



# Minutes of the Ordinary Meeting held on 10 June 2015



## Council's Guiding Principles:

- To act in the best interests of the whole community
- To manage the Shire's finances prudently and effectively
- To provide for the community quality services on a day to day basis
- To initiate sustainable capital works programs to enhance the local economy
- To provide excellent customer service for both citizens and visitors
- To support Council's workforce with appropriate training and safe working practices
- To act in the best interests of the natural environment at all times



Whitsunday Regional Council  
**Minutes of the Ordinary Meeting** held at  
**Proserpine Council Chambers, 83-85 Main Street, Proserpine** on  
**10 June 2015** commencing at **10:00am**

**Councillors Present:**

J Whitney; J Atkinson; D Clark; J Clifford; J Collins; P Ramage and A Willcox

**Council Officers Present:**

S Waters (Chief Executive Officer); K McLoughlin (Chief Operating Officer); M McGoldrick (Chief Financial Officer); G Jarvis (Director Corporate Services); D Staley (Director Planning and Community); H Van Der Schyff (Executive Manager Roads and Drainage); A McGregor (Executive Manager Water and Sewerage); L Maher (Acting Communications Manager); E Youd (Councillor Support Officer); M Douglas (Administration Officer)

**Other Details:**

The meeting commenced at 10.05am

The meeting adjourned for morning tea at 10.15am

The meeting reconvened after morning tea at 11.02am

The meeting closed at 11.55am

Whitsunday Regional Council  
**Minutes of the Ordinary Meeting** held at  
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**10 June 2015 commencing at 10:00am**

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## 2. Condolences

### 2.1 2015/06/10.01 CONDOLENCES

Moved by: P RAMAGE

Seconded by: J CLIFFORD

That Council observe one (1) minutes silence for the recently deceased.

#### MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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### 3.2 Mayoral Update

| MAYOR'S ATTENDANCE - 27 MAY TO 10 JUNE 2015 |                                                                                                                                        |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| Wed<br>27/05/15                             | Mayor Whitney and Councillors attended the Road Trip around Collinsville                                                               |
|                                             | Mayor Whitney and Councillors attended the World's Biggest Morning Tea in Collinsville                                                 |
|                                             | Mayor Whitney attended the National Simultaneous Storytime at Collinsville Library                                                     |
|                                             | Mayor Whitney and Councillors attended the Council Meeting                                                                             |
|                                             | Mayor Whitney visited the Collinsville Primary School Library                                                                          |
| Thurs<br>28/05/15                           | Cr Willcox attended the Proserpine Chamber of Commerce 'Biggest Morning Tea' on behalf of Mayor Whitney                                |
|                                             | Mayor Whitney attended the Reef Catchments Board Meeting                                                                               |
| Fri<br>29/05/15                             | Mayor Whitney attended a meeting with a ratepayer                                                                                      |
|                                             | Mayor Whitney attended the Proserpine Meals on Wheels - assisting with delivery of meals                                               |
|                                             | Mayor Whitney attended the 'TORGAS event in Townsville                                                                                 |
| Sat<br>30/05/15                             | Mayor Whitney, Cr Clifford, Cr Clark and Cr Willcox attended the Zonta Club of Bowen - 2015 Handover Dinner                            |
| Mon<br>01/06/15                             | Mayor Whitney attended a meeting with a ratepayer                                                                                      |
|                                             | Mayor Whitney attended the Audit Committee Meeting with an apology from Cr Willcox                                                     |
| Tues<br>02/06/15                            | Mayor Whitney and Councillors attended the Councillor Budget Meeting                                                                   |
| Wed<br>03/06/15                             | Mayor Whitney and Councillors attended the Corporate & Engineering Briefing Session                                                    |
| Thurs<br>04/06/15                           | Mayor Whitney, Cr Atkinson, Cr Clifford and Manager Parks and Gardens attended the meeting at Starfish Island Roundabout, Airlie Beach |
|                                             | Mayor Whitney attended the Community Advisory Committee Meeting                                                                        |
|                                             | Mayor Whitney attended the meeting with representatives from the Burdekin Festival of Arts                                             |

|                  |                                                                                                                |
|------------------|----------------------------------------------------------------------------------------------------------------|
| Sat<br>06/06/15  | Mayor Whitney, Cr Clark, Cr Clifford and Cr Willcox attended the Bowen State School Fete celebrating 150 years |
| Tues<br>09/06/15 | Mayor Whitney and Councillors attended the Councillors Budget Meeting                                          |
|                  | Mayor Whitney and Cr Clark attended the Don River Trust Training                                               |

