANGE  
SITE LAYOUT AND ACCESS  
NEAR 10 WALKER ST, COOKTOWN, QLD 4895

DWG NO. QXXXXXX SHT NO. S1





- PROPOSED AMPLITEL EME SIGN TO BE SECURED TO AMPLITEL COMPOUND ACCESS GATE #13
- PROPOSED AMPLITEL 3m WIDE GATE
- PROPOSED AMPLITEL EME SIGN TO BE SECURED TO MONOPOLE AT 1.5m AGL #6
- PROPOSED AMPLITEL MONOPOLE FOUNDATION (INDICATIVE)
- PROPOSED AMPLITEL U/G POWER ROUTE TO PROPOSED TELSTRA AND AMPLITEL GROUP METER
- PROPOSED TELSTRA EQUIPMENT SHELTER (1 OFF) COLOURED PALE EUCALYPT
- TRIM EXISTING TREE (1 OFF) WHEN REQUIRED

- PROPOSED TELSTRA EME SIGN TO BE UV STABLE STICKERS FIXED ON REAR OF EVERY ANTENNA #2
- REFER TO SHEET S1-2 FOR ANTENNA LAYOUT
- PROPOSED AMPLITEL COMPOUND IN EXISTING TELSTRA EXCHANGE COMPOUND
- PROPOSED AMPLITEL 25m HIGH MONOPOLE WITH PROPOSED TELSTRA CIRCULAR HEADFRAME COLOURED EUCALYPTUS GREEN
- FUTURE OPTUS CABLE TRAY AND POSTS (INDICATIVE)
- FUTURE OPTUS 6 BAY ODU (INDICATIVE ONLY)

**NOTES:**

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4. FOR EME SIGNS NOTED THUS #X REFER TO 005486 FOR DETAILS.
5. #2 PROPOSED TELSTRA EME SIGN TO BE UV STABLE STICKERS FIXED ON REAR OF EVERY ANTENNA.
6. #6 PROPOSED AMPLITEL EME SIGN TO BE SECURED TO MONOPOLE AT 1.5m AGL.
7. #13 PROPOSED AMPLITEL EME SIGN TO BE SECURED TO AMPLITEL COMPOUND GATE.
8. CONSTRUCTOR TO PAINT AMPLITEL POLE, TELSTRA HEADFRAME & ANTENNAS TO EUCALYPTUS GREEN.

**SITE SETOUT PLAN**

SCALE 1:100  
 1m 0 1m 2m 3m 4m 5m SCALE 1:100

**SERVICES LEGEND**

- FE — FE — ABOVE GROUND FEEDER CABLES
- - - E - - - E - - - BELOW GROUND ELECTRICAL SUPPLY

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-2, S3 & S3-1.

**PRELIMINARY**

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4018183.01	JM	LW	PRELIMINARY-XXXXXXXXXWXXXBMM	PE	DEG	18.02.22	1
4018183.01	JM	PE	PRELIMINARY-XXXXXXXXXWXXXBMM-HEADFRAME-CHANGE	JG	XX	23.06.22	2

