



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

Date: Wednesday, 21 August 2019
Time: 9.00am
Location: Administration Centre
10 Furneaux Street
Cooktown

AGENDA AND BUSINESS PAPERS

Ordinary Council Meeting

21 August 2019

**Linda Cardew
Chief Executive Officer**

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1 AGENDA CONTENTS

2 ATTENDANCE

3 MEETING OPENED

4 APOLOGIES

5 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges the Traditional Owners of the land on which we meet today and pay respect to Elders past, present and emerging.

6 DECLARATIONS OF INTEREST

7 MAYORAL MINUTE

Nil

8 NOTICE OF BEREAVEMENT

9 CONFIRMATION OF MINUTES

Ordinary Meeting - 22 July 2019

10 BUSINESS ARISING

11 NOTIFIED MOTIONS

Nil

12 COUNCILLORS' REPORTS

12.1 COUNCILLORS' MONTHLY REPORT

File Number:	D19/15587	
Author:	Executive Assistant	
Authoriser:	Linda Cardew, Chief Executive Officer	
Attachments:	1	Cr P Scott (Mayor) 
	2	Cr R Holmes (Deputy Mayor) 
	3	Cr J Dessmann 
	4	Cr J Giese 
	5	Cr L Hale 
	6	Cr K Price 
	7	Cr A Wilson 

PRECIS

Councillor monthly activity reports.

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.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 3: Develop a clear communication plan to inform the workforce, community and elected members in order to achieve greater understanding of council decision making processes, policies, legislation and compliance requirements.

Objective 3c: The community is kept informed and is generally well 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

Expense Reimbursement Policy (Councillor).

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Operational Budget.

RECOMMENDATION

That the activities contained in the individual Councillors' monthly reports and travel requirements be endorsed by Council.

13 EXECUTIVE SERVICES - REPORTS

13.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

File Number: D19/15588

Author: Chief Executive Officer

Authoriser: Linda Cardew, Chief Executive Officer

Attachments: 1 Chief Executive Officer's Report 

PRECIS

Chief Executive Officer's monthly report.

BACKGROUND/HISTORY

Each month the Chief Executive Officer reports on her 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.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 3: Develop a clear communication plan to inform the workforce, community and elected members in order to achieve greater understanding of council decision making processes, policies, legislation and compliance requirements.

Objective 3c: The community is kept informed and is generally well satisfied with the overall leadership and strategic direction undertaken by Council.

CONSULTATION

Various groups and community members as indicated in the attached.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Expense Reimbursement Policy.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Operational Budget.

RECOMMENDATION

That the activities contained in the Chief Executive Officer's monthly report and travel requirements be endorsed by Council.

13.2 REVIEW OF OPERATIONAL PLAN FOR 2018-2019 FINANCIAL YEAR - FOURTH QUARTER

File Number: D19/11069
Author: Director Organisational Business Services
Authoriser: Linda Cardew, Chief Executive Officer
Attachments: 1 Operational Plan 2018/2019 

PRECIS

The purpose of this report is to provide Council and the Community with an update on the outcomes of the 2018-2019 Operational Plan. This is the final operational plan update for the 2018/19 year and is complementary to the Annual Report for 2018/19 which will be completed in November this year. The report is intended for noting.

BACKGROUND/HISTORY

The Operational Plan, and the annual budget, for the 2018/19 financial year was adopted by Council at the special council meeting held on 27 June 2018.

The adopted Cook Shire Council's 2018-19 Operational Plan detailed key organisational operational initiatives for the 2018-2019 financial year, which were outlined and funded in the Annual Budget.

The Plan linked with Council's long term strategic direction as set out in the Corporate Plan 2017/22 and other strategic documents.

The Operational Plan was not intended to include every activity Council undertakes, but to highlight new initiatives and key projects that were planned for 2018/2019. In the 2018/19 Operational Plan, each department summarised its core activities and detailed new initiatives for the 2018/2019 year that would assist in the delivery of the Corporate Plans objectives.

COMMENTS

The Operational Plan update attached to this report, identifies a positive end result to a year of significant change for Council. This year of change includes a new executive team and a new organisational structure.

Highlights identified in the attached operational plan update include:

- The completion of an organisational restructure, which included the establishment of a new department focused on the Community, Economy and Innovation, a recognition of the importance of these elements in the new organisational focus;
- A continuing development of the relationship with the Torres and Cape Indigenous Council Alliances and Indigenous relationships in the shire more generally;
- The completion of significant governance and risk management improvements, including the establishment of a new Audit and Risk Committee which assisted in the development of a Strategic Risk register, Operational Risk register and the adoption of a new Enterprise Risk Management Policy and Framework;
- Achievements across the building and facilities space, including completion of the Works 4 Queensland programme, renovating the JS Love Building in Coen, the Rossville, Bloomfield and Portland roads community halls, the completion of an asbestos register and a number of other community projects;

- Council successfully completed and adopted assets management plans for its key infrastructure classes, marking a significant improvement in respect of asset management and long term planning with respect to financial sustainability. Being linked to GIS it will enable forward planning, enhance budget development and increase responsiveness;
- Appointment of a Senior Economic Development Officer to advocate for improved liveability in the region, including promotion of the Clean Growth Choices Eco-Biz initiative;
- Council's website continues to experience growth in traffic from both within Australia and overseas;
- Funding secured to enable the next phase of the Airport Master Plan to be progressed, including detailed design for the runway strengthening, access road realignment and car park upgrade;
- Event Development Program delivered, supporting the growth of a range of community events across the Shire;
- A dedicated Event Manager was appointed to drive the delivery of the Cooktown 2020 celebrations, while \$5.5million in funding was secured for community facilities for the region;
- There has been a steady increase in participation in aquatic activities, supported by the completion of a \$250,000 upgrade of the Cooktown Swimming Pool;
- A Community Grants and Support Program Policy was adopted by Council;
- Council completed the waterfront development, which was officially named the William Daku park, providing a significant community asset which was presented to the community and to stakeholders with a very successful opening ceremony;
- A number of parks and garden projects were completed, including the removal of potentially hazardous trees at the botanic gardens, and the Cooktown Cemetery blitz, while maintaining Council's parks to a high standard;
- The significant majority of capital works projects were completed on time and budget, marking a very successful year with respect to capital project delivery within Council;
- Council has successfully delivered flood damage responses to NDRRA (National Disaster Relief & Recovery Arrangements) on budget and on time, including working with the QRA (Queensland Reconstruction Authority) and their new reporting system "MARS", being the initial utilizers of the program, Council was in a great position to contribute to its ongoing development.
- The replacement of asbestos cement (AC) water mains with UPVC mains is ongoing and John/Howard/Walker Streets in Cooktown received water mains replacement.
- The wet season posed significant challenges to the Coen Waste Treatment Plant, and lightning protection was investigated and successfully installed.
- Council developed a Customer Service Charter, which will be rolled out in the 2019/20 financial year which will provide a clear guideline with respect to response times and service levels to the community;
- The outcome to the 2019 Cook Shire all staff survey demonstrates a significant improvement in overall engagement of staff compared to 2016. The survey results are benchmarked

against 65 other Councils Nationally. The 2016 survey outcome placed Cook Shire as one of the lowest performing Councils with a weighted performance score of 30% and an engagement score of 60%. The 2019 survey outcome has significantly improved placing Cook Shire in the top 5% of highest performing Councils with a performance score of 45% and engagement score of 68%. To achieve such a significant turnaround in results in a three year period is a great outcome for Cook and demonstrates an ongoing commitment from the whole organisation and Council to improve the workplace culture;