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**4. Confirmation of Minutes**

**4.1 2015/06/10.02 CONFIRMATION OF MINUTES**

Moved by: J COLLINS

Seconded by: A WILLCOX

That the Minutes of the Ordinary Meeting held on 27 May, 2015 be confirmed.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**10. Office of the Mayor and CEO**

**10.1 2015/06/10.03 BUILDING OUR REGIONS: REGIONAL INFRASTRUCTURE FUND**

Moved by: A WILLCOX

Seconded by: J ATKINSON

That Council receive the correspondence from the Department of State Development in relation to the State Government's new \$200 million Building our Regions: Regional Infrastructure Fund which will open for applications later this year.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**10. Office of the Mayor and CEO**

**10.2 2015/06/10.04 WHISPER BAY BREAKWATER AND BOAT RAMP**

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council call for Tenders for the Construction of the Whisper Bay Boat Ramp upgrade and breakwater in three parts as follows:

- Haulage of Rock;
- Placement of Rock (Breakwater Construction); and

This is page 6 of the Agenda of Council's Ordinary Meeting to be held on 10 June, 2015



- **Boat Ramp Works.**

That Council establish a project control committee to oversee the project.

Furthermore, that the Executive Manager of Roads and Drainage be included in the project control committee.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor and CEO

10.3 2015/06/10.05 AIRLIE BEACH RACE WEEK 2015

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council authorise \$5000.00 (exclusive of GST) of funds to be released from the Economic Development budget by way of sponsorship towards the Airlie Beach Race Week, to be held from the 7 to 14 August 2015.

Furthermore, that Council works with the Airlie Beach Race Week Committee to provide in kind support, as well as provide waiver of fees and charges, to a maximum amount of \$5000.00, forming a Bronze Partnership, with the provision of a joint media event to announce the sponsorship with the region's Mayor Cr Jennifer Whitney.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor and CEO

10.4 2015/06/10.06 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (QLD BRANCH) CONFERENCE - 22 TO 24 JULY 2015

Moved by: P RAMAGE

Seconded by: A WILLCOX

That Council approve Cr Clifford to be a delegate from Whitsunday Regional Council to attend the Australian Local Government Women's Association (Qld Branch) Conference to be held in Gayndah from 22 to 24 July 2015.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**10. Office of the Mayor and CEO**

**10.5 2015/06/10.07 REQUEST FOR ASSISTRANCE - SHOW WHITSUNDAY 2015**

**Moved by: P RAMAGE**

**Seconded by: J COLLINS**

**That Council offer in-kind support to the value of \$5000.00 for the after show clean-up for the annual Show Whitsunday 2015 event held at the Proserpine showgrounds on Sunday, 21 June 2015.**

**MEETING DETAILS:**

*Cr Atkinson declared a conflict of interest (as per section 173 of the Local Government Act 2009) on the matter of being a member of the Show Committee and left the meeting room at 10.13am, taking no part in the debate or decision of the meeting.*

The motion was Carried 6/0

**CARRIED**

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*Cr Atkinson returned to the meeting at 10.14am*  
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**16. Procedural Motion**

**16.1 2015/06/10.08 PROCEDURAL MOTION - ADJOURNMENT**

**Moved by: J CLIFFORD**

**Seconded by: A WILLCOX**

**That the meeting be adjourned for the purpose of Citizenship Ceremonies and morning tea at 10.15pm.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

**16. Procedural Motion**

**16.2 2015/06/10.09 PROCEDURAL MOTION - RECONVENE**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That Council reconvene the meeting having finished all formalities at 11.02am.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**



## 12. Planning and Community Services

- 12.1 2015/06/10.10 20140882 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - MAJOR UTILITY - BOWEN DEVELOPMENTAL ROAD SPRINGLANDS - SOLAR CHOICE

Moved by: P RAMAGE

Seconded by: J CLIFFORD

That Council approve the application for a Development Permit for a Material Change of Use - Major Utility, made by RPS Australia East Pty Ltd on behalf of Solar Choice Pty Ltd, on Lot 2 RP742329 and located at Bowen Developmental Road, Springlands, subject to conditions outlined in Appendix A of this report.