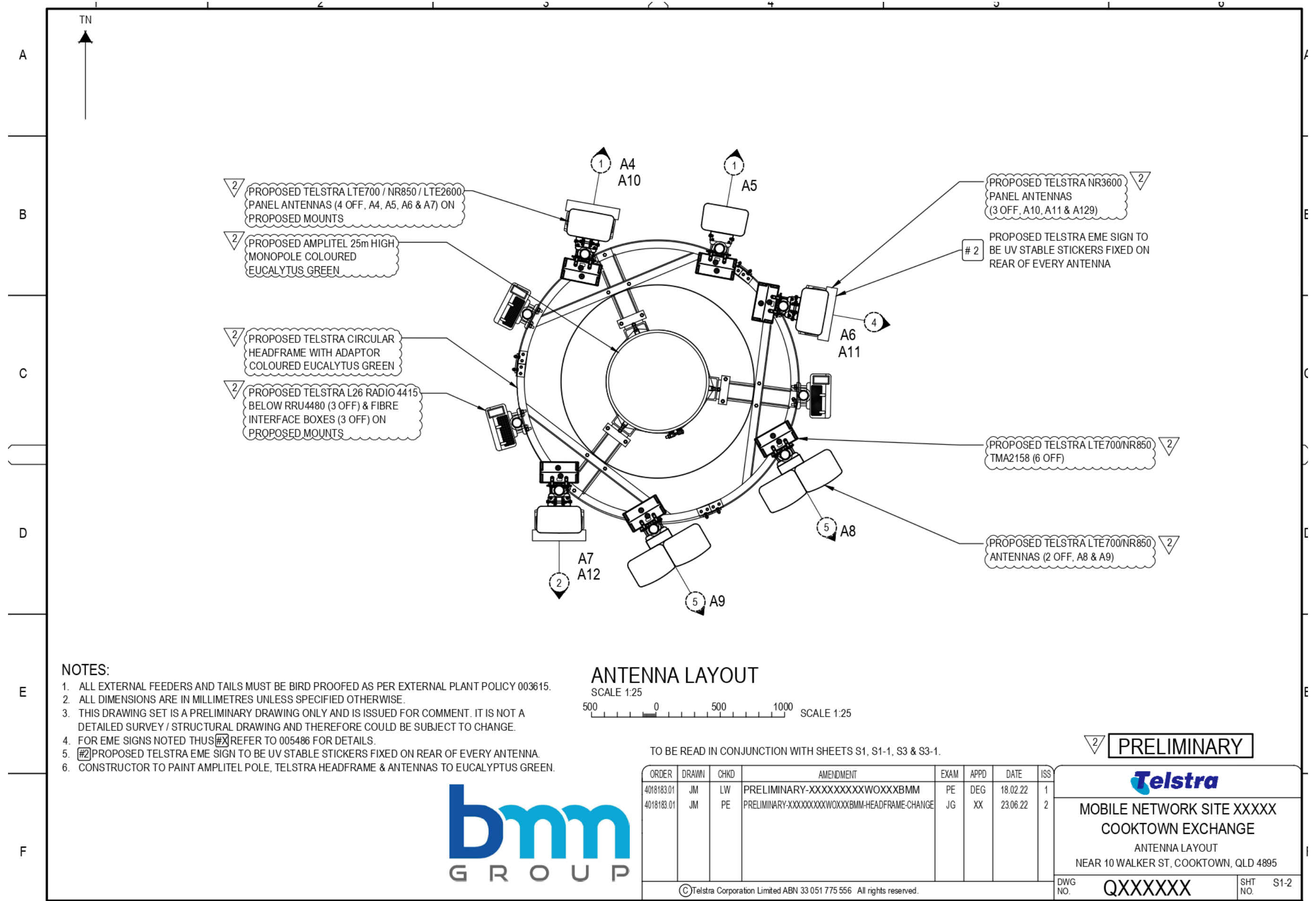


**TOWER AMS SITE 56437  
 COOKTOWN EXCHANGE**

SITE SETOUT PLAN  
 NEAR 10 WALKER ST, COOKTOWN, QLD 4895

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DWG NO. **QXXXXXX** SHT NO. **S1-1**



- NOTES:**
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  4. FOR EME SIGNS NOTED THUS (#X) REFER TO 005486 FOR DETAILS.
  5. (#2) PROPOSED TELSTRA EME SIGN TO BE UV STABLE STICKERS FIXED ON REAR OF EVERY ANTENNA.
  6. CONSTRUCTOR TO PAINT AMPLITEL POLE, TELSTRA HEADFRAME & ANTENNAS TO EUCALYPTUS GREEN.

**ANTENNA LAYOUT**  
SCALE 1:25

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S3 & S3-1.

**PRELIMINARY**



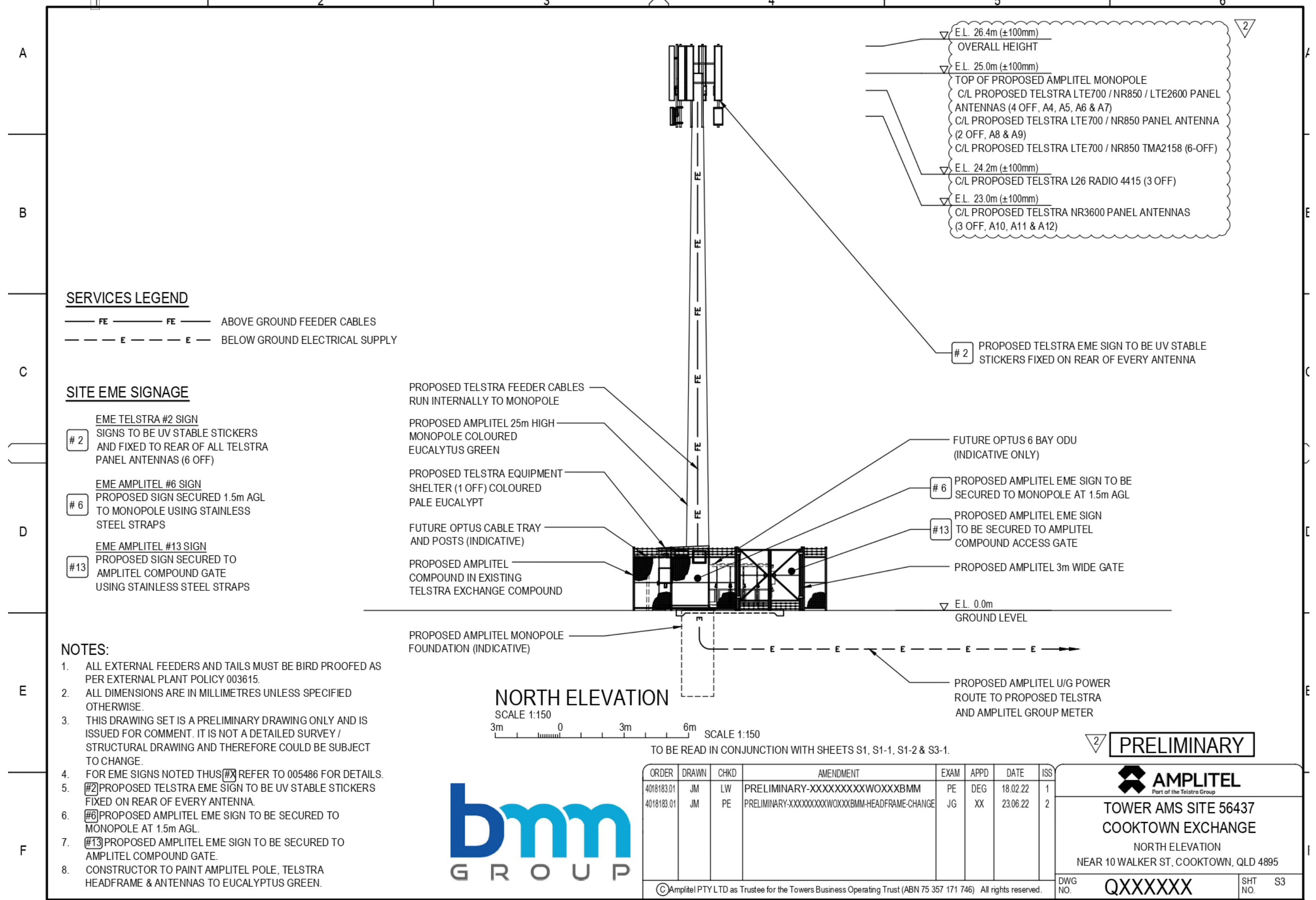
ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4018183.01	JM	LW	PRELIMINARY-XXXXXXXXXXWOXXBMM	PE	DEG	18.02.22	1
4018183.01	JM	PE	PRELIMINARY-XXXXXXXXXXWOXXBMM-HEADFRAME-CHANGE	JG	XX	23.06.22	2