- Both Indoor and Outdoor Certified Agreements were successfully negotiated with representing Unions Cook Shire has a total of six Union organisations to negotiate with, and at the time through a difficult industrial relations period which saw many QLD Councils go to industrial action. Cook was able to successfully negotiate both Agreements with Union Organisers and their delegates and received an outstanding result from staff who voted 100% yes to their agreement with a very positive participation rate of over 70% for both;
- The development of a Cooktown Cemetery Conservation and Interpretation Plan, which will assist in the development and management of the cemetery.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 1: Develop an achievable long term financial, resource and infrastructure plan to ensure ongoing capacity to fund operations and capital works programs that underpin council's long-term strategy to achieve financial sustainability.

Objective 1a: Council's long-term financial plan is compiled and linked to Council's Corporate and Operational Plans.

CONSULTATION

Executive Leadership Team

Managers

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Local Government Regulation 2012 section 174 and 175.

The Operational Plan was prepared in accordance with the Local Government Regulation 2012, specifically section 175, in that it:

- was consistent with the Annual Budget; and
- stated how the Local Government would progress the implementation of the 5 year Corporate Plan; and,
- stated how it would manage operational risks.

Section 174 of the *Local Government Regulation 2012* requires that the Chief Executive Officer must present a written assessment of Council's progress towards implementing the annual operational plan at meetings of Council at regular intervals of not more than three months.

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

The activities detailed in the attached Operational Plan 2018/19 update are accounted for in Council's annual budget, which is comprised of a number of separate elements, including the operational budget, operational initiatives and capital works programme. A separate report on Council's annual budget was provided in the July Ordinary Council meeting, this report identified a deficit well below expectations, a good result.

RECOMMENDATION

That Council resolves to note and endorse the final report on the Operational Plan for the 2018-2019 financial year.

14 ORGANISATIONAL BUSINESS SERVICES - REPORTS

14.1 FINANCIAL STATEMENTS - JULY 2019

File Number: D19/15414

Author: Director Organisational Business Services

Authoriser: Eric Brown, Director Organisational Business Services

Attachments:

- 1 Statement of Comprehensive Income - July 2019 
- 2 Statement of Financial Position - July 2019 
- 3 Statement of Changes in Equity - July 2019 
- 4 Statement of Cash Flows - July 2019 
- 5 Revenue and Expenditure - July 2019 
- 6 Operational Plan Initiatives - July 2019 
- 7 Capital Works Program - July 2019 

Precis

Presentation of the financial statements, revenue and expenditure, operational plan initiatives and capital works program for July 2019 as required under section 204 of the *Local Government Regulation 2012* (QLD). The report is presented for noting and indicates that Council is progressing satisfactorily against its current budget.

BACKGROUND/HISTORY

Each month, Council staff present a report on the overall position of Council through the financial statements, revenue and expenditure report, operational plan initiatives report and capital works program for the preceding month. The reports provide a summary of progress against the budget (or Operational Plan) for the financial year.

These reports have been finalised just prior to the end of July. As July is the first month in the financial year it is noted few transactions have flowed through the accounts. The previous year actuals have been updated, however it should be noted that the 2018/19 accounts have not been finalised and a number of accounting entries are still to be processed.

Statement of Comprehensive Income

The statement of comprehensive income identified that Council has received \$263K in recurrent revenue compared with the revenue budget of \$24.5M. The primary reason for the low revenue figure is that a number of grants are still tied up in Commonwealth grant processes as well as Council rates have not yet having been levied. This is merely a timing issue and is not of concern.

In respect of the recurrent expenses, Council has incurred \$873K out of the budget of \$32.1M. The net operating result is currently identified at a \$610K deficit.

The sales revenue includes \$51K of fuel sales at the Coen and Cooktown airports.

Statement of Financial Position

Council maintains a reasonable cash balance, and finished the 2018-19 year on just over \$19M. The cash balance will continue to fluctuate due to the timing of grant income and expenditure on capital

projects. Generally Council must spend the grant funding then acquit the grants, and the subsequent approval and payment to Council may be some weeks afterwards.

Receivables and payables are not significant and will continue to change during the year given the nature of those accounts. Council aims to pay creditors within their requested timelines.

Provisions accounts have not been finalised for the 2018-19 year. Employee provisions are not expected to change significantly. There is a new accounting standard that requires recognition of a restoration for landfill provision in the 2018/19 accounts as Council is now able to estimate the costs of restoration. The provision likely to increase significantly once it is captured at the end of this financial year as part of the financial statement preparation process. Council will recognise the provision in its accounts, but the outlay of cash will not occur until a future date.

Council has not undertaken any new borrowings, and did not draw down a budgeted plant loan in 2018-19. No borrowings have been budgeted for the current year, which will result in a reduction in the borrowings liability during the year.

Statement of Cash Flows

Council's cash position is showing at \$16.9M, which is a decrease from the opening balance of \$19M [at 1 July 2019]. However, this balance will fluctuate dependent on expenditure on DRFA works and this decrease is not of material concern.

Revenue and expenditure

Overall Council's revenue and expenditure is tracking well against budget. Any concerns will be reported back to Council on an ongoing basis.

Operational plan Initiatives

Operational Plan initiatives may be grant funded or projects in addition to ordinary operational expenditure. They are included in the revenue and expenditure budget, but have been highlighted in a separate report so they can be more easily identified.

Capital Works Program

Council has an amended capital budget of \$51M, with \$48M expected to be grant funded. The capital budget includes a significant DRFA program, which has increased since the budget was adopted in June. DRFA works have commenced, but at the time of these reports being prepared few transactions have flowed through the accounts.

Some capital projects were not completed in the previous year and have carried forward to the current financial year. These are show as a single line item. These items have not been included in the capital budget, however it is not anticipated Council will fully utilise the capital budget and these outstanding projects shall be absorbed.

For capital works that are externally funded, work shall not commence, other than minor preliminary costs, until the funding agreements have been executed. It is noted that any preliminary works are not acquitable against the grant.