### Appendix Item A - Conditions of Approval

#### 1.0 ADMINISTRATION

- 1.1 The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

| Plan/Document Name                                                                   | Prepared By                | Plan Number      | Dated      |
|--------------------------------------------------------------------------------------|----------------------------|------------------|------------|
| Whitsunday Solar Farm Indicative Site Plan                                           | RPS Australia East Pty Ltd | 123040-1-1 Rev C | 26/03/2015 |
| Whitsunday Solar Farm Indicative Detailed Site Plan (Parking, Offices and Amenities) | RPS Australia East Pty Ltd | 123040-1-2 Rev A | 25/03/2015 |

- 1.2 The following further development permits are required prior to commencement of work on site or commencement of the use:

- Plumbing and Drainage Works; and
- Building Works.

All Plumbing and Drainage Works Development Permits must be obtained prior to the issue of a Building Works Development Permit.

- 1.3 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.
- 1.4 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of commencement of the use.
- 1.5 The development of the site will be staged over a period of eight (8) years and up to a maximum project size of 2 GigaWatt (AC) This approval is valid for eight (8) years from the date of decision to allow the completion of the approval in full.

#### 2.0 CLEARING, LANDSCAPING AND FENCING

- 2.1 Secure fencing around each of the proposed solar PV areas must be provided prior to the commencement of each stage to ensure appropriate control of access into the operational areas of the facility. The fence shall be constructed to ensure the entire perimeter of the Plant (in each stage) is enclosed. The perimeter fence shall be a five strand barb wire fence, with a minimum height of 1 metre.
- 2.2 The existing site vegetation not within the proposed solar panel areas, and associated onsite accesses and operational areas, particularly adjacent to Bowen Developmental Road, must be retained to provide additional screening to the development.
- 2.3 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site is the preferred solutions.
- 2.4 All vegetative waste cleared as part of the development of the site is to be either:
  - a) stored neatly on site and shredded within sixty (60) days of clearing; or
  - b) removed off the site to an approved disposal location.

### **3.1 EARTHWORKS**

- 3.1 All site works must be designed by an experienced and qualified Civil or Geotechnical Engineer.
- 3.2 During and at the completion of the excavation and filling of the site, the applicants Civil/Geotechnical Engineer shall supervise, and at the completion of each stage, certify that the work carried out on site are stable and will remain so over the long term, and will not cause adverse impact on adjoining property.
- 3.3 Prior to commencement of works for each stage, the applicant must submit to Council for approval, engineering design drawings detailing the proposed scope and extent of proposed fill levels for that stage. All filling is to be placed, trimmed and compacted as a minimum to standards identified in AS 3789. Compaction test results for each Stage are to be submitted to Council for its records.
- 3.4 During and at the completion of the excavation and filling of each Stage, the applicants Civil/Geotechnical Engineer shall supervise, and at the completion of each stage, certify that the work carried out on site complies with this Decision Notice and Council's Development Manual.

### **4.0 ACCESS AND PARKING**

- 4.1 Prior to commencement of the first stage, the applicant must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that External Access, Internal Access, onsite parking and manoeuvring areas have been designed and constructed according to the conditions of this Decision Notice and achieves compliance with Bowen Planning Scheme, Councils Development Manual, AS 2890 and AS 1428.
- 4.2 Prior to any work commencing on the first stage, engineering design drawings (Access and Onsite Parking), demonstrating compliance with Council's Bowen Shire Council Planning Scheme and Councils Development Manual (current at the time of development), Australian Standard AS2890, AS1428 and this Decision Notice must be submitted to Council for review and approval.
- 4.3 The external access from the pavement of Peter Delamothe Road to the property boundary must be constructed to comply with the dimensions, gradients and specifications as indicated on Council's Standard Drawing R0035 prior to commencement of the first Stage.