**Telstra**

**MOBILE NETWORK SITE XXXXX**  
**COOKTOWN EXCHANGE**  
ANTENNA LAYOUT  
NEAR 10 WALKER ST, COOKTOWN, QLD 4895

DWG NO. **QXXXXXX** SHT NO. **S1-2**

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ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4018183.01	JM	LW	PRELIMINARY-XXXXXXXXXXWOXXBMM	PE	DEG	18.02.22	1
4018183.01	JM	PE	PRELIMINARY-XXXXXXXXXXWOXXBMM-HEADFRAME-CHANGE	JG	XX	23.06.22	2

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**PRELIMINARY**

**AMPLITEL**  
Part of the Telstra Group

**TOWER AMS SITE 56437**  
**COOKTOWN EXCHANGE**  
 NORTH ELEVATION  
 NEAR 10 WALKER ST, COOKTOWN, QLD 4895

DWG NO. **QXXXXXX** SHT NO. **S3**



A	<b>TELSTRA ANTENNA CONFIGURATION TABLE</b>						<b>TELSTRA ANTENNA CONFIGURATION TABLE</b>					
	ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT C/L A.G.L.	PHYSICAL ANTENNA BEARING (°T)	SECTOR NO. & TECHNOLOGY	ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT C/L A.G.L.	PHYSICAL ANTENNA BEARING (°T)	SECTOR NO. & TECHNOLOGY
	A4	COMMSCOPE RVVPX310.11B-T2H 2533 x 350 x 208mm	INSTALL	25m	10°	S1: LTE700/NR850	A10	ERICSSON AIR6488 810 x 400 x 200mm	INSTALL	23m	10°	S1: NR3500
S1: LTE700/NR850						S1: NR3500						
S1: LTE2600						S4: NR3500						
S1: LTE2600						S4: NR3500						
S1: LTE2600												
	A5	COMMSCOPE RVVPX310.11B-T2H 2533 x 350 x 208mm	INSTALL	25m	10°	S1: LTE700/NR850	A11	ERICSSON AIR6488 810 x 400 x 200mm	INSTALL	23m	100°	S2: NR3500
S1: LTE700/NR850						S2: NR3500						
-												
-												
-												
	A6	COMMSCOPE RVVPX310.11B-T2H 2533 x 350 x 208mm	INSTALL	25m	100°	S4: LTE2600	A12	ERICSSON AIR6488 810 x 400 x 200mm	INSTALL	23m	180°	S2: NR3500
S4: LTE2600						S2: NR3500						
S4: LTE2600												
S4: LTE2600												
	A7	COMMSCOPE RVVPX310.11B-T2H 2533 x 350 x 208mm	INSTALL	25m	180°	S2: LTE2600	2					
S2: LTE2600												
S2: LTE2600												
S2: LTE2600												
	A8	ARGUS 2UPX210B-T2 2533 x 640 x 235	INSTALL	25m	150°	S2: LTE700/NR850	2					
S2: LTE700/NR850												
S2: LTE700/NR850												
S2: LTE700/NR850												
	A9	ARGUS 2UPX210B-T2 2533 x 640 x 235	INSTALL	25m	150°	S5: LTE700/NR850	2					
S5: LTE700/NR850												
S5: LTE700/NR850												
S5: LTE700/NR850												



TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S1-2 & S3.

PRELIMINARY

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4018183.01	JM	LW	PRELIMINARY-XXXXXXXXXWXXXBMM	PE	DEG	18.02.22	1
4018183.01	JM	PE	PRELIMINARY-XXXXXXXXXWXXXBMM-HEADFRAME-CHANGE	JG	XX	23.06.22	2

**Telstra**

**MOBILE NETWORK SITE XXXXX  
COOKTOWN EXCHANGE**

ANTENNA CONFIGURATION TABLE  
NEAR 10 WALKER ST, COOKTOWN, QLD 4895

DWG NO. **QXXXXXX** SHT NO. S3-1

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**Before**



**After**

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							Near 10 Walker St Cooktown QLD 4895	Cooktown Exchange		Photographer :
							Drawing title	Site Number. :	Checker :	REV.
							Photomontage View 1	QXXXXXX		B
								Drawing No. :		
								M01		





**Before**



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							Near 10 Walker St Cooktown QLD 4895	Cooktown Exchange		Date : 22.12.21
							Drawing title	Site Number. :	Photographer :	Date :
							Photomontage View 2	QXXXXXX		REV. B
								Drawing No. :	Checker :	
								M02		





**Before**



PROPOSED  
TELSTRA FACILITY

**After**

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							Drawing title <b>Photomontage View 3</b>	Site Number. : <b>QXXXXXX</b>		Photographer :
							Drawing No. : <b>M03</b>	Checker :	REV. B	





**Before**



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							Near 10 Walker St Cooktown QLD 4895	Cooktown Exchange		Photographer :
							Drawing title	Site Number. :	Checker :	REV.
							Photomontage View 4	QXXXXXX		B
								Drawing No. :		
								M04		





**Before**



**After**

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**Before**



**After**

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							Near 10 Walker St Cooktown QLD 4895	Cooktown Exchange		Photographer :
							Drawing title	Drawing No. :	Checker :	REV.
							Photomontage View 8	M08		B

**16.2 MONTHLY FINANCIAL REPORT - JULY 2022**

<b>File Number:</b>	<b>D22/18066</b>
<b>Author:</b>	<b>Chief Financial Officer</b>
<b>Authoriser:</b>	<b>Heather Kelly, Acting Chief Executive Officer</b>
<b>Attachments:</b>	<b>1 Statement of Comprehensive Income - July 2022</b>
	<b>2 Statement of Financial Position - July 2022</b>
	<b>3 Statement of Changes in Equity - July 2022</b>

**PRECIS**

Pursuant to section 204 of the *Local Government Regulation 2012*, Council must be presented with a financial report on a monthly basis that details the progress against budget for the financial year. The data contained in this report has been collated as at 31 July 2022 and shows Council progress against the adopted revised budget 2022/2023.