The Capital Works Program will be continually assessed to ensure the expenditure is able to be offset against other works.

For example during the year it may be identified some projects will be completed using in-house with existing resources, therefore the budget set aside for this project will be able to be reallocated to unplanned capital works.

Failure of critical assets is another example of reallocation of budgetary resources. Ideally Council would maintain assets to a standard and spend an amount equivalent to its annual depreciation to achieve this. This has not occurred in the past, but Council will continue to work towards this goal.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 1: Develop an achievable long term financial, resource and infrastructure plan to ensure ongoing capacity to fund operations and capital works programs that underpin council's long-term strategy to achieve financial sustainability.

Objective 1a: Council's long-term financial plan is compiled and linked to Council's Corporate and Operational Plans.

CONSULTATION

Executive Leadership Team, Managers and relevant Operational Staff.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Local Government Regulation 2012 (QLD) in particular section 204, 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.

Local Government Act 2009

POLICY IMPLICATIONS

There are no current policy implications that need to be considered within this report as the report is for noting. However, the following Council policies are relevant:

Investment Policy
Debt Policy
Revenue Policy

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

The report above identifies how Council is tracking against the adopted operational and capital budgets for the 2019-20 financial year. The report identifies that Council is tracking satisfactorily against the adopted budget at present.

RECOMMENDATION

That Council resolves to:

1. Note the financial report as required under section 204 of the *Local Government Regulation 2012* (QLD) for July 2019.
2. Note the revenue and expenditure statement for July 2019.
3. Note the operational plan initiatives report for July 2019.
4. Note the capital works program for July 2019.

14.2 CONSULTATION - ANNUAL VALUATION EFFECTIVE 30 JUNE 2020

File Number: D19/15421
Author: Revenue Administration/Rates Officer
Authoriser: Julianne Meier, Finance Manager
Attachments: 1 Letter from Valuer-General Office 

PRECIS

The Valuer-General has requested Council's opinion on whether a revaluation should be conducted within the Cook Shire Council Local Government Area effective 30 June 2020. This report recommends that Council responds in the affirmative.

BACKGROUND/HISTORY

Council received a letter from the Valuer-General, Neil Bray, dated 21 June 2019 seeking Council's opinion on whether a re-valuation of Cook Shire should be undertaken to be effective on 30 June 2020.

Due to the date of the letter combined with the date of response required, there was not sufficient time to present the matter to Council for a decision before a response could be provided. For this reason Council officers requested an extension of time to have the matter properly considered by Council. Based on this request, the Valuer-General's office has indicated they will record Cook as a "tentative only YES response, pending Council meeting's meeting on 21 August and formal decision".

Property valuations are recorded in Council's land records and utilised to calculate general rates, the last valuation was effective 30th June 2016. Therefore, this means that Council's current rates are set on valuations from 2016.

There are two options available to Council, either requesting a valuation or requesting that a valuation not be conducted.

Council officers are of the view that a revaluation should be conducted within the Cook Shire as four years will have lapsed since the last revaluation by 30 June 2020. The reasons for this recommendation are:

A failure to conduct regular valuations can result in particular areas within the Cook Shire not being valued correctly. This can result in areas paying higher or lower rates than what they would otherwise pay if a valuation had been conducted.

A further perceived advantage of more regular revaluations is that the scale of fluctuations may have less effect within each category. Larger fluctuations, particularly within a category, can cause significant variations in rate bills, something that is not ideal and can cause community angst. Whereas, not conducting regular reviews can result in larger changes within values when a valuation does occur, which can cause larger changes in rates payable for individual owners (or conversely larger reductions). It is preferable when setting rates that changes in rates are gradual which prevents community angst and ensures that the ratepayer can adjust/budget for the changes.

The Valuer-General will consider a number of factors during the consultation process, including a review of sales of property since the last revaluation.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 1: Develop an achievable long term financial, resource and infrastructure plan to ensure ongoing capacity to fund operations and capital works programs that underpin council's long-term strategy to achieve financial sustainability.

Objective 1a: Council's long-term financial plan is compiled and linked to Council's Corporate and Operational Plans.

CONSULTATION

Finance Manager

Director Organisational Business Services

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Local Government Regulation 2012, section 74

The *Land Valuation Act 2010* (the Act) requires the Valuer-General to undertake an annual statutory valuation of all rateable land in Queensland except in unusual circumstances or after consideration of:

- a market survey report of the Local Government Area which reviews sales of land since the last valuation and the probable impact of the sales on the value of land since the last annual valuation; and,
- the results of consultation with the local government for the area, and appropriate local and industry groups.

Under the Act, annual valuations are required to be issued prior to 31 March in the year the valuation is to take effect.

POLICY IMPLICATIONS

Revenue Policy.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Valuations will not affect the rate revenue as rate modelling will guide any necessary changes in the rate in the dollar by an increase or decrease so the revenue reaches the budget required.

RECOMMENDATION

That Council request an annual revaluation effective 30 June 2020 from the Valuer-General.

14.3 DA/4043 - MAKING A MATERIAL CHANGE OF USE FOR A COMMUNITY USE (ALTERATIONS AND ADDITIONS TO THE JAMES COOK MUSEUM), LOCATED AT 50 HELEN STREET COOKTOWN, FORMALLY DESCRIBED AS LOT 1 ON RP740816

File Number: D19/15633
Author: Planning Officer
Authoriser: Eric Brown, Director Organisational Business Services
Attachments: 1 Proposal Plans 
2 Referral Agency Response with Conditions 
3 Infrastructure Charges Notice 

PRECIS

Applicant: National Trust of Australia (Queensland) Ltd
C/- Matteo Sandona, Milford Planning
PO Box 5463
TOWNSVILLE QLD 4810

Owner: National Trust of Australia (Queensland) Ltd

Location: 50 Helen Street Cooktown

R.P.D: Lot 1 RP740816

Lot Size: 2,176m²

Zone: Community Facilities

Existing Use: James Cook Museum

Proposed Use: Alterations and Additions to the James Cook Museum

Referrals: Department of Environment and Science (DES)

REPORT

An application was made to Council on 23 May 2019 for the issue of a development permit for a Material Change of Use for a Community Use (Alterations and Additions to the James Cook Museum) on Lot 1 RP740816, located at 50 Helen Street Cooktown. Council's Planning Department issued an Information Request on 20 June 2019, which was responded to by the Applicant on 18 July 2019. The Application triggered a State referral under the *Planning Regulation 2017*, as the proposal involves development on a Queensland Heritage Place. The application is subject to code assessment under the *Cook Shire Council Planning Scheme 2017* (Planning Scheme), meaning no public notification is required.