- 4.4 Accesses must be located so as to achieve Safe Intersection Sight Distance in accordance with Section 3 of Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections.

## **5.0 WATER INFRASTRUCTURE**

- 5.1 Design and construct a potable water supply in accordance with Council's Planning Scheme or Planning Policy applicable at the time. Such work must be in accordance with an approved detail design at future building application stage.

## **6.0 SEWERAGE INFRASTRUCTURE**

- 6.1 The applicant is to provide, at the time of application for a building permit, a detailed effluent disposal report demonstrating that an on-site domestic sewerage treatment system can be established in accordance with the Plumbing Code of Australia 2011 and the Queensland Plumbing and Wastewater code.

## **7.0 STORMWATER AND FLOODING**

- 7.1 All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual (current at the time of standards applicable at the time ) and in accordance with Council's Development Manual (or equivalent replacement document current at the time of development).
- 7.2 The developed flows from each stage must be drained to a lawful point of discharge . If required, easements for this purpose must be provided over all land from the development to the lawful point of discharge.
- 7.3 Prior to any work commencing on each Stage, engineering design drawings (Stormwater Drainage), including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual (current at the time of development), Council's Development Manual (current at the time of development) and this Decision Notice must be submitted to Council for review and approval.
- 7.4 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including Q100.
- 7.5 Stormwater for the development must include gross pollutant traps, or other appropriate water quality measures to ensure stormwater from the site does not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 7.6 Prior to commencement of each Stage, the applicant must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that the stormwater drainage works have been constructed in accordance with the requirements of Queensland Urban Drainage Manual current at the time of development, Councils Development Manual (current at the time of development) and this Decision Notice and will not cause adverse effects to adjoining or downstream properties or infrastructure.

## **8.0 ROADWORKS**

- 8.1 Prior to any work commencing on the first Stage, the applicant must prepare a Traffic Management Plan and submit to Council for review and approval. The Traffic Management Plan must include provisions for effective traffic management so as to provide a safe environment for all road users, protection to the public from traffic

hazards that may arise as a result of construction activities and is to minimize disruption and delays to all road users.

## **9.0 ENVIRONMENTAL MANAGEMENT**

9.1 The applicant shall submit to Council for approval, prior to the commencement of the first Stage, a Bushfire Management Plan specific to the site and specific to the proposal.

9.3 An Environmental Management Plan (EMP) must be approved by Council prior to commencement of the first Stage and all recommendations of the Environmental Management Plan must be completed to the requirements of Council. The EMP must address but not be limited to the following issues:

- water quality and drainage;
- fauna management;
- vegetation clearing;
- top soil management;
- interim drainage plan during construction;
- construction programme;
- geotechnical issues;
- weed control;
- emergency vehicle access;
- traffic management plan during construction;
- noise and dust suppression;
- vibration and blast from adjoining use; and
- other issues as required.

9.4 Prior to preparation of the EMP the proponent should obtain, from Council, a comprehensive list of issues to be addressed in the Environmental Management Plan.

## **10.0 EROSION PREVENTION AND SEDIMENT CONTROL**

10.1 Prior to commencement of any work on each Stage, the applicant must submit to Council for approval, a site based Erosion Prevention and Sediment Control Plan for that Stage.

10.2 The plan must be prepared in accordance with Council's Development Manual (current at the time of the development), the Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction Sites, June 1996 by The Institution of Engineers, Australia and the EPA Best Practice Urban Stormwater Management – Erosion and Sediment Control Guideline.

10.3 The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised.

10.4 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.

10.5 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks

and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.

- 10.6 The applicant must ensure that when undertaking any on-site or external works, including any filling and extraction, appropriate dust control measures are implemented in accordance with the Environmental Protection Act 1994 and complies with the relevant air quality objectives defined in the Environmental Protection (Air) Policy 2008.

