



Minutes of the Ordinary Meeting held on 29 April 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



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**Minutes of the Ordinary Meeting to be held at
Bowen Council Chambers, 67 Herbert Street, Bowen
on 29 April, 2015 commencing at 9:00am**

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 & Community); H Van Der Schyff (Executive Manager Roads & Drainage); A McGregor (Executive Manager Water & Sewerage); A West (Acting - Communications Officer); M Douglas (Administration Officer)

Other Details:

The meeting commenced at 9.00am

The meeting adjourned for morning tea and presentation of bench seat at 10.35am

The meeting reconvened after morning tea at 10.57am

The meeting closed at 11.42am

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**Minutes of the Ordinary Meeting to be held at
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16. Procedural Motion

16.1 2015/04/29.01 PROCEDURAL MOTION - THOMPSON CREEK

Moved by: J COLLINS
Seconded by: J CLIFFORD

That Agenda item 13.2 - Thompson Creek Boat Ramp be moved to the meetings confidential session.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**2. Condolences**

**2.1 2015/04/29.02 CONDOLENCES**

**Moved by: J CLIFFORD**  
**Seconded by: P RAMAGE**

**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

Thursday 9/04/2015	Mayor Whitney attended the WMDL meeting
	Mayor Whitney attended a meeting with a Rate Payer
Friday 10/04/2015	Mayor Whitney attended a meeting with a Rate Payer
Monday 13/04/2015	Mayor Whitney attended a meeting with Dale Last MP
	Mayor Whitney and Cr Willcox attended the Rural Fire Brigade meeting
	Mayor Whitney and Cr Willcox attended a meeting Bowen Collinsville Enterprises meeting
Tuesday 14/04/2015	Mayor Whitney and Councillors attended the Councillors Briefing Session
	Mayor Whitney and Cr Clifford attended a meeting with a Rate Payer
Wednesday 15/04/2015	Mayor Whitney and Councillors attended the Councillors Briefing Session - Planning and Community
	Mayor Whitney and Councillors attended a round table discussion with Tim Buckley
	Mayor Whitney and Councillors attended the Presentation of Y Factor Cheques Proserpine Chambers

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	Mayor Whitney, Cr Atkinson and Cr Clifford attended dinner with Mr Wong
Thursday 16/04/2015	Mayor Whitney and the CEO attended the Whitsunday ROC meeting in Mackay
	Mayor Whitney and the CEO attended a meeting with the Department of State Development, Infrastructure and Planning in Mackay
Friday 17/04/2015	Mayor Whitney attended a meeting with a Rate Payer
Sunday 18/04/2015	Mayor Whitney attended the Alpha Epsolon 50th Apsiolon changeover lunch
Monday 20/04/2015	Mayor Whitney, Cr Clifford and Cr Willcox attended the Disaster Management Training
Tuesday 21/04/2015	Mayor Whitney attended the LGAQ Finance Summit
Wednesday 22/04/2015	Mayor Whitney and the CEO attended the LGAQ Finance Summit
Thursday 23/04/2015	Mayor Whitney attended the Schoolies Executive Committee Meeting
Friday 24/04/2015	Mayor Whitney and Cr Clark attended the WRIT Meeting
	Mayor Whitney, Cr Collins and Cr Clifford attended the Proserpine Museum Book Launch
Saturday 25/04/2015	Mayor Whitney attended the ANZAC Dawn Service in Proserpine
	Mayor Whitney attended the ANZAC Main Service in Bowen
Monday 27/04/2015	Mayor Whitney, Cr Willcox and Cr Clark attended a 100 year birthday celebrations in Bowen
Tuesday 28/04/2015	Mayor Whitney and all Councillors attended the Councillor Briefing Session - Proserpine
	Mayor Whitney attended the Quota Meeting

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4. **Confirmation of Minutes**  
 4.1 **2015/04/29.03 CONFIRMATION OF MINUTES**

Moved by: **J CLIFFORD**  
 Seconded by: **J COLLINS**

**That the Minutes of the Ordinary Meeting held on 8 April, 2015 be confirmed.**

**MEETING DETAILS:**  
 The motion was Carried 7/0

**CARRIED**

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7. **Notice of Motion**

7.1 **NOTICE OF MOTION - DECISION NOTICE - GREGORY STREET, BOWEN**

Cr Clark withdrew the Notice of Motion

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9. **Questions from Public Gallery**

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**PUBLIC QUESTION TIME**

At this time in the meeting the opportunity is provided to members of the gallery to ask questions of the Council or to make statements about the Council and its operations. Under Council's Standing Orders the following applies in relation to this public question time:

1. In every Council Meeting time shall be set aside to permit members of the public to address the Council on matters of public interest related to local government. Questions from the Public Gallery will be taken on notice and may or may not be responded to at the Meeting and must be submitted in writing to Council prior to the Council Meeting in accordance with Council's Policy for Standing Orders – Meetings. The time allocated shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at any one (1) meeting. The right of any individual to address the Council during this period shall be at absolute discretion of the Council.
2. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
3. Any person addressing the Council shall stand, state their name and address, act and speak with decorum and frame any remarks in respectful and courteous language

**Name:** *Mr Ross Plowman and Mr Anthony Moscato  
c/- Whitsunday Ratepayers Association Inc.*

**Subject:** *Airlie Beach Main Street Concern*

The Whitsunday Region relies, essentially, on agriculture, mining and tourism for its sustenance.

At present, given the continuing uncertainties in the resources sector, tourism appears to be the activity that presents the greatest opportunities for sustainable regional growth and well being.

After the downturn caused by the GFC and the high Australian dollar the indicators are now that Whitsunday tourism is, at last, in the process of regaining its health.

Whitsunday mainland tourism is centred on Airlie Beach and, without doubt, is reliant on the continued success of Airlie Beach for its survival. Over the past few years considerable sums, from various sources, have been spent to upgrade the Airlie Beach main street precinct. This has led to a significant improvement in the ambiance and appeal of the town.

U But it is a beginning only. There is now a great opportunity to further leverage these gains and move forward. Airlie Beach has the opportunity to become the most accessible and attractive destination on the Australian coastline.

N As a shared traffic/pedestrian zone, providing an aesthetic dining, drinking, shopping and strolling area for tourists and locals alike, it has the potential to set the standards.

C The Whitsunday Ratepayers Association, however, is concerned that recent decision making regarding the Airlie precinct is hampering its potential. The association, for example, believes that the decision to allow large, noisy and intrusive buses to continue to use the main street is a bad decision. A decision made, unfortunately, against the wishes of the majority of the community.

O In broaching these concerns, the Whitsunday Ratepayers Association has absolutely no commercial or self interested agenda. Nor have we any abiding quarrel with Council. The association's only interest is in seeing Airlie Beach and its surroundings becoming as attractive, as welcoming and as successful as it can possibly be.

N If council and community can work together to address these issues and others and find viable solutions, it will be of great benefit to all of us, to our visitors, our locals, our local businesses and our local government.

***Response: Mr Plowman and Mr Moscato were thanked for their question and advised that they will receive a response at the next Council meeting.***

**Response to Questions from the Public Gallery**  
**of the Council Meeting of 8<sup>th</sup> April, 2015**

F Dear Mr Waters,

I Re: Question from Public Gallery/Council Meeting Wednesday 8th April 2015.

R Regarding Council Corporate Plan strategies can Council inform Whitsunday Ratepayers how it will share equitably the Shire resources and rates revenue to manage efficiently the growth and development occurring in the Whitsunday Region?

What are the respective contributions to the Shire revenue for each of the six Shire's Divisions from the following sectors:

- M
- General Rates Levies.
  - Water charges.
  - Sewerage charges.
  - Head-works Contributions.
  - Other Developers contributions (off street parking contributions, etc...)
  - Town planning fees, Building Department fees, ancillary community services revenue...
  - Sale of Council Assets, Contracts, Recoverable works.

E  
D Yours Faithfully,

Anthony Moscato  
Secretary Whitsunday Ratepayers Association Inc.

**Council's response;**

Dear Mr Moscato,

Council thanks you for the question's received and read during Council's previous Ordinary Meeting held on the 8<sup>th</sup> of April.