**BACKGROUND/HISTORY**

In accordance with the relevant legislation, Council has a statutory requirement to prepare and present a financial report at its monthly meeting. The legislation is not descriptive in the format or type of report presented, except to say that:

*“The financial report must state the progress that has been made in relation to the local government’s budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.”*

The Statement of Comprehensive Income as at 31 July 2022 is attached to this report.

**Statement of Comprehensive Income**

The Statement of Comprehensive Income outlines Council’s revenue and expenses for the period from 1 July to 31 July 2022.

The following breakdown of the major revenue components of the budget versus actuals is detailed below:

<b>Revenue</b>	<b>Annual Budget \$,000</b>	<b>Actuals \$,000</b>	<b>Percentage</b>	<b>Comment</b>
Rates and Charges	8,935	0	0%	The first rates levy will be raised in August/ September.
Fees and Charges	1115	53	5%	Less than budget due to timing.



Sales Revenue	945	118	13%	Majority is airport fuel sales (\$51k)
Grants, Subsidies etc.	52,153	45	0%	Operating Grant revenue including DRFA.
Other Income	856	44	5%	Predominantly rent, interest & investment revenue.
<b>Total</b>	<b>64,004</b>	<b>261</b>	<b>0%</b>	

As at the end of July, one month into the financial year, 8% of actual expenditure to budget is acceptable. Expenditure is consistent with budget forecasts, with no major issues. The breakdown of the major expenditure components of the budget versus actuals is detailed below:

Expenditure	Annual Budget \$,000	Actuals \$,000	Percentage	Comment
Employee Benefits	15,437	1,218	8%	Consistent with budget estimate
Materials and Services	46,301	2,325	5%	Less than budget. Figure includes \$1.4m relating to DRFA works which are recovered through grant funding.
Finance Costs	207	2	1%	Less than budget, due to timing.
Depreciation	12,126	1,011	8%	Consistent with budget estimate
<b>Total</b>	<b>74,071</b>	<b>4,555</b>	<b>6%</b>	
<b>Net Operating Result/ (Deficit)</b>	<b>(10,068)</b>	<b>(4,295)</b>		

### Net Operating Result/ (Deficit)

As at July, the net operating deficit of (\$4.2M) due to the timing of receipt and recognition of operating grant revenue. Council's spending is within budget.

### Statement of Financial Position

The Statement of Financial Position is an insight to Council's assets and liabilities at a single point in time. Please refer to the attached Statement of Financial Position as at 31 July 2022.

The following is a breakdown of the major balance sheet items:

	Annual Budget \$,000	Actuals \$,000	Comment
Current Assets	38,292	34,626	Cash and deposits-at-call \$21.3m. Accounts Receivable of \$3.7m.
Non-Current Assets	335,479	314,362	Property, Plant & Equipment assets.
<b>Total Assets</b>	<b>373,771</b>	<b>348,988</b>	

	Annual Budget \$,000	Actuals \$,000	Comment
Current Liabilities	6,085	16,692	Borrowings of \$1.5m (Working Capital Facility & Current portion of QTC loan). Accounts Payable of \$2.2m and Provisions of \$2.7m.
Non-Current Liabilities	16,419	16,357	\$13.3m is made up of provision including for restoration of refuse and gravel pits.
<b>Total Liabilities</b>	<b>22,504</b>	<b>33,050</b>	
<b>Net Community Assets</b>	<b>351,268</b>	<b>315,938</b>	

### LINK TO CORPORATE PLAN

**Theme 6 Organisational Capability** - A Council characterised by strong leadership, good governance, effective community engagement and excellence in delivery

- ORG 1 Manage Council's activities and decision-making with strategic oversight, transparency and accountability.
- Org 1a. Sound governance and management practices are reflected in responsible long term financial viability with clear strategic direction built around core local government business and affordable levels of service
- Org 1b. Council activities comply with applicable legislation through well-maintained policies, procedures and information systems that guide and facilitate good decision making

### CONSULTATION

The purpose of report is to provide retrospective financial information. Relevant management and Finance staff have been consulted during the preparation of this report.

### LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

This report is presented in accordance with section 204 of the *Local Government Regulation 2012*, which states:

- 1) The local government must prepare a financial report.
- 2) The chief executive officer must present the financial report—
  - a) if the local government meets less frequently than monthly—at each meeting of the local government; or
  - b) otherwise—at a meeting of the local government once a month.
- 3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

**POLICY IMPLICATIONS**

The following Council policies are relevant to the financial reports:

- Investment Policy
- Debt Policy
- Revenue Policy
- Procurement Policy

**FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)**

The Monthly Financial Report outlines Council's progress against its Annual Budget. This report has identified that Council is tracking satisfactorily against the adopted budget.

**RECOMMENDATION**

That Council resolves to note the Financial Report for July 2022 as required under section 204 of the *Local Government Regulation 2012*.