SITE DESCRIPTION

The subject site is a single, irregular shaped allotment situated in the Cooktown urban area with an area of approximately 2,176m². The site currently contains the James Cook Museum and is zoned Community Facilities under the Planning Scheme. The museum is built within the former St Mary's

Convent and School, which is a building which was listed on the Queensland Heritage Register in 1992. There is also a modern annexe at the rear of the former school which was constructed in the early 2000s to provide additional space for the museum.

The primary access to the museum is from Helen Street via a staircase in the retaining wall on the site's boundary. Bitumen sealed and lined car parks are provided adjacent to the Helen Street frontage, and informal and unsealed parking occurs adjacent to the Furneaux Street boundary. Disabled access is provided from the Furneaux Street side.

The Applicant provided the following:

"A property portfolio assessment in 2017 found that the current buildings are deteriorating and require essential maintenance works over the five year period to 2022, at an estimated cost of approximately \$750,000. Disabled access to the building also needs to be addressed to align with current standards. It is noted that the gradient of Furneaux Street is too steep for wheelchair access, access via Helen Street is via stairs only, and the lift inside the building is currently not operational."

PROPOSED DEVELOPMENT

Proposed plans of development are shown as Attachment 1.

The following alterations and additions to the heritage listed building are as follows:

Exhibition Restructure

Three distinct parts; 'pre encounter, encounter, and post encounter'. This will be reflected by the proposed and existing infrastructure as detailed on the proposal plans.

Proposed Additions

The existing outdoor terrace is proposed to be upgraded by incorporating an undercover entrance walkway that traverses a part of the Furneaux property boundary. It will include a ramp to provide disabled access from the Helen Street frontage and will allow visitors to take in the exterior of the heritage building prior to entering the museum. The proposed undercover walkway has a minimalistic design to provide the required functionality, and will integrate with the existing retaining walls and terracing on the site. It is anticipated that this addition will have minimal impact on the views to the heritage listed building. A shade structure to provide protection from the weather when approaching the museum entry is also proposed.

New Extension (replacing existing annexe)

A new extension is proposed to the rear of the heritage building which replaces the existing annexe. This extension has been intentionally designed as contrasting; background architecture to ensure the focus remains on the architectural features of the heritage building. It is of a minimalistic, modern design with a roofline that is sympathetic to the heritage building in terms of scale and pitch. As the proposed extension is at the rear of the site, the features of the heritage building retain visibility from both Helen and Furneaux Street frontages.

The Applicant states that *"...replacing the existing annexe with a new structure is the most feasible development option given the cost of refurbishment and lack of flexibility that could be achieved when working with the existing structure"*.

Proposed Alterations

Disabled access is proposed to the attic level, allowing this to be used as museum space (previously used for storage only). Disabled access will be provided via an elevator located in the new extension that will be linked to the heritage building via a walkway through the southernmost window opening at the rear of the building. This will not be visible from the street. Additional alterations to the heritage building are proposed to be minor in nature, and will relate to maintenance and structural work only.

Access

The proposed development seeks to retain the existing access from Helen Street, located at the frontage of the heritage building, whilst establishing a ramp which traverses the Helen and Furneaux Street frontages of the site, before arriving at the new entry of the museum as detailed above. The Helen Street frontage will facilitate parking on a gradient appropriate for disabled access.

Car Parking

It is proposed that the existing sealed car parking area on the Helen Street frontage be reconfigured to provide for 20 perpendicular car parking spaces, including 2 disabled car parking spaces. The Applicant has not proposed any upgrades to the informal parking which occurs on Furneaux Street.

Landscaping and Existing Vegetation

The subject site contains a range of landscaping and vegetation which has been identified as primarily non-native and has been established on the site over its long history. The proposed development will seek to retain existing vegetation where possible, whilst introducing complementary species. A key strategy of the proposed landscaping is to ensure landscaping does not obstruct views of the heritage building.

It is to be noted that the 'Mangifera Indica' (i.e. Mango Tree) located in the front corner of the site has been identified as a sick tree that is not an original planting, with a root system that is damaging the retaining wall. In its current form, the tree is a significant obstruction to views of the heritage building and is likely to be removed in the works associated with the proposed development.

Proposal Plans

As detailed on the proposal plans, the proposal incorporates:

- 365m² of additional floor area;
- 190m² of additional impervious roofing area;
- Access ramp and pathway traversing the street frontages from the existing site entry point at Helen Street to the new museum entry in the proposed extension;
- Amenities located to the left of the proposed museum entry;
- An elevator linking all floors including the previously inaccessible attic.

TOWN PLANNING CONSIDERATIONS**STATUTORY****Cook Shire Council Planning Scheme 2017**

Under the Planning Scheme, Community Use is defined as:

Community Use means the use of premises for –

- (a) Providing artistic, social or cultural facilities or community services to the public; or
- (b) Preparing and selling food and drink, if the use is ancillary to the use in paragraph (a).

The subject site is located within the Community Facilities Zone under the Planning Scheme. The proposed use is identified as code assessable development, therefore requiring assessment against the following Planning Scheme codes:

- Community Facilities Zone Code;
- Parking and Access Code;

- Works, Services and Infrastructure Code;
- Character Overlay Code; and
- Landslide Hazard Overlay Code.

COMPLIANCE WITH COOK SHIRE PLANNING SCHEME 2017 CODES

Community Facilities Zone Code

The purpose of the **Community Facilities Zone Code** is to provide for community-related uses, activities and facilities, whether publicly or privately owned, including, for example:

- (a) Educational establishments;
- (b) Hospitals;
- (c) Transport and telecommunication networks; and
- (d) Utility installations.

The purpose of this code will be achieved through the following outcomes:

- (a) The Shire is to be well serviced with community facilities and services, including education facilities, emergency services, health care and the like;
- (b) Community uses are conveniently located and easily accessible to the targeted community group;
- (c) The built form of community and other uses is consistent in scale, height and bulk with the surrounding environment;
- (d) Ancillary uses only occur where they provide support to the primary community use;
- (e) The community benefits associated with these uses are provided without impacting on the amenity of the adjoining neighbours or the locality;
- (f) Community uses retain and enhance semi-natural and natural habitats and/or the landscape values of the locality;
- (g) Commercial waterfront uses consistent with the purposes of the reserves may occur within the CF1 Precinct (Cooktown Foreshore Commercial Precinct) identified on Zoning Map 13; and
- (h) Complementary community uses are clustered for efficient use of land and infrastructure.

Comments

The James Cook Museum is a community facility and a significant tourist attraction to the Cooktown community. The proposed re-development of the museum will result in a more effective and efficient use of the heritage building, with the proposed built form being specifically designed as background architecture that will not detract from the existing heritage building. The use is an intended use within the Community Facilities Zone, and demonstrates compliance with the performance criteria and overall outcomes of the zone code.