## **11.0 MISCELLANEOUS**

- 11.1 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The onsite supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 11.2 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Bowen Developmental Road or adjoining land unless written permission from the owner of that land and Council is provided.
- 11.3 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean-up of any litter or waste that is a result of the subject development.

## **12.0 ADVISORY NOTES**

### **12.1 Hours of work**

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays or Public Holidays.

### **12.2 Noise during Construction and Noise in General**

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994.

### **12.3 General Safety of Public during Construction**

It is the project manager's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.

It is the principal contractor's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.

It is the responsibility of the person in control of the workplace to ensure compliance with the Work Health and Safety Act 2011. It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

- 12.4 Enquiries relating to the aforementioned conditions should be directed to Planning and Community Services who will direct the enquiry to the relevant officer.



## MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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### 12. Planning and Community Services

- 12.2 2015/06/10.11 20140651 - REQUEST FOR NEGOTIATED DECISION NOTICE - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - COMMERCIAL COMPLEX AND THIRTY-THREE (33) ACCOMMODATION UNITS - 277 SHUTE HARBOUR ROAD AIRLIE BEACH - ALGONA DEVELOPMENTS

Moved by: J CLIFFORD

Seconded by: J COLLINS

That the Negotiated Decision Notice for 277 Harbour Road, Airlie Beach - Algona Developments be tabled to a formal briefing session.

## MEETING DETAILS:

The procedural motion was Carried 7/0

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### 12. Planning and Community Services

- 12.3 2015/06/10.12 20140807 - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT - ONE (1) LOT INTO FOUR (4) LOTS - LOT 4 RP 738270 - 733 DINGO BEACH ROAD GREGORY RIVER - DENNING & CAMPBELL

Moved by: J COLLINS

Seconded by: D CLARK

That Council approve the application for Development Permit for Reconfiguration of a Lot - One (1) Lot into Four (4) Lots, made by A N Denning & K L Campbell, on Lot 4 RP 738270 and located at 733 Dingo Beach Road Gregory River, in accordance with the conditions outlined in Appendix A.

### Appendix Item A - Conditions of Approval

#### 1.0 ADMINISTRATION

- 1.1 The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

| Plan/Document Name    | Prepared By | Plan Number          | Dated      |
|-----------------------|-------------|----------------------|------------|
| Plan of Proposed Lots | RPS Pty Ltd | 124147-1 PD-02 Rev A | 19/11/2014 |



|                            |          |                |                                     |            |
|----------------------------|----------|----------------|-------------------------------------|------------|
| On-Site<br>Disposal Report | Effluent | Cardno Pty Ltd | Lots 41,42 & 43 Dingo<br>Beach Road | 28/10/2014 |
|----------------------------|----------|----------------|-------------------------------------|------------|

1.2 The following further development permits are required prior to the sealing of the sealing of the survey plan:

- Access

1.3 The applicant is to comply with the Department of State Development, Infrastructure and Planning's conditions as outlined in the Department's correspondence dated 24 April 2015.

1.4 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.

1.5 All conditions of this approval must be complied with in full to Council's satisfaction prior to the release of the survey plan.

1.6 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of sealing the survey plan.

## **2.0 CLEARING, LANDSCAPING AND FENCING**

2.1 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.

2.2 All vegetative waste cleared as part of the development of the site is to be either:

- a) stored neatly on site and shredded within sixty (60) days of clearing; or
- b) removed off the site to an approved disposal location.

## **3.0 WATER INFRASTRUCTURE**

3.1 Design and construct a potable water supply for the proposed lots in accordance with Council's Planning Scheme or Planning Policy applicable at the time. Such work must be in accordance with an approved detail design at future building application stage.

## **4.0 ON-SITE EFFLUENT DISPOSAL**

4.1 Design and construct an on-site effluent treatment system for proposed Lots 41, 42 and 43 in accordance with the Wastewater Management Report by Cardno Pty Ltd dated 28 October 2014 at future building application stage.

## **5.0 ACCESS AND PARKING**

5.1 A Development Permit for Operational Works (Access) must be obtained prior to commencement of work on site.

5.2 Any application for Operational Works (Access) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council's Development Manual (current at the time of development) and this Decision Notice.