**Cook Shire Council**  
**Statement of Comprehensive Income**  
For the period ended 31 July 2022

	Draft Actuals 2022-23	Budget 2022-23	Unaudited 2021-22
	\$'000	\$'000	\$'000
<b>Income</b>			
<i><b>Recurrent Revenue</b></i>			
Gross Rates, Levies and Charges	(0)	9,166	7,992
Less Discount and Remissions	(0)	(231)	(229)
Fees and Charges	53	1,115	1,317
Sales Revenue	118	945	1,103
Grants, Subsidies, Contributions and Donations	45	52,153	56,793
Contributions	-	-	-
<b>Total Recurrent Revenue</b>	<b>216</b>	<b>63,148</b>	<b>66,976</b>
<i><b>Capital Revenue</b></i>			
Grants, Subsidies, Contributions and Donations	1,352	5,418	14,573
<b>Total Capital Revenue</b>	<b>1,352</b>	<b>5,418</b>	<b>14,573</b>
<i><b>Other Income</b></i>			
Rental Income	33	510	433
Interest and Investment Revenue	7	116	141
Other Income	5	230	409
Capital Income	-	-	-
<b>Total Other Income</b>	<b>44</b>	<b>856</b>	<b>983</b>
<b>Total Income</b>	<b>1,613</b>	<b>69,422</b>	<b>82,532</b>
<b>Expenses</b>			
<i><b>Recurrent Expenses</b></i>			
Employee Benefits	1,218	15,437	14,449
Materials and Services	2,325	46,301	43,019
Finance Costs	2	207	224
Depreciation			
- Property Plant and Equipment	1,011	12,126	10,704
- Right of Use Assets	-	-	-
<b>Total Recurrent Expenses</b>	<b>4,555</b>	<b>74,072</b>	<b>68,396</b>
<i><b>Capital Expenses</b></i>			
Capital Expenses	-	-	-
<b>Total Capital Expenses</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Expenses</b>	<b>4,555</b>	<b>74,072</b>	<b>68,396</b>
<b>Net Operating Result</b>	<b>(4,295)</b>	<b>(10,068)</b>	<b>(437)</b>
<b>Net Result</b>	<b>(2,942)</b>	<b>(4,650)</b>	<b>14,136</b>
<b>Other Comprehensive Income</b>			
Items that will not be reclassified subsequent			
Net Result			
Gain/(Loss) on Revaluation of Property, Plant and Equipment	-	-	-
<b>Total Comprehensive Income</b>	<b>(2,942)</b>	<b>(4,650)</b>	<b>14,136</b>

**Cook Shire Council**  
**Statement of Financial Position**  
as at 31 July 2022

\$'000	Draft Actuals 2022-23	Budget 2022-23	Unaudited 2021-22
	\$'000	\$'000	\$'000
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and Cash Equivalents	21,327	23,174	23,872
Receivables	3,727	9,527	4,232
Inventories	401	304	405
Contract Assets	9,171	5,000	8,896
Other Assets	1	287	1
Lease Receivable	-	-	-
<b>Total Current Assets</b>	<b>34,626</b>	<b>38,292</b>	<b>37,406</b>
<b>Non-Current Assets</b>			
Property, Plant and Equipment	314,362	335,479	315,089
<b>Total Non-Current Assets</b>	<b>314,362</b>	<b>335,479</b>	<b>315,089</b>
<b>TOTAL ASSETS</b>	<b>348,988</b>	<b>373,771</b>	<b>352,495</b>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Payables	2,257	2,239	2,602
Contract Liabilities	10,204	2,793	10,431
Borrowings	1,505	1,053	1,505
Provisions	2,727	-	2,726
<b>Total Current Liabilities</b>	<b>16,692</b>	<b>6,085</b>	<b>17,264</b>
<b>Non-Current Liabilities</b>			
Borrowings	2,719	2,763	2,719
Lease Liabilities	7	-	-
Provisions	13,301	13,350	13,301
Other Liabilities	330	306	330
<b>Total Non-Current Liabilities</b>	<b>16,357</b>	<b>16,419</b>	<b>16,350</b>
<b>TOTAL LIABILITIES</b>	<b>33,050</b>	<b>22,504</b>	<b>33,614</b>
<b>Net Community Assets</b>	<b>315,938</b>	<b>351,268</b>	<b>318,881</b>
<b>COMMUNITY EQUITY</b>			
Asset Revaluation Surplus	237,603	277,064	237,603
Retained Surplus/(Deficiency)	75,204	71,072	78,146
Reserves	3,132	3,132	3,132
<b>TOTAL COMMUNITY EQUITY</b>	<b>315,939</b>	<b>351,268</b>	<b>318,881</b>



**Cook Shire Council**  
**Statement of Changes in Equity**  
For the period ended 31 July 2022

\$'000	Asset Revaluation Surplus \$000	Retained Surplus \$000	Other Reserves \$000	Total Equity \$000
	\$'000	\$'000	\$'000	\$'000
<b>Draft Actuals 2022-23</b>				
Balance at 1 July 2022	237,603	78,146	3,132	318,881
Net Result		(2,942)		(2,942)
Other Comprehensive Income				
Increase / Decrease in Asset Revaluation Surplus				
Transfers to Reserves				
Transfers from Reserves				
Other Transfers Between Equity				
<b>Unaudited Equity Balance as at 30 June 2022</b>	<b>237,603</b>	<b>75,204</b>	<b>3,132</b>	<b>315,939</b>
<b>Budget 2022-23</b>				
Opening Balance	251,433	75,722	3,132	330,287
Net Result		(4,650)		(4,650)
Other Comprehensive Income				
Increase / Decrease in Asset Revaluation Surplus	25,631			25,631
Transfers to Reserves				
Transfers from Reserves				
Other Transfers Between Equity				
<b>Equity Balance at end of Year</b>	<b>277,064</b>	<b>71,072</b>	<b>3,132</b>	<b>351,268</b>
<b>Unaudited 2021-22</b>				
Opening Balance	237,603	64,010	3,132	304,745
Net Result		14,136		14,136
Other Comprehensive Income				
Increase / Decrease in Asset Revaluation Surplus				
Transfers to Reserves				
Transfers from Reserves				
Other Transfers Between Equity				
<b>Unaudited Equity Balance at end of Year</b>	<b>237,603</b>	<b>78,146</b>	<b>3,132</b>	<b>318,881</b>