In relation to your question:

***Regarding Council Corporate Plan strategies can Council inform Whitsunday Ratepayers how it will share equitably the Shire resources and rates revenue to manage efficiently the growth and development occurring in the Whitsunday Region?***

Council continues to work towards the finalisation of the amalgamation process, part of this process has been the rationalisation of rating categories, fees and charges to ensure that the entire region is contributing in an equitable manner to achieve growth and regional development as outlined in Council's Corporate Plan - Whitsunday 2020. Naturally larger population bases within the region will deliver more revenue to Council, however, in return services are provided as much as possible at a consistent level throughout the region. It can be further advised that Council does not build its budget on a divisional or township basis. Revenue and its subsequent expenditure is delivered through the Council budgeting process led by our Mayor and Councillors after considering recommendations from Council Officers, driven by the prioritisation of community projects and asset management planning.

**What are the respective contributions to the Shire revenue for each of the six Shire's Divisions from the following sectors:**

- General Rates Levies.
- Water charges.
- Sewerage charges.
- Head-works Contributions.
- Other Developers contributions (off street parking contributions etc...)
- Town Planning fees, Building Department fees, ancillary community services revenue...
- Sale of Council Assets, Contracts, Recoverable works.

Please find attached a divisional breakdown of the following:

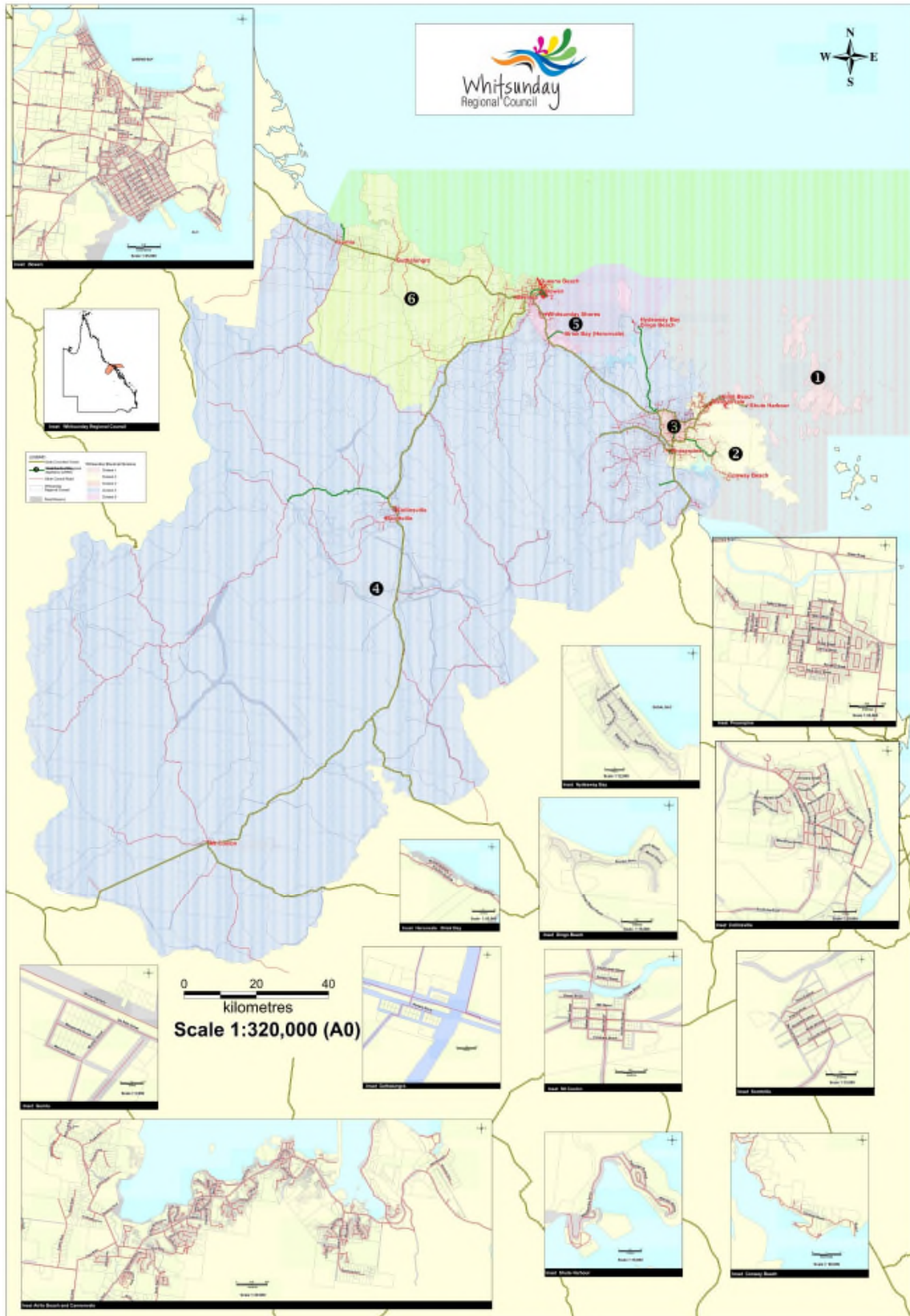
Rateable assessments per division  
General rates revenue  
Infrastructure charge revenue  
Waste services revenue  
Sewerage services revenue  
Water services revenue

On a regional basis the breakdown per division demonstrates the following:

1. Council's efforts in rationalising its rating, fees and charges have bought about equity across the region as much as possible at this point in time with more still to be done.
2. The specific contribution of the resources sector, specifically mining activity and mining accommodation within the local government area.

Thank you again for your question, please don't hesitate in contacting me directly should you wish to discuss further.

| Whitsunday Regional Council - Divisional Revenue |                            |                      |                              |                                |                         |                      |                                |              |                          |                                     |                                                     |
|--------------------------------------------------|----------------------------|----------------------|------------------------------|--------------------------------|-------------------------|----------------------|--------------------------------|--------------|--------------------------|-------------------------------------|-----------------------------------------------------|
| Row Label                                        | Count of Assessment Number | Sum of General Rates | Sum of Infrastructure Charge | Sum of Cleansing/Waste Charges | Sum of Sewerage Charges | Sum of Water Charges | Sum of Total Rates and Charges | Per Property | Resources sector revenue | Total Less Resources sector revenue | Per Property Not including resources sector revenue |
| Division 1                                       | 3,930                      | 8,098,875            | 384,340                      | 753,820                        | 4,232,275               | 2,188,422            | 15,657,732                     | 3,984.16     | -                        | 15,657,732                          | 3,984.16                                            |
| Division 2                                       | 3,566                      | 6,736,696            | 348,326                      | 568,715                        | 2,012,448               | 1,433,628            | 11,099,813                     | 3,112.68     | -                        | 11,099,813                          | 3,112.68                                            |
| Division 3                                       | 2,214                      | 3,392,124            | 208,865                      | 441,944                        | 1,948,572               | 1,152,323            | 7,143,829                      | 3,226.66     | -                        | 7,143,829                           | 3,226.66                                            |
| Division 4                                       | 3,101                      | 14,799,042           | 300,722                      | 403,076                        | 1,409,497               | 898,314              | 17,810,651                     | 5,743.52     | 6,524,818                | 11,285,833                          | 3,639.42                                            |
| Division 5                                       | 2,886                      | 5,187,762            | 275,176                      | 503,243                        | 2,419,391               | 1,742,929            | 10,128,502                     | 3,509.53     | -                        | 10,128,502                          | 3,509.53                                            |
| Division 6                                       | 2,892                      | 7,331,315            | 275,333                      | 462,771                        | 2,076,778               | 1,366,613            | 11,512,810                     | 3,980.92     | 185,995                  | 11,326,815                          | 3,916.60                                            |
| <b>Grand Total</b>                               | <b>18,589</b>              | <b>45,545,814</b>    | <b>1,792,762</b>             | <b>3,133,569</b>               | <b>14,098,961</b>       | <b>8,782,229</b>     | <b>73,353,335</b>              |              |                          |                                     |                                                     |



**Council's response was conveyed by Chief Executive Officer - Mr Scott Waters**

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10. Office of the Mayor & CEO
10.1 2015/04/29.04 MONTHLY FINANCIAL REPORT - MARCH 2015

Moved by: J ATKINSON
Seconded by: A WILLCOX

That Council receive and adopt the Monthly Financial Report for March 2015

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO  
10.2 2015/04/29.05 OPERATIONAL PLAN 2014/15 - MARCH 2015  
QUARTER

Moved by: J ATKINSON  
Seconded by: J CLIFFORD

That the Operational Plan containing the 2014/2015 update for the third quarter ending 31 March, 2015 be approved and thanks be conveyed to staff in their roles for the achievements.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO
10.3 2015/04/29.06 APPOINTMENT OF ACTING CHIEF EXECUTIVE
OFFICER - KEN MCLOUGHLIN

Moved by: J CLIFFORD
Seconded by: A WILLCOX

That Ken McLoughlin, Chief Operating Officer, be appointed as Acting Chief Executive Officer, for any length of absence by Scott Waters, Chief Executive Officer, greater than a 24 hour period.