Parking and Access Code

The purpose of the Parking and access Code is to ensure transport, access and car parking is safe, efficient and convenient.

The purpose of this code will be achieved through the following overall outcomes:

- (a) The amount of parking provided for a particular land use is sufficient to meet the parking needs for that use;
- (b) Parking and manoeuvring areas, passenger setdown/pickup areas and goods loading/unloading facilities are provided in a safe and efficient manner; and
- (c) Access arrangements do not compromise the safety and efficiency of the transport network.

The applicant has provided the following:

- The car parking spaces available on Helen Street immediately adjacent to the frontage of the site are considered sufficient to meet the demand generated by the Museum, with additional on-street parking available in the wider vicinity.
- The proposed configuration of car parking spaces on Helen Street positions disabled spaces immediately adjacent to the new entry to maximise accessibility.
- Vehicle access to the site is provided from Furneaux Street with a driveway along the rear of the proposed extension for servicing and deliveries.

Comments

In addition to what is proposed above, it is likely that the scale of the extension and improvements to the Museum will increase visitation from both the Helen and Furneaux Street frontages, and thus - parking in both road reserves around the site will have an increase demand. This increased visitation increases the use of the road networks, which warrants a condition to upgrade the Furneaux Street road reserve under the current codes applicable to the assessment, and necessary for the development to ensure it maintains safety and efficiency of vehicle and pedestrian traffic to the site. As a result, in addition to what is proposed by the Applicant, an additional 3 parallel car parking spaces on the Furneaux Street frontage will be conditioned.

Works, Services and Infrastructure Code

Comments

The proposed development is considered consistent with the purpose and overall outcomes of the Works, Services and Infrastructure Code.

Character Overlay Code

The purpose of the Character Overlay Code is to ensure development protects heritage places and areas of local and state heritage value.

The purpose of the code is achieved through the following overall outcomes:

- (a) The built heritage values of historic streetscapes and individual sites within those streetscapes are protected and (where feasible) enhanced;
- (b) New buildings and 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;
- (c) New buildings are structures on or adjoining the Cooktown waterfront, when viewed from both land and water, exhibit a high standard of design consistent with their function, so as to achieve attractive presentation and distinct point of entry for residents and visitors arriving by water;

- (d) Demolition of existing buildings and structures only occurs where those buildings and structures have no significant built heritage value or where there is no feasible alternative to demolition;
- (e) Development on or adjacent to a Heritage Place will not have an adverse impact in terms of:
 - (i) Visibility;
 - (ii) Public accessibility;
 - (iii) Physical change; or
 - (iv) Damage or removal.

Comments

The proposed development demonstrates compliance with the performance criteria and the overall outcomes of the Character Overlay Code.

- The proposed development will enhance the site's contribution to the streetscape by improving visibility of the historic building and providing complementary background architecture;
- The proposed extension has been designed to complement the historic building in terms of scale, height and roof pitch, whilst ensuring historic elements are not falsely reproduced through replication;
- The demolition involved in the proposed development involves the modern extension (circa 2000) to the building only, and therefore will not result in the loss of any heritage value.

As the building is State Heritage, DES is the enforcement authority, therefore no further assessment regarding built design is required.

Landslide Hazard Overlay Code

The proposed development demonstrates full compliance with the performance criteria and overall outcomes of this code.

Cape York Regional Plan

The Minister of the Department of State Development, Manufacturing, Infrastructure, and Planning (DSDMIP) has identified that the Planning Scheme, specifically the strategic framework, appropriately advances the Cape York Regional Plan, as it applies in the Planning Scheme area. Consequently, the review of this development application against the provisions of the Planning Scheme satisfies assessment against the benchmarks stated in the Cape York Regional Plan.

State Planning Policies

All aspects of the State Planning Policy have been adequately reflected in the Planning Scheme. Accordingly, assessment against the applicable Planning Scheme provisions will address any relevant State issues.

State Development Assessment Provisions (SDAP)

The application triggered assessment against State code 14: Queensland Heritage.

State Referral Agencies

Under Schedule 10, Part 8, Division 2, Subdivision 3, Table 1 – Development on a Queensland Heritage Place of the *Planning Regulation 2017*, the development triggers referral to the

Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) as a concurrence agency for assessment of the application through the SARA process.

The Director-General of the Department of Environment and Science (DES) is the enforcement authority for the development. The Application was referred to DES on 14 June 2019, and DES's response was issued 18 July 2019. This approval is included as Attachment 2.

TIMEFRAMES (DEVELOPMENT ASSESSMENT RULES)

Under the Development Assessment Rules, the decision period of this application expires on 26 August 2019.

INFRASTRUCTURE CHARGES

The application was lodged following the adoption of Cook Shire Council's Charges Resolution (No. 2) of 2018. The resolution levies charges for water supply, sewerage, transport, public parks and community land, and stormwater.

The Planning Scheme use of 'Community Use' is identified under the 'Places of assembly' Adopted Infrastructure Charge Category. This category does not attract charges for public parks and community land.

A calculation of charges is based on a charge for the additional square meters to the gross floor area, as well as the additional gross impervious area for stormwater.

Please see Attachment 3 for the Infrastructure Charges Notice.

PUBLIC NOTIFICATION

This application (under section 53 of the *Planning Act 2016*) does not require public notification as it is subject to code assessment.

LINK TO CORPORATE PLAN

Key Strategy Priority:

Environment – Respect for the unique natural environment of the Cape, its history and the provision of sustainable, safe access for the enjoyment of the Cape's communities and visitors.

Env 3: Appropriate consideration is given to planning and development controls, design guidelines, traditional ownership and sustainable development principles when making planning decisions.

Env 3a: Planning outcomes demonstrate the quality of development assessment processes by achieving results consistent with Council's strategic direction.

DISCUSSION

The proposed development is recommended for approval subject to reasonable and relevant conditions as:

- The proposal complies with the assessment benchmarks relevant to the assessment of a proposal of this nature;
- The proposal offers a development outcome that minimises impacts on the heritage building by integrating the extension which is required for the site to function effectively as a museum;
- The development will address essential maintenance requirements to ensure the heritage value of the site is retained for future generations;
- The development should boost tourism levels in Cooktown, resulting in a commercial gain for the town and local business owners.

RECOMMENDATION

1. 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 strategic framework and assessment benchmarks of the *Cook Shire Council Planning Scheme 2017* and the proposed development demonstrated compliance.
 - (b) The proposed development will have no detrimental impact on the surrounding land uses.
2. That the application by the National Trust of Australia (Queensland) Ltd C/- Milford Planning for Development Permit DA/4043, making a Material Change of Use for a Community Use (Alterations and Additions to the James Cook Museum) on Lot 1 on RP740816, located at 50 Helen Street Cooktown, be approved subject to reasonable and relevant conditions.