## 17 INFRASTRUCTURE - REPORTS

### 17.1 FNQ030 - 2022/23 REGIONAL BITUMEN RESEAL PROGRAM

**File Number:** D22/16833  
**Author:** Procurement Coordinator  
**Authoriser:** Peter Tonkes, Director Infrastructure  
**Attachments:** Nil

#### PRECIS

This report seeks Council's consideration to award a contract for the 2022/23 Regional Bitumen Reseal Program.

#### BACKGROUND/HISTORY

Council undertakes an annual bitumen reseal program in order to maintain its road network to a suitable standard. This process is required to prevent moisture from penetrating through deteriorated bitumen seals into the underlying pavement which causes damage such as rutting and pot holes.

The past nine reseal programs have been delivered under collective procurement arrangements established by the Far North Queensland Regional Organisation of Councils (FNQROC). The collective arrangements have enabled the participating member Councils to achieve economies of scale in pricing and eliminated the risk of individual Councils competing against each other for limited supplier resources. The collective arrangements also include the provision of performance bonds to ensure the works are completed within the agreed timeframes. Councils also benefit from the appointment of a Program Coordinator to oversee overall delivery of the program.

Following the success of the previous arrangements, FNQROC was tasked with inviting tenders for the 2022/23 regional bitumen reseal program on behalf of the following member Councils:

- Cook Shire Council
- Cassowary Coast Regional Council
- Hinchinbrook Shire Council
- Hope Vale Aboriginal Shire Council
- Mareeba Shire Council
- Tablelands Regional Council

The request for tender received five (5) submissions which were evaluated by the Tender Evaluation Committee, made up of representatives from the participating Councils.

#### CONSIDERATION

Submissions were received from the following companies:

- Boral Resources (Qld) Pty Ltd (Boral)
- FGF Bitumen Pty Ltd (FGF)
- Koppen Construction Pty Ltd (Koppens)

- Pioneer North Queensland Pty Ltd (PNQ)
- RPQ Pty Ltd (RPQ)

The submissions were evaluated against the following criteria and weightings by the Tender Evaluation Committee:

- Local Business Profile 10%
- Technical Capacity & Experience 15%
- Key Personnel & Equipment 15%
- Program of Works & Work Procedures 20%
- Value for Money 40%

RPQs submission was evaluated against all the selection criteria, and they were the recommended tenderer for all Councils except Tablelands Regional Council. The overall cost being approximately 5% less than the second lowest tenderer. The pricing for Tablelands Regional Council was a particular anomaly at 4% more than the next most competitive price

RPQ's head office is in Ipswich, however they also have an office in Townsville from which the works would be managed and predominantly resourced. RPQ is owned by ASX listed Downer EDI Limited and their highly competitive pricing is likely resultant from the considerable buying power of these companies securing savings on the price of bitumen that are unattainable by smaller companies. RPQ has completed the regional bitumen reseal program for the last 2 years to a high standard with works completed promptly and well before the required date for practical completion. RPQ's submission resulted in low marks on the local business criteria, however they were very competitive in all other selection criteria, particularly value for money. On that basis it is recommended that RPQ be awarded the contract.

Cook Shire's resealing program specifically addressed the following projects:

ITEM	ROAD	VALUE (EXCL. GST)
1	Aurukun Road	\$ 554,188.67
2	Lockhart River Road	\$ 77,045.50
3	May Street	\$ 29,898.59
4	Portland Roads Road	\$ 316,539.27
5	Coen Airport Runway	\$ 127,924.88
6	Mobilisation to principal area, submission of QA, WHS and Environmental documentation	\$ 128,906.30
<b>Total excluding GST</b>		<b>\$1,234,503.21</b>

The Memorandum of Agreement between Councils for the collective procurement arrangements envisaged that there may be instances where the best overall outcome for the group disadvantaged an individual Council. The agreement therefore included a mechanism for the disadvantaged Council to be reimbursed by the others on a pro rata basis. Whilst this mechanism was originally envisaged to apply to costs associated with the rise and fall in the price of bitumen, the Project Steering Committee consider that, subject to endorsement by the various Councils, the same intent should apply, and Tablelands Regional Council (TRC) be reimbursed for the additional cost above the next price in their area. In 2017/2018, a similar situation occurred, and all Councils endorsed the recommendation that Douglas Shire Council be reimbursed for the additional costs.

The price difference between TRC's original best price and RPQ was 4.3%. 4.3% of TRC's new price (based on their new program) is \$55,446 and this figure has been used as the basis of the calculation. The figures will of course be based on actual costs at conclusion of the program when TRC will invoice the individual amounts claimed.

Under this proposal, Cook Shire Council's contribution would be \$15,986.12. Even allowing for this contribution, RPQs tendered rates still offer significant value for when compared to outside of the FNQROC arrangement. Significant cost benefits are also gained for the other councils.

### LINK TO CORPORATE PLAN

**Theme 6 Organisational Capability** - A Council characterised by strong leadership, good governance, effective community engagement and excellence in delivery

- Org 1: Manage Council's activities and decision-making with strategic oversight, transparency and accountability.
- Org 1a: Sound governance and management practices are reflected in responsible long term financial viability with clear strategic direction built around core local government business and affordable levels of service
- Org 1b: Council activities comply with applicable legislation through well-maintained policies, procedures and information systems that guide and facilitate good decision making

### CONSULTATION

Relevant Council officers were consulted in the preparation of the tender.

### LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

In accordance with section 228 of the *Local Government Regulation 2012*, Council must invite written tenders for a large-sized contractual arrangement of over \$200,000.00.

### POLICY IMPLICATIONS

This procurement activity complies with Council's Procurement Policy.

### FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Approved funding has been provided from the following sources:

- AURUKUN ROAD: \$5,000,000 within two projects funded by CYRP program
- LOCKHART RIVER ROAD: \$3,000,000 funded by CYRP2 program
- MAY STREET: \$176,000 funded by TIDS and R2R (50-50)
- PORTLAND ROADS ROAD: total of \$3,000,000 including \$1,500,000 approved and additional \$1,500,000 awaiting final sign off.
- COEN AIRPORT RUNWAY: \$1,204,622 including \$211,622 in 21-22 FY and \$993,000 in 22-23 FY.

**RECOMMENDATION**

That Council:

1. Approve the award of FNQ030 – 2022/2023 Regional Bitumen Reseal Program to **RPQ SPRAY SEAL PTY LTD** , based on their schedule of rates tendered, in the approximate amount of **\$1,234,503.21 (excluding GST)**; and
2. Approve the payment of approximately **\$15,986.12 (excluding GST)** as Cook Shire Council's contribution to **Tablelands Regional Council**; and
3. Delegate authority to the Chief Executive Officer, under section 257 of the Local Government Act 2009 (QLD), the ability to execute the contract, approve payments, negotiate and finalise minor administrative or financial amendments and approve any variations, if so required.

**17.2 RFT T08521 - PSA - SUPPLY AND DELIVERY OF ROAD MAKING MATERIALS**

**File Number:** D22/17567  
**Author:** Procurement Coordinator  
**Authoriser:** Peter Tonkes, Director Infrastructure  
**Attachments:** Nil

**PRECIS**

This report seeks Council's consideration of tenders for the supply and delivery of road making materials.

**BACKGROUND/HISTORY**

In July 2020, Council resolved to award a Preferred Supplier Arrangement (PSA) for the supply and delivery of road making materials which expired in July this year. Given the on-going need for these materials; Tender T08521 – PSA – Road Making Materials was prepared, advertised and published on social media, on Council's Tenders webpage and uploaded to VendorPanel – Public Tenders on Wednesday 11 May 2022 with a closing date and time of 2pm, Wednesday 1 June 2022. Due to a glitch with VendorPanel, it is believed that some potential suppliers did not receive notification of the tender advertisement and therefore, the tender closing date was extended to 2pm, Wednesday 29 June 2022.

The proposed term of the contract is two (2) years.

Five (5) submissions were received by the closing date:

<b>NO.</b>	<b>TENDERER</b>	<b>LOCATION</b>
<b>1</b>	BOWYER GROUP MINING AND CIVIL	ARCHER RIVER, QLD
<b>2</b>	COOKTOWN EARTHMOVING PTY LTD	COOKTOWN, QLD
<b>3</b>	LAKELAND QUARRY	LAKELAND, QLD
<b>4</b>	KALAN CIVIL	COEN, QLD
<b>5</b>	NAMBAL RESOURCES AND QUARRIES PTY LTD	COOKTOWN, QLD

**Consideration:**

The submissions were evaluated against the following criteria:

<b>CRITERIA</b>	<b>WEIGHTED PERCENTAGE</b>
Resources and timeframe	<b>35%</b>
Enhancement of Local Business and Industry	<b>10%</b>
Value for Money	<b>55%</b>

The tender called for a Schedule of rates based on an ex pit price per ton and a delivered price per ton per kilometre for the following products:

1. Gravel road base
2. Fill
3. Rock
4. Cement aggregate pre-mix

## 5. Sand

Due to the expanse of the Shire, it is necessary to appoint more than one preferred supplier onto the arrangement as geographic locations impact delivery costs, which may make a significant difference to the cost of the product depending on the location of the works.

Over the past two (2) years, Council has purchased materials from all of these suppliers with the exception of KALAN CIVIL as it is unclear if they were able to deliver product. With Council expecting to deliver major projects in Coen this financial year, it is hoped that KALAN CIVIL will have product available for supply and delivery.

It is recommended all 5 suppliers be included on the preferred supplier arrangement.

On Thursday 4 August 2022, Council received approval from QRA to carry out works within work area 1 (Cooktown and surrounds) which required the urgent supply of 2.5 road base as follows:

- Esk Valley Road – 2,164.4 tons
- Idress Drive – 222.4 tons
- Gampe Drive – 1,830.4 tons
- Trevathan Falls Road – 1,689.6 tons

Under these DRFA contracts, costs for cartage cannot be claimed, therefore, the only supplier reasonably available for the supply of the required road base, given the proximity to the works, is NAMBAL RESOURCES AND QUARRIES PTY LTD.

Based on the above, and in anticipation of the award of the preferred suppliers for road making materials, Council sought a quote from NAMBAL RESOURCES AND QUARRIES PTY LTD for supply of the required materials. Nambal confirmed their availability and provided Council with a quote for the supply of the 2.5 road base, under the terms and conditions of the proposed preferred supplier arrangement.

Given the urgent requirement, Council's endorsement of this purchase directly to NAMBAL RESOURCES AND QUARRIES PTY LT is requested.