Furthermore, that Council provides a vote of thanks to the Chief Financial Officer for his service in the Acting role.

MEETING DETAILS:

The motion was Carried 7/0

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10. Office of the Mayor & CEO

10.4 2015/04/29.07 DELEGATIONS - LOCAL GOVERNMENT ACT 2009

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council under Section 257 of the Local Government Act 2009 resolve to delegate the exercise of the powers contained in Schedule 1 of the Instrument of Delegation, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the Instrument of Delegation.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

**INSTRUMENT OF DELEGATION**

***Whitsunday Regional Council - Local Government Act 2009***

Under Section 257 of the *Local Government Act 2009*, **WHITSUNDAY REGIONAL COUNCIL** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

***Local Government Act 2009 ("LGA")***

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**CHAPTER 3 - THE BUSINESS OF LOCAL GOVERNMENT**

**Part 1 - Local Laws**

**Division 2 - Making, Recording and Reviewing Local Laws**

| Entity Power given to | Section of LGA | Description                                                                                                                        |
|-----------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------|
| Local government      | 29(1)          | Power to decide local government process for making a local law to the extent that the process is not inconsistent with this part. |

**Division 4 - Action by the Minister About Particular Local Laws**

| Entity Power given to | Section of LGA | Description                                                                                                                                                          |
|-----------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CEO                   | 38B(9)         | Power to ask the police commissioner to give the chief executive officer information about noise abatement directions given to persons in the local government area. |

## Part 3 - Roads and Other Infrastructure

### Division 1- Roads

| Entity Power given to                   | Section of LGA | Description                                                                                                                                                                                                                                      |
|-----------------------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local government                        | 61(1)          | Power to give the owner of land the local government wants to acquire, a notice of intention to acquire land.                                                                                                                                    |
| Local government                        | 62(7)          | In the specified circumstances, power to give the claimant written notice of council's decision on the claim.                                                                                                                                    |
| Local government                        | 65(1)          | Power to decide not to proceed with the realignment of a road or part of a road after giving a notice of intention to acquire land.                                                                                                              |
| Local government                        | 65(3)          | Power to serve notice of its decision on all owners of land who were served with the notice of intention to acquire land.                                                                                                                        |
| Local government                        | 67(2)          | In the specified circumstances, power to decide whether any of the rights specified in this subsection are appropriate.                                                                                                                          |
| Local government                        | 69(1)          | Power to close a road.                                                                                                                                                                                                                           |
| Local government                        | 69(2)(c)       | Power to decide whether to close a road in the circumstances specified.                                                                                                                                                                          |
| Local government                        | 69(3)          | Power to publish notice of the closing of a road and power to consider what is an appropriate way to publish the notice.                                                                                                                         |
| Local government                        | 69(5)          | If a road is closed to traffic for a temporary purpose, power to permit the use of any part of the road on the conditions considered appropriate.                                                                                                |
| Local government employee or contractor | 70(3)          | In the specified circumstances, power to: <ul style="list-style-type: none"> <li>(a) make an agreement with the owner or occupier of the land; or</li> <li>(b) give the owner or occupier of the land at least 3 days written notice.</li> </ul> |
| Local government                        | 70(4)          | In the specified circumstances, power to give the owner or occupier of the land oral notice of the matters mentioned in subsection (3)(b).                                                                                                       |

| Entity Power given to | Section of LGA | Description                                                                                                                                                                                                                                                                                                               |
|-----------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CEO                   | 70(6)(b)       | Power to allow a later time for receipt of a claim for compensation.                                                                                                                                                                                                                                                      |
| Local government      | 71(2)          | Power to give the owner or occupier advice about the permanent level of the road.                                                                                                                                                                                                                                         |
| Local government      | 72(1)(b)       | Power to consider that the conduct of the activity is having, or will have, a significant adverse impact on a road in the local government area.                                                                                                                                                                          |
| Local government      | 72(2)          | Power to require the entity which is conducting an activity to provide information, within a reasonable time, that will enable the local government to assess the impact of the activity on the road.                                                                                                                     |
| Local government      | 72(3)          | After assessing the impact of the activity on the road, power to do 1 or more of the following:<br>(a) give the entity a direction about the use of the road to lessen the impact;<br>(b) require the entity:<br>(i) to carry out works to lessen the impact; or<br>(ii) to pay an amount as compensation for the impact. |
| Local government      | 72(4)          | Power to require the works be carried out or the amount be paid before the impact commences or intensifies.                                                                                                                                                                                                               |
| Local government      | 74(4)          | Power to authorise an employee of the local government to sign a certificate relating to the matters in this section.<br><br><b>[Note: this requires a separate authorisation of an employee to be given.]</b>                                                                                                            |
| Local government      | 75(2)          | For the specified reasons, power to give written approval.                                                                                                                                                                                                                                                                |
| Local government      | 75(4)          | Power to decide the conditions of an approval under subsection (2).                                                                                                                                                                                                                                                       |

## Division 2- Stormwater drains

| Entity Power given to | Section of LGA | Description |
|-----------------------|----------------|-------------|
|-----------------------|----------------|-------------|

| Entity Power given to | Section of LGA | Description                                                                                                                                                                                                                              |
|-----------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local government      | 77(1)          | Power to, by written notice, require the owner of a property to connect a stormwater installation for the property to the local government's stormwater drain in the way, under the conditions and within the time stated in the notice. |
| Local government      | 77(3)          | Power to give approval for the connection to a local government stormwater drain.                                                                                                                                                        |
| Local government      | 77(4)          | Power to impose conditions on approval for the connection, including about the way the connection must be made.                                                                                                                          |
| Local government      | 78(4)          | Under the specified circumstances, power to, by written notice, require the owner of the property to perform the work stated in the notice, within the time stated in the notice.                                                        |
| Local government      | 78(5)          | For a notice provided in subsection (4), power to decide a time that is reasonable.                                                                                                                                                      |

## CHAPTER 4 - FINANCES AND ACCOUNTABILITY

### Part 1 - Rates and Charges

| Entity Power given to | Section of LGA | Description                                                                                          |
|-----------------------|----------------|------------------------------------------------------------------------------------------------------|
| Local government      | 95(3)(a)       | Power to sign a request to register a charge over the land on behalf of the local government.        |
| CEO                   | 95(3)(b)       | Power to sign a certificate that states there is a charge of the land for overdue rates and charges. |
| CEO                   | 95(5)(b)       | Power to sign a certificate that states the overdue rates and charges have been paid.                |

### Part 3 - Financial Sustainability and Accountability

| Entity Power given to | Section of LGA | Description                                                                    |
|-----------------------|----------------|--------------------------------------------------------------------------------|
| Local government      | 107(3)         | Power to enter into a contract of insurance on behalf of the local government. |

#### Part 4 – Councillor's Financial Accountability

| Entity Power given to | Section of LGA | Description                                                                                                                                            |
|-----------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local government      | 110(2)         | In the specified circumstances, power to give the public notice of the disbursement in a newspaper circulating generally in the local government area. |