A. ASSESSMENT MANAGER (COUNCIL) CONDITIONS**Approved Plans**

1. The development must be carried out generally in accordance with the following plans (Appendix A), except for any variation required to comply with these conditions of approval:
 - Locality Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD1.1 and revision A;
 - Survey Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD1.2 and revision A;
 - Demolition Plans – Ground Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.1 and revision A;
 - Demolition Plans – Mid-Level Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.1a and revision A;
 - Demolition Plans – Upper Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.2 and revision A;
 - Demolition Plans – Attic Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.3 and revision A;
 - Demolition Plans – Roof Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.4 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.5 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.6 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.7 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.8 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.9 and revision A;

- Proposed Plans – Ground Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.1 and revision A;
- Proposed Plans – Upper Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.2 and revision A;
- Proposed Plans – Attic Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.3 and revision A;
- Proposed Plans – Roof Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.4 and revision A;
- Proposed Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.5 and revision A;
- Proposed Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.6 and revision A;
- Proposed Sections, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.7 and revision A;
- Proposed Sections, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.8 and revision A;
- Proposed Sections, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.9 and revision A;
- Proposed Visualisations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.10 and revision A;
- Proposed Visualisations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.11 and revision A;
- Proposed Visualisations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.12 and revision A;
- Sections 2.1, 2.3, 2.4, 3.8 and 3.9 of the Design Development Report: James Cook Museum Refresh – “A Modern Act of Reconciliation” Prepared for: The National Trust of Australia (Queensland), prepared by Stephen de Jersey Architect, dated 10.05.2019 and revision A;
- Proposed Plans – Roof Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.4 and revision A.

Vehicle Access

2. Vehicle access to the site must be via the proposed access crossover on Furneaux Street.

Road Works and Car parking

3. The applicant must extend the bitumen seal on Furneaux Street to the existing Kerb and Channel, from the proposed access crossover on Furneaux Street to the corner of Furneaux Street and Helen Street. Construction must be in accordance with the FNQROC Development Manual requirements. Engineering drawings must be submitted for approval by Council’s Director Infrastructure as part of an Operational Works application prior to work commencing.
4. The applicant must provide twenty (20) bitumen sealed perpendicular line-marked car parking spaces on the Helen Street frontage, including two (2) disabled persons car parking spaces as per the approved plans.

5. The applicant must provide three (3) parallel spaces on the (widened) Furneaux Street frontage. Construction must be in accordance with the FNQROC Development Manual requirements. Engineering drawings must be submitted for approval by Council's Director Infrastructure as part of an Operational Works application prior to work commencing.
6. The applicant is to provide a concrete footpath linking the existing crossing of the Helen Street Kerb with the approved pedestrian ramp, as per the approved plans. Construction must be in accordance with the FNQROC Development Manual requirements. Engineering drawings must be submitted for approval by Council's Director Infrastructure as part of an Operational Works application prior to work commencing.

Operational Works

7. Prior to the commencement of construction of external works other than by Council, an application must be submitted for a development permit for Operational Works for the following:
 - Road works;
 - Pedestrian and disabled persons access; and
 - Erosion and sediment control.

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

Certificate and Maintenance

8. Upon completion of the works required by Condition seven (7), a certificate from a Registered Professional Engineer Queensland is to be submitted to Council stating that the works have been carried out properly and in accordance with the plans and specifications approved by Council. The certificate shall set out the full engineering details of the works as completed and shall show all relevant survey data and levels, together with a bond for five (5) percent of the total works costs, to meet the costs of any maintenance period not exceeding twelve (12) months.

Construction Waste Management Plan

9. The applicant is to prepare and submit to Council a Construction Waste Management Plan. The Plan is to be approved by Council's Manager Planning and Environment before the development permit for building works is issued.

Disabled Access

10. Disabled persons access to the development must be provided to the satisfaction of Council's Manager Planning and Environment and Director Infrastructure.

Public Utilities

11. The proposal is to be connected to the reticulated water system, sewerage system and electricity supply prior to the commencement of the use.
12. The applicant is responsible for the cost of any alteration or repair to public utilities as a result of complying with these conditions of approval, or damage as a result of construction.
13. Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines "Utilities".

Colour Scheme

14. The development must be painted in a heritage colour scheme sympathetic to the building's architectural style and the streetscape generally. Details are to be provided at the time of lodgement of a building application.

Environmental

15. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.
16. No State Declared or environmental pest plants and pest animals are to be introduced onto the property.

Stormwater

17. Stormwater must be directed to a legal point of discharge. Details are to be provided at the time of a Building application.

Heritage Kerb and Channel

18. The development must have no impact on the heritage registered Early Granite Kerbing and Channelling, Cooktown, QHR 60173. Adequate temporary protection of that kerbing and channelling will be required if the construction activity proposed vehicle crossing of the kerb and channelling of Furneaux and Helen Street.

Outstanding Charges

19. All rates, service charges, interest and other charges levied on the land are to be paid prior to construction.

Infrastructure Charges

20. Infrastructure Charges must be paid to Council at the time of Building Application, as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment (see Appendix B).

Currency Period

21. The currency period for this approval is six (6) years. Should the approved use not be established within this time, the approval shall lapse.

B. CONCURRENCE AGENCY RESPONSE AND CONDITIONS

See attached Referral Agency response with conditions from the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) dated 18 July 2019.

C. ASSESSMENT MANAGER (COUNCIL) ADVICE

1. A development permit is required for carrying out Building Works (including demolition), and a Plumbing and Drainage Approval/compliance permit is required for Plumbing and Drainage Works prior to construction of any buildings associated with this development.
2. The applicant/owner must notify Council their intention to commence use after acceptance 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.
3. 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 all landowners, developers and the alike.

14.4 CUSTOMER SERVICE POLICY AND CHARTER

File Number:	D19/16891
Author:	Human Resources Manager
Authoriser:	Eric Brown, Director Organisational Business Services
Attachments:	1 Draft Customer Service Policy 
	2 Draft Customer Service Charter 

PRECIS

The purpose of this report is to present the newly revised Customer Service Charter and Customer Service Policy to Council for adoption.

BACKGROUND/HISTORY

The Customer Service Policy forms part of the Operational Plan and is an important milestone in the improved service delivery of Council to the community. The newly created policy seeks to expand on the previous policy and provide the community with a clear understanding of the expected service delivery for various departments within Council. It also talks to the level of customer service the community can expect as well as specifically directing current staff to the level of service Council expects them to deliver.

Considerable work and review has gone into the development of this policy by comparing to similar Councils within the region, assessing Cook Shire requirements as well as consulting internally with key stakeholders in how, what and when we will be able to provide key services to the community.