### LINK TO CORPORATE PLAN

***Theme 6 Organisational Capability - A Council characterised by strong leadership, good governance, effective community engagement and excellence in delivery***

- Org 1: Manage Council's activities and decision-making with strategic oversight, transparency and accountability.
- Org 1a: Sound governance and management practices are reflected in responsible long term financial viability with clear strategic direction built around core local government business and affordable levels of service
- Org 1b: Council activities comply with applicable legislation through well-maintained policies, procedures and information systems that guide and facilitate good decision making

### CONSULTATION

Relevant Council officers were consulted in the preparation of the tender.

### LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

In accordance with the Local Government Act, Local Government Regulation 2012 and Council's Procurement Policy, Council must invite person to tender for a preferred supplier arrangement.

**POLICY IMPLICATIONS**

This procurement activity complies with Council's Procurement Policy.

**FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)**

Purchase orders will be issued to individual suppliers based on prior approved funding for the specific works.

**RECOMMENDATION**

That Council:

1. Approve the award to the following suppliers under a preferred supplier arrangement:
  - a. BOWYER GROUP MINING AND CIVIL
  - b. COOKTOWN EARTHMOVING PTY LTD
  - c. LAKELAND QUARRY
  - d. KALAN CIVIL
  - e. NAMBAL RESOURCES AND QUARRIES
2. Ratify the award of a purchase order to NAMBAL RESOURCES AND QUARRIES for approximately 5,908.8 tons of 2.5 road base for approved DRFA works within Work Area 1, and;
3. Delegate authority to the Chief Executive Officer, under section 257 of the *Local Government Act 2009 (QLD)*, the ability to negotiate and finalise minor administrative or financial amendments and approve any variations, if so required.



**17.3 RFQ Q01822 - SUPPLY AND DELIVERY OF BEDDING SAND (SOLE SUPPLIER)**

**File Number:** D22/17581  
**Author:** Procurement Coordinator  
**Authoriser:** Peter Tonkes, Director Infrastructure  
**Attachments:** Nil

**PRECIS**

This report seeks Council's consideration to approve to only seek one (1) quote from one supplier for the supply and delivery of bedding sand in Cooktown.

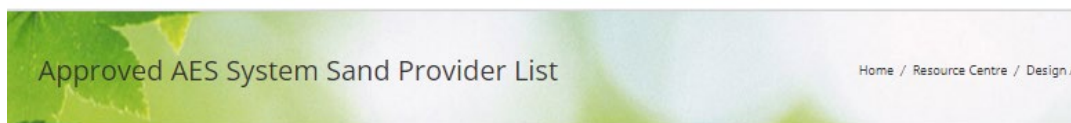
**BACKGROUND/HISTORY**

The onsite sewerage systems that Council installs are from Advanced Enviro-Septic (AES). To ensure compliance with Council requirements, the installation requires the bedding sand to be purchased from an approved AES supplier. Council has a number of AES sites, all of which are in Cooktown.

As per AES' website (evidenced below), Cooktown Earthmoving Pty Ltd is the only approved supplier of bedding sand in Cooktown.



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This list is not definitive. Chankar Environmental provide free testing by the provision of a sand sample (2 cups of sand.) to Chankar Environmental PO Box 1556, Noosaville BC 4556

Show  entries Search:

Number	State	Council Region	Suburb	Business Name	Name of Sand	Contact number	Tested by
105	QLD	Cook Shire	Mission River	Northern Haulage & Diesel Services	Screened Sand	(07) 4069 9382	AES
106	QLD	Cook Shire	Mission River	Northern Haulage & Diesel Services	Washed Sand	(07) 4069 9382	AES
72	QLD	Cook Shire Council	Cooktown	Cooktown Earthmoving	Coarse Sand/ Bedding Sand	0439 798 724	PSD Provided
97	QLD	Cook Shire Council	Cooktown	Cooktown Earthmoving Pty Ltd	Coarse Sand	0439798724	PSD Provided / AES

Website address: <https://enviro-septic.com.au/resource-centre/design-aids/aes-system-sand-specifications/approved-aes-system-sand-provider-list/> (accessed 8<sup>th</sup> August 2022)

Due to the specialised nature of the on-site sewerage systems used by Council, it is necessary that on-going purchases for bedding sand are obtained from Cooktown Earthmoving Pty Ltd. Seeking additional quotes would be impractical as there are no alternate suppliers in Cooktown.

#### LINK TO CORPORATE PLAN

**Theme 6 Organisational Capability** - *A Council characterised by strong leadership, good governance, effective community engagement and excellence in delivery*

- Org 1: Manage Council's activities and decision-making with strategic oversight, transparency and accountability.
- Org 1a: Sound governance and management practices are reflected in responsible long term financial viability with clear strategic direction built around core local government business and affordable levels of service
- Org 1b: Council activities comply with applicable legislation through well-maintained policies, procedures and information systems that guide and facilitate good decision making

#### CONSULTATION

Relevant Council officers were consulted in the preparation of the tender.

#### LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

In accordance with the Other Exceptions of the *Local Government Act, Local Government Regulation* section 235(b) and Council's Procurement Policy, Council may resolve that, because of the specialised nature of the services that are sought, it would be impractical to invite quotes.

#### POLICY IMPLICATIONS

This complies with Council's Procurement Policy.

#### FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Individual purchase orders will be issued as required and subject to availability of funds.

#### RECOMMENDATION

That Council resolves in accordance with the Other Exceptions of the *Local Government Act, Local Government Regulation* section 235(b), because of the specialised nature of the goods that are sought, it would be impractical to invite quotes; and that Cooktown Earthmoving Pty Ltd is approved as a sole supplier for the supply and delivery of bedding sand.

**18 CONFIDENTIAL REPORTS****RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Regulation 2012:

**18.1 Extension of Management Agreement Between Cook Shire Council and PCYC Queensland**

This matter is considered to be confidential under Section 254J(g) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.