#### CHAPTER 5 - MONITORING AND ENFORCING THE LOCAL GOVERNMENT ACTS

##### Part 2 - The Public

##### Division 1 - Power of authorised persons

| Entity Power given to | Section of LGA | Description                                                                                                                                                                                                                                                                                        |
|-----------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local government      | 133(3)         | Power to give, or make a reasonable attempt to give, the occupier of the property a written notice that informs the occupier of the following:<br>(a) the intention to enter the property;<br>(b) the reason for entering the property;<br>(c) an estimation of when the property will be entered. |
| Local government      | 134(5)         | Power to give the public notice of the approval of an inspection program.                                                                                                                                                                                                                          |
| Local government      | 137(2)(a)      | Power to agree on an amount of compensation for a person who has incurred damage or loss because of the exercise or purported exercise of a power under this division.                                                                                                                             |

##### Division 2 - Power of other persons

| Entity Power given to | Section of LGA | Description                                                                                                                       |
|-----------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Local government      | 140(1)(a)      | Power to give a remedial notice to the owner of a property.                                                                       |
| Local government      | 142(6)         | In the specified circumstances, power to give the person who failed to take the action, written notice of the amount of the debt. |

| Entity Power given to | Section of LGA | Description                                                                                                                                                            |
|-----------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local government      | 147(3)(a)      | Power to agree on an amount of compensation for a person who has incurred damage or loss because of the exercise or purported exercise of a power under this division. |

## CHAPTER 6 - ADMINISTRATION

### Part 2 - Councillors

#### Division 3 - Vacancies in councillor's office

| Entity Power given to | Section of LGA | Description                                                                                                              |
|-----------------------|----------------|--------------------------------------------------------------------------------------------------------------------------|
| CEO                   | 166(6)         | In the specified circumstances, power to request the political party to advise the full name and address of its nominee. |

#### Division 5 - Obligations of councillors

| Entity Power given to | Section of LGA | Description                                                                                                                                              |
|-----------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| CEO                   | 170A(3)        | Power to make guidelines about the way in which a councillor is to ask a local government employee for advice to help the councillor to make a decision. |

#### Division 6- Conduct and performance of councillors

| Entity Power given to                                 | Section of LGA | Description                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Entity dealing with the complaint under this division | 176A(2)        | The power to decide not to take any further action in relation to a complaint about the conduct of a person who is no longer a councillor in the prescribed circumstances.                                                                                                       |
| Entity that makes a decision under subsection (2)     | 176A(3)        | The power to give to an entity that made the complaint, and the accused person, a written notice that states: <ul style="list-style-type: none"> <li>(a) No further action will be taken in relation to the complaint; and</li> <li>(b) The reasons for the decision.</li> </ul> |
| CEO                                                   | 176B(3)(b)     | In certain circumstances, power to conduct a preliminary assessment of the complaint.                                                                                                                                                                                            |



| Entity Power given to         | Section of LGA | Description                                                                                                                                                                |
|-------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Complaints assessor (the CEO) | 176C(2)        | The power to decide that no further action need be taken in relation to a complaint if the circumstances of that subsection is satisfied                                   |
| Complaints assessor           | 176C(3)        | The power to refer a complaint to the Department's Chief Executive or to the Mayor in the circumstances prescribed in that subsection.                                     |
| Complaints assessor           | 176C(4)        | The power to refer a complaint to the Department's Chief Executive; or the regional conduct review panel or the Tribunal in the circumstances of that subsection.          |
| Complaints assessor           | 176C(7)        | The power, after acting under subsection (2)-(6) to give the entity that made the complaint and the accused councillor a written notice in accordance with the subsection. |
| CEO                           | 181A(1)        | The power to keep a record of written complaints received under this Part and in accordance with this Section.                                                             |

## Part 5 - Local Government Employees

### Division 2 – Other local government employees

| Entity Power given to    | Section of LGA | Description                                   |
|--------------------------|----------------|-----------------------------------------------|
| CEO (as part of a panel) | 196(4)         | Power to appoint a senior executive employee. |

## Part 5 - Local Government Employees

### Division 3 - Common provisions

| Entity Power given to | Section of LGA | Description                                                                                                                 |
|-----------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------|
| Local government      | 198(2)         | Power to make an agreement with other local governments that an employee may be employed by more than one local government. |

## Part 6 - Authorised Persons

| Entity Power given to | Section of LGA | Description |
|-----------------------|----------------|-------------|
|-----------------------|----------------|-------------|

| Entity Power given to | Section of LGA | Description                                                                                  |
|-----------------------|----------------|----------------------------------------------------------------------------------------------|
| CEO                   | 202(1)         | Power to appoint a qualified person to be an authorised person.                              |
| CEO                   | 202(5)         | Power to give a written notice stating the conditions of an authorised person's appointment. |
| CEO                   | 204(1)         | Power to give each authorised person an identity card.                                       |

## CHAPTER 7 - OTHER PROVISIONS

### Part 2 - Superannuation

| Entity Power given to | Section of LGA | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Employer and employee | 220B(2)        | Power to agree in writing: <ul style="list-style-type: none"> <li>(a) to reduce the pre-agreement contributions to the amount equal to the employee's concessional contributions cap for the financial year; and</li> <li>(b) if a yearly contribution made under section 220A(4) is part of the pre-agreement contributions – on the extent, if any, to which a contribution mentioned in s220B(1)(a) or (b) will be reduced to achieve the reduction.</li> </ul> |
| Local government      | 220C           | The power, as an employer to agree in writing with an accumulation benefit member that the member is exempt from paying all or a stated part of the contribution.                                                                                                                                                                                                                                                                                                  |
| Local government      | 226(1)         | Power to establish and amend a superannuation scheme for councillors or take part in a superannuation scheme for councillors.                                                                                                                                                                                                                                                                                                                                      |
| Local government      | 226(4)         | For the specified reasons, power to enter into an arrangement with a councillor of the local government.                                                                                                                                                                                                                                                                                                                                                           |

## Part 4 - Legal Provisions

| Entity Power given to | Section of LGA | Description                                                                                                                                                                                                                            |
|-----------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local government      | 236(1)         | The power to sign a document on behalf of a local government.                                                                                                                                                                          |
| CEO                   | 240(1)         | Power to:<br>(a) give instructions and act as the authorised agent for the local government; and<br>(b) sign all documents for the local government.                                                                                   |
| Local government      | 240(1)         | Power to authorise in writing another employee, other than the chief executive officer, to:<br>(a) give instructions and act as the authorised agent for the local government; and<br>(b) sign all documents for the local government. |
| CEO                   | 248(2)         | The power to certify a local law or consolidate a version of a local law in accordance with the section.                                                                                                                               |

## Part 6 - Other Provisions

| Entity Power given to | Section of LGA | Description                                                                                                                                                     |
|-----------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local government      | 262(2)         | In the specified circumstances, power to do anything that is necessary or convenient for performing the responsibilities of a delegate of the local government. |
| Local government      | 268(1)         | Power to adopt a process for resolving administrative action complaints.                                                                                        |

## Limitations and Conditions to the Exercise of Power

1. The Chief Executive Officer may sub-delegate the powers contained in Schedule 1.
2. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.

3. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
4. The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
5. The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
6. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
7. The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.
8. The delegate will only exercise a delegated power consistent with their financial delegations.
9. The power delegated in s69(1) relates to the temporary closure of a road only.