It is vitally important that Cook Shire is able to implement a policy and charter that can formally direct staff and the community in regard to customer service. This will be a positive step forward in furthering confident relations within the community and also internally by providing our staff with a sense of satisfaction when providing services to the community. At the current point in time though, the service levels that have been included in the policy are what Council staff and Management feel that at the current point in time is realistic.

LINK TO CORPORATE PLAN

Key Strategy Priority: **Governance** – Accountable, responsible and appropriate governance and management, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 3: Develop a clear communication plan to inform the workforce, community and elected members in order to achieve greater understanding of Council decision making processes, policies, legislation and compliance requirements.

Objective 3c: The community is kept informed and is generally well satisfied with the overall leadership and strategic direction undertaken by Council.

CONSULTATION

The policy was prepared by the Customer Service Supervisor by consulting with other local Councils and their service levels agreements and policy, as well as consulting internally with Managers and Directors regarding what works for Cook Shire Council.

All managers were given an opportunity to review and respond to the Policy and Charter.

The draft policy and charter have been approved by ELT. An email requesting feedback on the draft policy and charter was sent to all Councillors.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

There are no legal implications to this policy.

POLICY IMPLICATIONS

This policy will complement the Complaints Management Policy

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

There are no extra financial or resource implications identified in implementing the policy.

RECOMMENDATION

That Council resolves to adopt the attached Customer Service Policy and Charter dated August 2019.

14.5 ENTERTAINMENT AND HOSPITALITY POLICY

File Number: D19/15008
Author: Acting Governance and Risk Manager
Authoriser: Eric Brown, Director Organisational Business Services
Attachments: 1 Draft Entertainment and Hospitality Policy 

PRECIS

There is a statutory requirement for Council to adopt an Entertainment and Hospitality Policy and Council's current policy is due for review. In reviewing this policy, it was deemed important to maintain a principle-based approach as this provides greater accountability and transparency when incurring expenditure for Entertainment and Hospitality purposes.

BACKGROUND/HISTORY

In accordance with section 196 of the *Local Government Regulation 2012*, Council must prepare and adopt by resolution an Entertainment and Hospitality Policy. The reviewed policy maintains key principles to be considered when incurring expenditure for entertainment and hospitality and these overarching principles include:

- Any entertainment and hospitality expenditure incurred must be for official purposes and/or Council approved functions; and
- All entertainment and hospitality expenditure must be incurred in the public interest. This means that the Councillor or Council Officer authorising the expenditure must demonstrate that the expenditure will benefit the community generally or facilitate Council business; and
- The amount spent on entertaining and hospitality must be reasonable, having regard to the benefit to the Council or the community; and
- The expense incurred and associated relevant documentation will satisfy all internal and external audit requirements; and
- The expenditure must be provided for in a budget and must be authorised in accordance with the Council's normal accounting procedures.

Contained within the policy are examples (not an exhaustive list) of types of functions and/or events when Council may have to incur entertainment and hospitality expenditure in the normal course of Council operations.

Within the revised policy, there is a new section pertaining to considerations by Councillors or staff to avoid any potential conflict of interests prior to accepting entertainment and hospitality by third parties. If it is deemed acceptable to receive entertainment and hospitality from third parties, reference should also be made to Council's Gifts and Benefits Policy to ensure all necessary reporting is achieved.

LINK TO CORPORATE PLAN

Corporate Values and Principles: 2 – Adopting honest and progressive systems of accountability and reporting.

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 4: Work management systems and procedures are reviewed and adjusted to support improved organisational service provision, compliance and efficiency.

Objective 4a: Council's workforce and culture reflect and promote Council values.

Objective 4f: Council activities comply with applicable legislation through well maintained policies, procedure and information systems that guide and facilitate good decision making.

CONSULTATION

Following initial review of policy, the Executive Leadership Team have considered draft policy prior to presentation to Council for adoption.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

It is a requirement under section 196 of the *Local Government Regulation 2012* that Council has and maintains an Entertainment and Hospitality Policy.

POLICY IMPLICATIONS

All necessary changes and updates to the Entertainment and Hospitality Policy have been completed prior to presentation to Council for consideration.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

In accordance with the Entertainment and Hospitality Policy presented for adoption, any expenditure incurred for the provision of entertainment or hospitality must be available within the adopted budget. Therefore, there should be no finance or resource implications in adopting this policy.

RECOMMENDATION

It is recommended that Council adopts the Entertainment and Hospitality Policy.

14.6 RECORDS MANAGEMENT ADMINISTRATIVE INSTRUCTION 2019**File Number:** D19/15495**Author:** Records Administration Officer**Authoriser:** Eric Brown, Director Organisational Business Services**Attachments:** 1 Attachment to Report (D19/15493) - Records Management Administrative Instruction **PRECIS**

The Recordkeeping Policy has been reviewed and replaced with a Records Management Administrative Instruction (AI). This AI is intended to assist Council in complying with its regulatory requirements as a Queensland Local Government Authority. The AI is based on the principles and practices set out in the Information Standard 40: Recordkeeping (IS40). As an administrative instruction, the document is not required to be adopted by Council and is therefore presented for noting.

BACKGROUND/HISTORY

The purpose of this AI is to establish a framework for Cook Shire Council (the Council) to effectively fulfil its obligations and statutory requirements under the Public Records Act 2002 and advise all its Officers of their obligations in relation to the creation and maintenance of records within Council in a manner that is compliant with the Standards set out by Queensland State Archives to ensure the integrity and completeness of all information being managed by Council.

The AI has been updated using a number of 'best practice' local government examples and to ensure the working is in alignment with the Queensland State Archives – Records Governance Policy.

Previously titled Recordkeeping Policy; however this AI update encompasses more than just good recordkeeping practices but recommends a framework for how Council records are to be managed.

That is;

- Provides a framework that is appropriate to the purpose of the organisation,
- Includes a commitment to comply with requirements and continually improve the effectiveness of the records management within Council,
- Provides a framework for establishing and reviewing records management objectives,
- Is communicated and understood within Council, and
- Is to be reviewed *for continuing suitability*.

LINK TO CORPORATE PLAN

Key Strategy Priority: **Governance** – Accountable, responsible and appropriate governance and management, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 3: Develop a clear communication plan to inform the workforce, community and elected members in order to achieve greater understanding of Council decision making processes, policies, legislation and compliance requirements.

Objective 3c: The community is kept informed and is generally well satisfied with the overall leadership and strategic direction undertaken by Council.

CONSULTATION

Correspondence Officer

Director Organisational Business Services

Executive Leadership Team

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

The AI aims to ensure the management of Council's records comply with the *Public Records Act 2002*, *Right to Information Act 2009*, *Information Privacy Act 2009* and other key recordkeeping legislation.