5.3 At completion of construction and prior to signing of plan of survey, the Supervising Engineer shall provide certification that all external access works constructed on site comply with Council's Development Manual and this Decision Notice of Approval.

## **6.0 INFRASTRUCTURE CHARGES**

6.1 The development results in increased demand on Council's existing road network which is not designed to accommodate the expected loads. The applicant must make

a monetary payment prior to the sealing the plan of survey at the rate applicable at the date of payment. The current rate per additional allotment is of \$9,800.00.

- 6.2 The development results in increased demand on Council's existing parks and community facilities which are not designed to accommodate the expected loads. The applicant must make a monetary payment prior to the sealing the plan of survey at the rate applicable at the time of payment. The current rate per additional allotment is \$1,400.00.

## **7.0 ELECTRICITY AND TELECOMMUNICATIONS**

- 7.1 Provide electricity and telecommunications connection to the proposed development to the requirements of the relevant authority. The application must submit to Council, either:

- (a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the newly created lots; or
- (b) a certificate of supply that the applicant has entered into an agreement with the authorized electricity supplier, Ergon, to provide electricity services to the newly created lots, payment has been received and the connection will be completed at a date in the future.

If low-voltage electricity supply is unavailable to the newly created lots then the applicant must provide a certificate of supply of the proposed electricity connection date to all future property owners prior to entering into a contract of sale for the newly created lots prior to sealing the plan of survey.

## **8.0 MAINTENANCE VALUATION**

- 8.1 The applicant must pay to Council a maintenance valuation fee per lot at the time of sealing of the survey plan at the rate applicable at the time of payment. The current rate is \$34.00 per lot.

## **9.0 MISCELLANEOUS**

- 9.1 If any item of cultural heritage is identified during site works, all work must cease and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.
- 9.2 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 9.3 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The on-site supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 9.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Dingo Beach Road or adjoining land unless written permission from the owner of that land and Council is provided.
- 9.5 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean-up of any litter or waste that is a result of the subject development.

## **10.0 ADVISORY NOTES**

- 10.1 Hours of work

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays or Public Holidays.

#### 10.2 Dust Control

It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

#### 10.3 Sedimentation Control

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994 and Schedule 9 of the Environmental Protection Regulation 2008 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

#### 10.4 Noise During Construction and Noise in General

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994.

#### 10.5 General Safety of Public During Construction

It is the project manager's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.

It is the principal contractor's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.

It is the responsibility of the person in control of the workplace to ensure compliance with the Work Health and Safety Act 2011. It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

10.6 Enquiries relating to the aforementioned conditions should be directed to the Planning and Community Services who will direct the enquiry to the relevant officer.

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

#### **12. Planning and Community Services**

**12.4 2015/06/10.13 DEVELOPMENT ASSESSMENT - MONTHLY PERFORMANCE REPORT - MAY 2015**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

That the monthly performance report for the Development Assessment Team for May 2015 be noted.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Community Services**

- 12.5 2015/06/10.14 PORT OF AIRLIE - NINETY-NINE (99) YEAR DEVELOPMENT LEASE - MERIDIEN AB PTY LTD AND MERIDIEN AIRLIE BEACH PTY LTD AND WHITSUNDAY REGIONAL COUNCIL TO INCLUDE ADDITIONAL REGULATORY CAR PARKING WITHIN AN EXISTING COMMUNITY CAR PARK - LOT 114 ON SP26021**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

That Council authorises the Chief Executive Officer to sign the Ninety- Nine (99) year Development Lease between Meridien AB Pty Ltd and Meridien Airlie Beach Pty Ltd and Whitsunday Regional Council relating to car parking for community purposes located at Lot 114 on SP260211.