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10. Office of the Mayor & CEO

10.5 2015/04/29.08 COUNCIL BRIEFING SESSION POLICY

Moved by: J COLLINS

Seconded by: A WILLCOX

That Council:

- **revokes Council Briefing Session Policy POLC-ES-CEO-003 adopted on 26 October 2011; and**
- **adopts the revised Council Briefing Session Policy.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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

**10.6 2015/04/29.09 CONFIDENTIALITY POLICY FOR COUNCILLORS**

**Moved by: J CLIFFORD**

**Seconded by: A WILLCOX**

**That Council;**

- revokes Confidentiality Policy and Procedures for Councillors POLC-ES-CEO-001 adopted on 26 October 2011; and
- adopts the revised Confidentiality Policy for Councillors.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor & CEO
- 10.7 2015/04/29.10 COMPLAINTS ABOUT THE PUBLIC OFFICIAL POLICY

Moved by: J COLLINS

Seconded by: J CLIFFORD

That Council adopts the Complaints about the Public Official Policy.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO
- 10.8 2015/04/29.11 CARETAKER PERIOD POLICY

Moved by: J ATKINSON

Seconded by: J CLIFFORD

That Council adopts the Caretaker Period Policy.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

~~~~~

10. Office of the Mayor & CEO
- 10.9 2015/04/29.12 DISASTER MANAGEMENT - END OF SEASON REPORT 2015

Moved by: A WILLCOX

Seconded by: J CLIFFORD

That Council receives the Disaster Management end of season report 2015.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO

10.10 2015/04/29.13 FINANCIAL ASSISTANCE GRANTS TO LOCAL GOVERNMENT REPORT

Moved by: J WHITNEY

Seconded by: J CLIFFORD

That Council receive the correspondence from Councillor Margaret de Wit, President of Local Government Association of Queensland regarding the Financial Assistance Grants (FAGs) to Local Government for this financial year.

Furthermore, that a press release be issued in relation to Financial Assistance Grants.

Additionally, that Council enter into discussion with Council's Federal Members to advocate the position of the President of the Local Government Association of Queensland.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO

10.11 2015/04/29.14 COLLINSVILLE HORSE & PONY CLUB INC USE OF GENERATOR

Moved by: D CLARK

Seconded by: J COLLINS

That Council donate the use of the 12KVA generator to the Collinsville Horse & Pony Club Inc. for their annual ODE event to be held on 2nd and 3rd May 2015, and then again on the 5th and 6th of September 2015 for the clubs annual two day Gymkhana, at no cost with the exception of consumables, provided it is not required for Council Works on either date.

MEETING DETAILS:

Cr Ramage declared a conflict of interest (as per section 173 of the Local Government Act 2009) on the matter that his wife was the author of the received correspondence and left the meeting room at 9.25am, taking no part in the debate or decision of the meeting.

The motion was Carried 6/0

CARRIED

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*Cr Ramage returned to the meeting at 9.26am*

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10. Office of the Mayor & CEO

10.12 2015/04/29.15 NORTH QUEENSLAND SPORTS FOUNDATION
MEETINGS - HUGHENDEN

Moved by: D CLARK

Seconded by: J COLLINS

That Council receive the correspondence from Janice and Alf Pearce regarding the North Queensland Sports Foundation Meetings held at Hughenden on 28 March 2015.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO

10.13 2015/04/29.16 BOWEN OFFSHORE SUPERBOATS 2015

Moved by: J CLIFFORD

Seconded by: P RAMAGE

That Council authorise \$5000.00 (exclusive of GST) of funds to be released from the Economic Development budget by way of sponsorship towards the Bowen Offshore Super Boats Event to be held on 17-19 July 2015.

Furthermore, that Council works with the Committee to provide in-kind support as documented in the 2015 Bowen Super Boats submission to Council, not exceeding the value of \$5000.00 (exclusive of GST).

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO

10.14 2015/04/29.17 ADVISORY - LGAQ SURPLUS DISTRIBUTIONS

Moved by: P RAMAGE

Seconded by: J ATKINSON

That Council receive the correspondence from LGAQ in relation to Surplus Distributions from LGM Queensland and Local Government Workcare to their members.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO

10.15 2015/04/29.18 ADVISORY - RESPONSE FROM JULIEANNE GILBERT MP TO THE RE-ESTABLISHMENT OF COLLINSVILLE POWER STATION

Moved by: P RAMAGE

Seconded by: J CLIFFORD

That Council receive the correspondence from Julieanne Gilbert MP and Mark Bailey MP in regard to Whitsunday Regional Council's letter for the re-establishment of Collinsville Power Station.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO

10.16 2015/04/29.19 ADVISORY - BOWEN TOURISM FUNDING 2015/16

Moved by: J CLIFFORD

Seconded by: A WILLCOX

That Council receive the correspondence from Bowen Tourism & Business dated 18 April 2015 in relation to the request of funds for the 2015/16 financial year.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO

10.17 2015/04/29.20 QUEENSLAND TROPICAL CYCLONE CONSULTATIVE COMMITTEE

Moved by: J WHITNEY

Seconded by: J CLIFFORD

That Council endorse the Chief Executive officer and/or the Disaster Management Coordinator to represent Council on the Queensland Tropical Cyclone Consultative Committee (QTCCC).

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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11. Corporate Services

11.1 2015/04/29.21 FLEET COMMITTEE MEETING

Moved by: J ATKINSON

Seconded by: J CLIFFORD

That Council adopt the Minutes from the Fleet Committee Meeting dated 23 March, 2015.

Furthermore, that Council appoint the Executive Manager Procurement and Assets as a member of the Fleet Committee.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.1 2015/04/29.22 20150136 - APPLICATION FOR PERMIT TO OCCUPY - PART OF LOT 25 ON SB85, PARISH OF UPSTART, UPSTART BAY**

**Moved by: J COLLINS**

**Seconded by: J CLIFFORD**

**That Department of Natural Resources and Mines be advised that Council has objections to the Permit to Occupy Proposed Lot A in Lot 25 SB85 on the basis that:**

- **The purpose of the reserve is for environmental purposes;**
- **The construction of a dwelling house is not an environmental purpose;**
- **There is no lawful access to this allotment within a road reservation or constructed road;**
- **Council cannot locate any building or plumbing and drainage permits for the construction of a dwelling house in proposed Lot A to ensure the structure has been constructed to the relevant standards and legislative requirements;**
- **Furthermore, there has been the establishment of a further approximate 28 structures across the subject lot and the esplanade of which are inconsistent with the purpose of the reserve and the esplanade;**
- **There does not appear to be any lawful tenure arrangements for the other approximate 28 structures located across Lot 25 on SB85 and the esplanade;**
- **Council cannot locate any planning approvals for 'undefined use' across Lot 25 SB85 and esplanade for multiple dwellings being approximately 29 dwelling houses/structures;**
- **Council records could not locate any building or plumbing and drainage permits for the approximate 28 dwelling houses/structures across Lot 25 SB85 and the esplanade;**
- **Council seeks further information from the Department to ascertain if all or some of the structures are lawful including details on any existing approvals,**

construction standards, construction dates, permit holders names and addresses to enable Council to make an informed decision in relation to any breaches under Section 578 of the *Sustainable Planning Act 2009* for the carrying out assessable development without a permit.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.2 2015/04/29.23 20150292 - APPLICATION FOR CONVERSION TO FREEHOLD OF GRAZING HOMESTEAD PERPETUAL LEASE 5/2108 DESCRIBED AS LOT 56 ON HR1663 - PARISH OF BONAVENTURA

Moved by: J ATKINSON

Seconded by: J COLLINS

That Department of Natural Resources and Mines be advised that Council has no objection to Grazing Homestead Perpetual Lease 5/2108 being converted to freehold provided the use of the land is for grazing purposes.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.3 2015/04/29.24 20150147 - APPLICATION FOR PURCHASE/LEASE UNALLOCATED STATE LAND - LOT 1 ON AP13184, PARISH OF GLOUCESTER**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

That Department of Natural Resources and Mines be advised that Council requires further information in relation to the application to purchase /lease Unallocated State Land over all of Lot 1 on AP13184 due to:

- no information being provided (proposal plans) on the scale and intensity of the development and whether the intent is the whole of the reserve;
- the intended use of the site is inconsistent with the purpose of the reserve being environmental;
- no supporting information has been provided to demonstrate the proposal will not compromise the intended character and amenity of the area and the open space zone;
- no supporting information has been provided to demonstrate how the proposal will avoid or mitigate any adverse impacts on areas of environmental significance; and