POLICY IMPLICATIONS

This AI incorporates, where appropriate and/or mandatory, the following information standards and policies:

- Information Standard 40: Recordkeeping
- Queensland Government's Records Governance Policy
- Queensland State Archives - General Retention and Disposal Schedule for Administrative Records (GRDS)
- Queensland State Archives - Local Government Sector Retention and Disposal Schedule (QDAN 480.v4)

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Pursuant to *Local Government Act 2009* and *Local Government Regulation 2012*, the adoption forms an integral part of the resourcing and forward planning for records management and long term storage.

RECOMMENDATION

That Council notes the revised Records Management Administrative Instruction dated August 2019.

15 INFRASTRUCTURE - REPORTS

15.1 CAPITAL WORKS PROGRAM 2018/2019

File Number: D19/15871

Author: Director Infrastructure

Authoriser: Linda Cardew, Chief Executive Officer

Attachments: 1 Capital Works Program 2018/2019 

PRECIS

This report seeks to inform Council of the result of the Shire's ambitious 2018/19 capital works program. The Infrastructure Directorate has been successful in completing 100 Infrastructure capital projects. 15 projects were not able to be completed for various unavoidable reasons, 3 projects were carried over due to unforeseen circumstances and 4 projects were the first year of a multi-year program.

BACKGROUND/HISTORY

The Shire Capital Works Program 2018/19 (Attached) was an ambitious program with many projects. With the exception of several amendments made to the program, it was successfully completed. Some of the highlights of the program are mentioned below.

During 2018, works completed at the waterfront included the road works, footpaths, the installation of personalised pavers and the installation of an irrigation system to ensure the park was ready for the official opening and naming ceremony of William Daku Park in November 2018.

The second stage of footpath installations in Laura was completed, linking the footpath previously installed by the Australian Army.

A new composite bridge replaced the damaged wooden bridge at Marriot Creek giving tourists safe access to Bathurst Bay and Wakooka Road.

Civil works maintenance on the Aurukun Road were negotiated between Council and Rio Tinto as part of the Amrun Project.

The beginning of 2019 saw the replacement of concrete pipes and a new concrete floodway at No Name Creek on Poison Creek Road. This installation will prevent flood waters from severely eroding the road over the wet season. Timber for Jensens Crossing Bridge was finally sourced at the beginning of the year and works carried out to repair damaged girders.

Lakeland Recreation Park project was part of the Works for Queensland grant finalised in June 2019. With strong community support the grounds were laser levelled and top dressed, a bore and irrigation works installed, with goal posts being the final installation for the project.

Maytown Road was also a Works for Queensland project that was finalised in June. Working alongside Traditional Owners and Queensland Parks and Wildlife Services, civil works contractors completed a maintenance grade on 6km of the road. This road is now eligible for flood damage claims under Disaster Recovery Funding Arrangements.

15 urban roads in Cooktown and Coen were completed, comprising reseals and major patching.

Savings were realised in the capital budget at Emu Creek (Bridges & Culverts - Emu Creek - Crossing and Design Cost) as the repairs were undertaken under DRFA funding.

Repairs at Kalpower were undertaken under maintenance (Bridges & Culverts - Kalpower Crossing Renewal - Design, Permits, Construction Method) and costs were not expended through the capital budget.

Program statistics

122 Infrastructure capital projects were proposed;

- **100** projects were completed,
- **22** projects were not able to be completed for various reasons,
 - **7** projects failed to attract State or Federal grant funding and were cancelled,
 - **2** projects could not be completed as the budget was found to be insufficient after going to market,
 - **1** project is on hold awaiting input from external agencies eg. design of new hospital,
 - **5** Projects were carried over for unforeseen reasons, eg the extended wet season, latent foundation conditions, or unanticipated structural condition.
 - **2** projects were carried over to 2019/20 due to administrative holdups mostly due to external factors.
 - **4** projects were the first year stage of a multi-year program.
 - **1** project was not able to be completed due to boundary and site conditions not known at the project inception stage.
- **2** projects were reviewed and able to be completed in-house under maintenance with significant savings to the Shire.

LINK TO CORPORATE PLAN

Key Strategy Priority: Governance - Accountable, responsible and appropriate governance and management, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 1: Develop an achievable long term financial, resource and infrastructure plan to ensure ongoing capacity to fund operations and capital works programs that underpin council's long-term strategy to achieve financial sustainability.

Objective 1a: Council's long-term financial plan is compiled and linked to Council's Corporate and Operational Plans.

CONSULTATION

Executive Leadership Team

Council

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

There are no legal implications associated with this report. The report is prepared in accordance with the *Local Government Regulation 2012*

POLICY IMPLICATIONS

It is noted that during the last financial year, the asset management plans for Council's main asset classes were completed. These plans identify the forward works program for the organisation based

primarily on the asset's lifecycle, service levels, the most cost effective intervention point, availability of funding and asset condition, among other factors.

The completion of Council's capital works projects each year is fed back into Council's asset management plans when they are reviewed to ensure that the plans remain up to date and provide clear guidance to Council on its future capital works program, including in particular funding requirements.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Council's total original capital works budget, excluding flood damage works, was \$14.27 million. The amended capital works budget as adopted by Council in February 2019, was a total of \$19.44 million. The increase was in relation to \$5.5million in capital works associated with Commonwealth funding received for four projects associated with the 2020 celebrations, which were announced after the development of the original budget (among other adjustments).

At the end of the financial year, the total expended against the capital works programme was \$7.6 million. It should be noted that this understates the total expenditure on these projects, as a number of invoices were incurred prior to 30 June, but paid after 30 June, with respect to these projects and these transactions are not included in this report. Even so, Council staff as a rule have been very mindful in ensuring that projects stay within their allocated budgets. In fact, there are a significant number of projects that have been completed below or well below budget. There are no significant concerns in the attached capital works programme regarding overspending or cost control.

It is also worth noting that a number of projects were not commenced due to concern regarding the budget, a sign that good budget control is in place.

RECOMMENDATION

That Council accepts the Shire Capital Works Program 2018/19 end of year report.

16 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:

16.1 Expressions of Interest - Lease 'E' and Lot 3

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Cook Shire Council.

16.2 Council Views Request - Creation of Community Purpose Reserve - Marton

This matter is considered to be confidential under Section 275(h) 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 business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

16.3 Lease - Ayton Communications Tower

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Cook Shire Council.

16.4 Request for Concession on Water Consumption

This matter is considered to be confidential under Section 275(d) 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 rating concessions.

16.5 Q1919 - Supply of Telecommunication Services

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Cook Shire Council.

17 EXECUTIVE SERVICES - INFORMATION

Nil

18 ORGANISATIONAL BUSINESS SERVICES - INFORMATION

Nil

19 INFRASTRUCTURE SERVICES - INFORMATION

Nil