**MEETING DETAILS:**

*Cr Atkinson declared a conflict of interest (as per section 173 of the Local Government Act 2009) on the matter of being a member of the Body Corporate and left the meeting room at 11.08am, taking no part in the debate or decision of the meeting.*

The motion was Carried 6/0

**CARRIED**

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**12. Planning and Community Services**

- 12.6 2015/06/10.15 PORT OF AIRLIE - CONVERSION OF DEVELOPMENT LEASE TO FREEHOLD TENURE - LOT 200 SP232115**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

That Council after considering the advice provided by the Department of Natural Resources and Mines in relation to Lot 200 on SP232115;

- Provide support for the conversion of the area of Lot 200 on SP232115 which relates to the reclamation and infrastructure associated area to freehold tenure or incorporate as part of Marina Lease in lieu of road reserve, subject to easements in favour of Whitsunday Regional Council for public access and services; and

- Provide support for the balance area of Lot 200 on SP232115 being the portion of lease which adjoins Lot 105 on SP232115 and Lot 106 on SP172255 to road reserve (Canal Street).

**MEETING DETAILS:**

*Cr Atkinson declared a conflict of interest (as per section 173 of the Local Government Act 2009) on the matter of being a member of the Body Corporate and left the meeting room at 11.08am, taking no part in the debate or decision of the meeting.*

The motion was Carried 6/0

**CARRIED**

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*Cr Atkinson returned to the meeting at 11.10am*

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**12. Planning and Community Services**

**12.7 2015/06/10.16 INTEREST FREE LOANS**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That the Interest Free Loans report be tabled pending further discussions at a briefing session.**

The motion was Defeated 3/4

**Moved by: J COLLINS**

**Seconded by: D CLARK**

**That Council look to amending its Grants Policy to allow one off infrastructure interest free loans to the regions sporting bodies.**

**Furthermore, these interest free loans to the sporting bodies are to be at Council's discretion.**

**Amendment**

**Moved by: J CLIFFORD**

**Seconded by: A WILLCOX**

**That Council look to amending its Grants Policy to allow one off infrastructure interest free loans to the regions sporting bodies and not for profit community groups.**

**Furthermore, these interest free loans to the sporting bodies and not for profit community groups are to be at Council's discretion.**

**MEETING DETAILS:**

The amendment was voted on 7/0

The amendment became the motion

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Community Services**

**12.8 2015/06/10.17 RADF FUNDING ROUND 1 - MAY 2015**

**Moved by: J CLIFFORD**

**Seconded by: P RAMAGE**

**That Council approve the grants as recommended by the Regional Arts Development Fund Local Committee as follows:**

- 1. Pit Pony Experience Group Inc. - \$5000**
- 2. Bowen Historical Society - \$3700**
- 3. Suzi Hancock - Janicki - Smart Arts Whitsunday - \$5000**
- 4. Lyn Burke & Lloyd Fox - \$4325**
- 5. Whitsunday Arts & Cultural Centre - \$5000**
- 6. Whitsunday Regional Gallery Co-operative - \$4195**
- 7. Pam Finlay - \$2000**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Community Services**

**12.9 2015/06/10.18 REQUEST FOR FINANCIAL ASSISTANCE - MACKAY STATE HIGH SCHOOL RUGBY LEAGUE ACADEMY UK TOUR**

**Moved by: J COLLINS**

**Seconded by: J CLIFFORD**

**That Council decline the request for financial assistance to school students travelling to the United Kingdom as part of the Mackay State High School Rugby League Academy on the grounds that the tour is a school program and the host school is not within the Whitsunday Region.**

**Furthermore, that the participants be encouraged to apply for funding assistance under Council's Elite Sports Person Policy.**

**MEETING DETAILS:**

The motion was Carried 4/3

**CARRIED**





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12. Planning and Community Services

12.10 2015/06/10.19 WHITSUNDAY REGIONAL LIBRARIES - WRITERS' WORKSHOPS

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council note the positive feedback of the writers' workshops held by Whitsunday Regional Libraries from 15<sup>th</sup> - 16<sup>th</sup> May 2015.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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12. Planning and Community Services

12.11 2015/06/10.20 WHITSUNDAY SCHOOLIES SAFER SCHOOLIES INITIATIVE 2015 ANNUAL PLAN

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council endorse the Whitsunday Schoolies Safer Schoolies Initiative 2015 Annual Plan.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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12. Planning and Community Services