- no overriding justification being provided for the encroachment of an incompatible development in this location; and
- the proposal triggers assessable development under the 2009 Whitsunday Shire Planning Scheme and the Sustainable Planning Act 2009 for the proposed use.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.4 2015/04/29.25 20140880- DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES - UNDEFINED USE (DOGGY DAYCARE) - 17 CARLO DRIVE, CANNONVALE - LOT 9 RP 800715 - GILL GRAHAM - C/- RPS EAST AUSTRALIA PTY LTD

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That in relation to the application for Development Permit for Material Change of Use of Premises - Undefined Use (Doggy Day Care), made RPS Australia East Pty Ltd, on Lot 9 RP 800715 and located at 17 Carlo Drive Cannonvale, Council resolves to approve the application subject to the conditions outlined in the Attachment 4 - Conditions of Approval.

ATTACHMENT 4 - 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
Proposed Site Layout of Day Kennels	RPS Australia East Pty Ltd	125374- PD-01 Rev C Sheet 1 of 2	16/03/2015
Proposed Site Layout of Day Kennels	RPS Australia East Pty Ltd	125374-1 PD-01 Rev C Sheet 2 of 2	16/03/2015
Plan	Trident Transportable Buildings	SK01 Issue A	May 2010
Elevations	Trident Transportable Buildings	SK02 Issue A	May 2010

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

- Operational Works
 - Access and Parking;

-Erosion Prevention & Sediment Control;

- Plumbing and Drainage Works; and
- Building Works.

All Operational Works, 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 All conditions of this approval must be complied with in full to Council's satisfaction prior to the commencement of the use.
- 1.5 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 commencement of the use.
- 1.6 The approval is limited to the grooming, feeding, exercising and caring of dogs belonging entirely to the development approval holder and does not permit other uses, such as but not limited to, commercial boarding or training of dogs.

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.
- 2.3 Landscaping must be provided along the boundaries as indicated on the approved plan for privacy and acoustic buffering. The landscaping must comprise a mixture of shrubs, bushes and ground covers which achieve a 75% coverage within two years of planting. Landscaping must be maintained to Council's satisfaction.
- 2.4 The applicant shall maintain appropriate security chain-link fencing a minimum of 1.8 metre high around the perimeter of the site and designated areas. Concrete edging/sleepers along the front and rear fences are to be installed.
- 2.5 Any structures accommodating dogs are visually screened from external stimuli, such as other dogs, traffic, passer-bys that may cause actionable nuisance.

3.0 BUILDING

- 3.1 Building and landscaping materials are not to be highly reflective, or likely to create glare, or slippery or otherwise hazardous conditions.
- 3.2 Buildings are to be finished with external building materials and colours to reduce scale and bulk.
- 3.3 The applicant shall submit to Council floor and elevation plans of the proposed structures prior to the issue of any building approvals. The use of the structures shall be for the nominated uses only as outlined on the plans.

4.0 LIGHTING

- 4.1 The level of illumination, at a distance of 1.5 metres outside any boundary of the site, resulting from direct, reflected, or other incidental light emanating from the site shall not exceed eight lux measured at any level upwards from ground level.
- 4.2 Any security lighting shall be designed to ensure that nuisance is not caused to adjoining areas by the spillage of light.

5.0 STORMWATER

- 5.1 The developed flows from the land must be drained to a lawful point of discharge prior to commencement of the use

6.0 ACCESS AND PARKING

- 6.1 The external access from the pavement of Carlo Drive to the property boundary must be constructed to comply with the dimensions, gradients and specifications as indicated on Council's Standard Drawing R0051 prior to commencement of the use.
- 6.2 The external access must include provision for all drainage from within the property and along the driveway surface to be collected at or inside the property boundary and discharged by way of a pipe or other approved means to Council's drainage system.
- 6.3 Prior to commencement of use on the site, 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, onsite parking and manoeuvring areas have been designed and constructed according to the conditions of this Decision Notice and achieves compliance with Whitsunday Planning Scheme, Councils Development Manual, AS 2890 and AS 1428.
- 6.4 A minimum of seven (7) car parking spaces must be provided on site prior to commencement of the use.
- 6.5 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Access and Parking.
- 6.6 Any application for Operational Works (Access and Parking) must be accompanied by detailed engineering drawings demonstrating compliance with Council's Development Manual (current at the time of development), Australian Standard AS2890, AS1428 and this Decision Notice.

7.0 SEWERAGE INFRASTRUCTURE

- 7.1 The development must be connected to Council's sewerage network prior to commencement of the use.
- 7.2 A Trade Waste Agreement must be obtained prior to connection to Council's sewerage reticulation network.

8.0 ENVIRONMENTAL MANAGEMENT

- 8.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site.
- 8.2 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.

- 8.3 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
- 8.4 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.

9.0 OPERATING PROCEDURES

- 9.1 The number of dogs kept on site any one time must not exceed 30 dogs in total.
- 9.2 In carrying out the activity to which this approval relates, all reasonable and practical measures must be taken to prevent and/or minimise the likelihood of environmental harm being caused.
- 9.3 All activities associated with the operation of the use are to be conducted only between the hours of 7.30 am to 6.00 pm on permitted days inclusive of Monday to Friday. This excludes weekends and public holidays.
- 9.4 Vehicle and servicing movements are limited to the operational hours of the premises.
- 9.5 The car-park is restricted to the reception of the dogs and not to be used for any other animal-related activities.
- 9.6 There will be two full-time (2) staff managing the premises at any one time and access to buildings on site is restricted to staff only, or at the discretion of the proprietor.
- 9.7 Noise emitted by the use of the premises must not exceed ten (decibels) above the ambient noise level of the locale measured at any boundary of the site.
- 9.8 In the event that Council receives a noise related complaint it deems non vexatious and justified, the applicant must provide a noise reading/s to Council demonstrating compliance with Condition 9.7. If compliance with this condition is demonstrated by the operation, no further action is to be taken. However, if the noise reading/s demonstrate that the operation is operating outside of the noise requirements outlined in condition 9.7, the operation may be required to submit to Council for approval a noise report, undertaken by a suitably qualified acoustic engineer. The operation may be required to implement the recommendations as made in the approved noise report to the satisfaction of Council.
- 9.9 All dogs on premises must be managed in a manner consistent with the requirements of the *Whitsunday Regional Council Subordinate Local Law No. 2 (Animal Management) 2014 - Schedule 4 – Minimum Standards for Keeping Animals Generally*.
- 9.10 Any proposed advertising signage on the premises is to comply with the planning scheme's Industrial Zone Code and Advertising Signage Code.

10.0 ENVIRONMENTAL HEALTH

- 10.1 The facility must be operated in a way which animal noise and odour will not cause a nuisance, inconvenience or annoyance to occupiers of surrounding land uses.
- 10.2 The operator must take all reasonable measures to minimise the stimulation of problem barking animals and ensure these animals are promptly removed from the exercise area and housed separately.
- 10.3 Waste water from play pools and cleaning activities must be disposed of in a manner that prevents entry to a stormwater system, roadside gutter or waterway.
- 10.4 Faeces and food waste must be collected daily, placed in a sealed bag and stored in a vermin proof container until collection.
- 10.5 The operator must maintain and operate an adequate waste refuse collection service so as not to cause a nuisance to users of the subject site and any adjoining properties. No disposal by burial, incineration or composting is permitted on site.
- 10.6 Waste disposal bins stored outdoors must be screened from all public areas.

11.0 MISCELLANEOUS

- 11.1 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.
- 11.2 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.
- 11.3 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.
- 11.4 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 Carlo Drive or adjoining land unless written permission from the owner of that land and Council is provided.
- 11.5 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.

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 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.

12.3 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.

12.4 Noise During Construction and Noise in General

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

12.5 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.

12.6 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

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

**12.5 2015/04/29.26 20060873 - REQUEST FOR EXTENSION OF RELEVANT PERIOD - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - THIRTY-SIX (36) MULTIPLE DWELLING UNITS, BARNES PLACE, CANNONVALE - BARNES PLACE DEVELOPMENTS PTY LTD**

**Moved by: J ATKINSON**

**Seconded by: A WILLCOX**

That in relation to the request for an extension of relevant period of the Development Permit for Material Change of Use - Thirty Six (36) Multiple Dwelling Units lodged by WSG Whitsunday Surveys on behalf of Barnes Place Development Pty Ltd on land described as Lot 28 RP739262, Barnes Place Cannonvale, that Council refuse the request for an extension of the relevant period to the 24 April 2017 on the following grounds:

- a) *the inconsistency of the approval, including its conditions, with the current laws and policies applying the development including the amount and type of infrastructure contributions, or charges payable; and*
- b) *the approval has had eight (8) years to commence and complete the development and no works have commenced to date.*

**MEETING DETAILS:**

The motion was Carried 6/1

**CARRIED**

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12. Planning and Community Services

12.6 2015/04/29.27 20030239 - REQUEST FOR EXTENSION OF RELEVANT PERIOD - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - NINETY ONE (91) MULTIPLE DWELLING UNITS AND ACCOMMODATION UNITS AND ASSOCIATED FACILITIES - CRAIG ROSS DEVELOPMENTS PTY LTD

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That in relation to the request for an extension of relevant period of the Development Permit for Multiple Dwelling Units and Accommodation Units (91 detached, single storey units), Reception/Administration Facility (Café, Bar and Functions Centre, Manager's Residence and Communal Recreation Facilities) to be developed in stages, lodged by Vision Surveys Pty Ltd on behalf of Craig Ross Developments Pty Ltd on land described as Lot 1 RP 852514, Macona Crescent Cannonvale, that Council approve the request for an extension of the relevant period to the 15 September 2016.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

- 12.7 2015/04/29.28 20040180 - REQUEST FOR EXTENSION TO RELEVANT PERIOD - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE AND RECONFIGURATION OF A LOT - ONE LOT INTO TWO LOTS AND BALANCE LOT - CRAIG ROSS DEVELOPMENTS PTY LTD**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

That in relation to the request for an extension of relevant period of the Development Permit for Multiple Dwelling Units and Accommodation Units (91 detached, single storey units), Reception/Administration Facility (Café, Bar and Functions Centre, Manager's Residence and Communal Recreation Facilities) to be developed in stages, lodged by Vision Surveys Pty Ltd on behalf of Craig Ross Developments Pty Ltd on land described as Lot 1 RP 852514, Macona Crescent Cannonvale, that Council approve the request for an extension of the relevant period to the 15 September 2016.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

- 12.8 2015/04/29.29 20040628 - REQUEST FOR EXTENSION OF RELEVANT PERIOD - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT AND MATERIAL CHANGE OF USE - RAINTREE PLACE AIRLIE BEACH - DMHP PTY LTD C/-PRDNATIONWIDE WHITSUNDAYS**

Moved by: J COLLINS

Seconded by: J CLIFFORD

That in relation to the request for an extension of relevant period of the Development Permit for Reconfiguration of a Lot - One Lot into Twenty Seven (27) Lots and Common Property and Material Change of Use - Eighteen (18) Detached Residential Dwellings and Nine (9) Dual Occupancies over Part of Lot 43 on SP152078 lodged by PRDNationwide Whitsundays on behalf of DMHP Pty Ltd on land described as Lot 91 on SP201430 (Historical Lot 43 on SP152078), Raintree Place Airlie Beach, that Council approve the request for an extension of the relevant period to the 7 November 2017.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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12. Planning and Community Services

12.9 2015/04/29.30 20060799 - REQUEST FOR EXTENSION OF RELEVANT PERIOD - DEVELOPMENT PERMIT FOR PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE - MAINLAND TOURIST FACILITY - BOUTIQUE RESORT - 13 BORDER DRIVE, CANNONVALE - P HEGARTY

Moved by: D CLARK

Seconded by: J COLLINS

That in relation to the request for an extension of relevant period of the Preliminary Approval for Material Change of Use - Mainland Tourist Facility Focus comprising of Boutique Resort Centred on a Health Spa including; Accommodation Units ( 9 x Dwelling Units and/or Rooming Units and/or Spa Cabins); Hotel (Resort Hotel); Indoor Entertainment (Function Centre and/or Conference Rooms and/or meeting Rooms); Refreshment Premises (Resort Restaurant & Bar); Indoor Entertainment (Covered Swimming pool, Treatment Rooms and Spa) and Ancillary Uses and Clearing of Native Vegetation lodged by RPS Australia East Pty Ltd on behalf of P Hegarty on land described as Lot 100 SP 219994, 13 Border Drive Cannonvale, that Council approve the request for an extension of a further two (2) years to the relevant period to the 27 March 2017.

**MEETING DETAILS:**

The motion was Carried 5/2

**CARRIED**

*Under section 273 of the Local Government Regulation the recommendation was not accepted by Council as the applicant has indicated they have the ability to move ahead with the development after finalising other matters.*

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12. Planning and Community Services

12.10 2015/04/29.31 DEVELOPMENT ASSESSMENT - MONTHLY PERFORMANCE REPORT - MARCH 2015

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council note the March, 2015 monthly performance report for the Development Assessment Team.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.11 2015/04/29.32 GLOUCESTER RURAL FIRE BRIGADE**

**Moved by: D CLARK**

**Seconded by: P RAMAGE**

**That Council authorise the Chief Executive Officer to commence negotiations with the Public Safety Business Agency for a Trustee Lease over the property located at 8 Dingo Beach Road Dingo Beach described as Lot 11 on CP 882996.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.12 2015/04/29.33 APPLICATION TO CONDUCT PEDI-CAB SERVICE - AIRLIE BEACH

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council refuse an application to conduct pedi-cab services from Port of Airlie to Coral Sea Resort along the Esplanade and Main Street, Airlie Beach as the activity will unduly interfere with the proper use of the road and cause an inconvenience to drivers and pedestrians.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.13 2015/04/29.34 SPORT AND RECREATION GRANTS POLICY CONSULTATION**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That Council release the draft Sport & Recreation Grants Policy to all sports and recreation clubs/associations in the Region for the purpose of consultation and feedback as part of the policy formulation process.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.14 2015/04/29.35 REQUEST FOR DONATION OF EVENT APPLICATION FEE 2015 - PROSERPINE RSL SUB-BRANCH

Moved by: J COLLINS

Seconded by: J CLIFFORD

That Council donate the Events - Class 2 Application fee of \$625.00 associated with the use of the grassed areas around the Proserpine Cenotaph for ANZAC Day Children's Games held on Saturday 25 April 2015 following the commemoration services.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.15 2015/04/29.36 REQUEST FOR DONATION OF EVENT APPLICATION FEE 2015 - AIRLIE BEACH/WHITSUNDAY RSL SUB-BRANCH INC**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That Council donate the Events - Class 2 Application fee of \$625.00 associated with the use of the Airlie Beach main street and Airlie Esplanade for the 2015 ANZAC Day March/Parade held on Saturday 25 April 2015.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.16 2015/04/29.37 REQUEST FOR FEE WAIVER - GIRUDALA COMMUNITY CO-OPERATIVE SOCIETY LTD

Moved by: D CLARK

Seconded by: J CLIFFORD

That Council waive the Events - Class 2 Application fee of \$625.00 associated with the use of the Bowen Soundshell for the 2015 NAIDOC celebrations to be held on the Saturday 11 July 2015.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.17 2015/04/29.38 REQUEST FOR FEE WAIVER - ROTARY CLUB OF BOWEN**

**Moved by: D CLARK**

**Seconded by: P RAMAGE**

**That Council waive the Events - Class 3 Application fee of \$375.00 to assist the Rotary Club of Bowen Inc. to host the Mother's Day Fun Run on the Sunday 10 May 2015.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.18 2015/04/29.39 REQUEST FOR FEE WAIVER - PCYC BOWEN

Moved by: D CLARK

Seconded by: J COLLINS