12.12 2015/06/10.21 ADVISORY - EMBRACING 2018 REGIONAL STEERING COMMITTEE MINUTES 17 APRIL 2015

Moved by: J ATKINSON

Seconded by: J COLLINS

That Council receive the Minutes from the Mackay, Issac, Whitsunday Commonwealth Games Steering Committee meeting on 17 April 2015.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

**13. Engineering Services**

**13.1 2015/06/10.22 NEW SHELTER AT HANSEN PARK IN BOWEN**

**Moved by: D CLARK**

**Seconded by: A WILLCOX**

**That Council request the Bowen Lions Club submit the appropriate applications to build a new shelter shed at Hansen Park in Bowen.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**16. Procedural Motion**

**16.3 2015/06/10.23 PROCEDURAL MOTION - CLOSURE OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

**That Council in accordance with Section 275 of the Local Government Regulations 2012, Council close the meeting to the public at 11.23am for the purpose of discussing employee or industrial matters, budget, rating concessions, contractual matters, legal proceedings, planning matters or other business likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.**

**Flagstaff Hill Bowen**

(e) contracts proposed to be made by it

**LGM Assets Insurance 2015/2016**

(e) contracts proposed to be made by it

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**16. Procedural Motion**

**16.4 2015/06/10.24 PROCEDURAL MOTION - REOPENING OF MEETING**

**Moved by: J ATKINSON**

**Seconded by: J CLIFFORD**

**That the meeting be reopened to the general public at 11.50am.**

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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14.2 Confidential Matters - Corporate Services  
14.2.1 2015/06/10.25 FLAGSTAFF HILL BOWEN

Moved by: D CLARK  
Seconded by: A WILLCOX

It is recommended that Council:

That Council;

- write-off of all current debt for the lease held by Girudala for the Flagstaff Hill, Bowen café (\$42,758 as at 10/4/15).
- write-off of all lease costs for Flagstaff Hill Café until the end of the current lease (being 30 November 2015).
- Enter into negotiations for a three year commercial lease with Girudala based on:
  - Council being responsible for the maintenance of the building structural components.
  - Girudala being responsible for the upkeep and maintenance of the internal fit out (normal tenant repair obligations, including worn or damaged flooring, paint, walls, plumbing and other consumable items) and surrounding lawn and gardens.
  - Girudala being responsible for all utility charges, including water, sewerage and waste charges, and energy.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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14.2 Confidential Matters - Corporate Services  
14.2.2 2015/06/10.26 LGM ASSETS INSURANCE 2015/2016

Moved by: J CLIFFORD  
Seconded by: J ATKINSON

That Council;

- accept the membership offer from LGM Queensland to join LGM Assets for 2015-2016.
- note this membership offer will ensure coverage of the following insurances on Council's behalf for the 2015-2016 financial year:

**Industrial Special Risks.**

**Motor Vehicle**

**Equipment Breakdown**

**Marine Hull**

**Marine Liability**

**Fidelity**

**Aviation**

- approve the exercise of the option for exemption available under Chapter 6, Part 3 of the *Local Government Regulation 2012 (Qld)* which allows council to enter into the contract without compliance with the default contracting procedure provisions.
- approve the 2015/2016 LGM Assets Membership Contributions detailed below:

<b>Industrial Special Risks</b>	<b>\$593,215.41 plus GST and Stamp Duty</b>
<b>Motor Vehicles</b>	<b>\$100,450.00 plus GST and Stamp Duty</b>
<b>Equipment Breakdown</b>	<b>\$25,786.00 plus GST and Stamp Duty</b>
<b>Marine Hull</b>	<b>\$145,264.14 plus GST and Stamp Duty</b>
<b>Marine Liability</b>	<b>\$18,150.00 plus GST and Stamp Duty</b>
<b>Fidelity</b>	<b>\$2,202.20 plus GST and Stamp Duty</b>
<b>Aviation</b>	<b>\$ 27,641.25 plus GST and Stamp Duty</b>

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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***The meeting closed at 11.55am***

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Confirmed as a true and correct recording this 24<sup>th</sup> day of June, 2015

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**CR JENNIFER WHITNEY  
MAYOR**