That Council waive the Events - Class 1 Application fee of \$874.00 to assist the PCYC Bowen to hold the Rock N Revs Festival Car Show on Sunday 10 May 2015.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.19 2015/04/29.40 REQUEST FOR FEE WAIVER - WHITSUNDAY CRISIS & COUNSELLING SERVICE INC BOWEN**

**Moved by: D CLARK**

**Seconded by: J COLLINS**

**That Council waive the Events - Class 3 Application fee of \$375.00 to assist the Whitsunday Crisis & Counselling Service Inc. to host the DV Candle Lighting Ceremony at the Town Square Bowen on the Wednesday 6 May, 2015.**

**MEETING DETAILS:**

*Cr Clifford declared a conflict of interest (as per section 173 of the Local Government Act 2009) on the matter that she is a patron of the company and left the meeting room at 9.49am, 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

12.20 2015/04/29.41 REQUEST FOR FEE WAIVER - WHITSUNDAY CRISIS & COUNSELLING SERVICE INC CANNONVALE

Moved by: D CLARK

Seconded by: P RAMAGE

That Council waive the Events - Class 3 Application fee of \$375.00 to assist the Whitsunday Crisis & Counselling Service Inc. to host the DV Candle Lighting Ceremony at Cannonvale Beach on the Wednesday 6 May 2015.

MEETING DETAILS:

Cr Clifford declared a conflict of interest (as per section 173 of the Local Government Act 2009) on the matter that she is a patron of the company and left the meeting room at 9.49am, taking no part in the debate or decision of the meeting.

The motion was Carried 6/0

CARRIED

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*Cr Clifford returned to the meeting at 9.50am*

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12. Planning and Community Services

12.21 2015/04/29.42 WHITSUNDAY MOTO SPORTS CLUB DONATION REQUEST

Moved by: J CLIFFORD

Seconded by: A WILLCOX

That Council approve a donation of \$300.00 to Whitsunday Moto Sports Club Inc. in support of their hosting the Queensland C & D Class Karting Championships on 23/24 May 2015.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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12. Planning and Community Services

12.22 2015/04/29.43 ADVISORY - REGIONAL ARTS DEVELOPMENT (RADF) FUNDING PROGRAM FOR 2015/16

Moved by: J CLIFFORD

Seconded by: P RAMAGE

That Council;

1. receive the new RADF Guidelines for Councils applying to Arts Queensland for Regional Arts Development Fund (RADF) 2015-16 Funding.

2. authorise the Chief Executive Officer to apply to Arts Queensland for funding to assist in the delivery of a Council grants program consistent with the RADF Guidelines 2015-16.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services
- 12.23 2015/04/29.44 BOWEN WORK CAMP COMMUNITY ADVISORY COMMITTEE

Moved by: D CLARK

Seconded by: A WILLCOX

That Council resolves to receive the minutes of the Bowen Work Camp Community Advisory Committee for the month of April 2015.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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12. Planning and Community Services
- 12.24 2015/04/29.45 REEF GUARDIAN COUNCIL - ACTION PLAN

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council resolves to support the Reef Guardian Council program and work with Great Barrier Reef Marine Park Authority to develop a Council specific Action Plan.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Engineering Services
- 13.1 2015/04/29.46 DINGO BEACH AND HYDEAWAY BAY MAINTENANCE CONTRACT

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council:

- a) do not accept the previous submissions received in November 2014 for the Dingo Beach and Hydeaway Bay maintenance contract; and

- b) readvertise the Dingo Beach and Hydeaway Bay maintenance contract based on the revised specification.
- c) endorse the tender evaluation panel to comprise of, the Chief Operating Officer the Director Corporate Services and the Executive Manager Roads & Drainage.

MEETING DETAILS:

The motion was Carried 6/1

CARRIED

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**13. Engineering Services**

**13.3 2015/04/29.47 WHITSUNDAY REGIONAL COUNCIL ENGINEERING SERVICES WASTE DEPARTMENT PROPOSED RESPONSE TO MT COOLON LANDFILL ENVIRONMENTAL EVALUATION**

**Moved by: P RAMAGE**

**Seconded by: D CLARK**

**That Council:**

- Receive the Golder preliminary site investigation and assessment report on Mt Coolon Landfill
- Receives the Mt Coolon Landfill remediation plan
- Endorses the budgeting for implementation of the remediation plan in 2015-2016 Waste budget.

**MEETING DETAILS:**

The motion was Carried 7/0

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13. Engineering Services

13.4 2015/04/29.48 ENGINEERING SERVICES WATER AND SEWERAGE DEPARTMENT MONTHLY OPERATIONAL PERFORMANCE REPORT MARCH: SEWERAGE

Moved by: J ATKINSON

Seconded by: J CLIFFORD

That Council receives the Engineering Services Water and Sewerage Department Monthly Operational Performance Report March: Sewerage.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Engineering Services**

**13.5 2015/04/29.49 ENGINEERING SERVICES WATER AND SEWERAGE  
DEPARTMENT MONTHLY OPERATIONAL  
PERFORMANCE REPORT MARCH: WATER**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

**That Council receives the Engineering Services Water and Sewerage Department Monthly Operational Performance Report March: Water.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. General Business

15.1 2015/04/29.50 GENERAL BUSINESS - BELLS GULLY UPDATE

Moved by: A WILLCOX

Seconded by: P RAMAGE

That the Chief Executive Officer provide an update on the Argyle Park Bells Gully crossing at the next Council Meeting.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. General Business**

**15.2 2015/04/29.51 GENERAL BUSINESS - YASSO POINT**

**Moved by: A WILLCOX**

**Seconded by: J CLIFFORD**

**That the Chief Executive Officer obtain quotes for the installation of solar powered lights at the newly constructed shelter at Yasso Point as soon as possible.**

**Furthermore, that the best value quote be put forward to Council for the 2015/16 budget deliberations.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Procedural Motion

16.2 2015/04/29.52 PROCEDURAL MOTION - ADJOURNMENT

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That the meeting be adjourned for the purpose of moving into close session at 10.01am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**16. Procedural Motion**

**16.3 2015/04/29.53 PROCEDURAL MOTION - CLOSURE OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That Council in accordance with Section 275 of the Local Government Regulations 2012, Council close the meeting to the public at 10.03am 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.**

**14.1.1 Rates And Sundry Debtors - March 2015**

(c) the local government's budget

**14.1.2 Business Activities Report - March 2015**

(c) the local government's budget

**14.1.3 Front Beach Land - Rehabilitation**

(c) the local government's budget

**14.1.4 Request For Memorial Seat**

(h) other 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

**14.3.1 Request For Demolition Of Dwelling House & Shed - Lot 20N RP700056, 19 Sinclair Street, Bowen**

(g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act

**14.3.2 Request For Demolition Of A Dwelling House - Lots 41 & 141 On MPH13540, 87 Sonoma Street, Collinsville**

- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act

**14.4.1 Barrier Reef Linen - Trade Waste Charges**

- (h) other 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

**14.4.2 Airlie Beach Access and Movement Plan - Infrastructure Funding Agreement**

- (e) contracts proposed to be made by it

**13.2 Thompson Creek Boat Ramp**

- (h) other 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

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Procedural Motion

16.4 2015/04/29.54 PROCEDURAL MOTION - ADJOURNMENT

Moved by: J CLIFFORD

Seconded by: D CLARK

That the meeting be adjourned for the purpose of presentation of the Q150 bench seat and Morning Tea at 10.35am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**16. Procedural Motion**

**16.5 2015/04/29.55 PROCEDURAL MOTION - RECONVENE OF MEETING**

**Moved by: D CLARK**

**Seconded by: A WILLCOX**

**That Council reconvene the meeting in accordance with Section 275 of the Local Government Regulations 2012, Council close the meeting to the public at 10.57am 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.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Procedural Motion

16.6 2015/04/29.56 PROCEDURAL MOTION - REOPENING OF MEETING

Moved by: D CLARK

Seconded by: A WILLCOX

That the meeting be reopened to the general public at 11.36am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**14.1 Confidential Matters - Office of the Mayor & CEO**

**14.1.1 2015/04/29.57 RATES AND SUNDRY DEBTORS - MARCH 2015**

**Moved by: A WILLCOX**

**Seconded by: J CLIFFORD**

**That Council receive the Rates and Sundry Debtors – March 2015 report that indicates the actions taken to collect outstanding rates and debtors.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14.1 Confidential Matters - Office of the Mayor & CEO

14.1.2 2015/04/29.58 BUSINESS ACTIVITIES REPORT - MARCH 2015

Moved by: A WILLCOX

Seconded by: J COLLINS

That Council receive the Business Activities Report for March 2015.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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14.1 Confidential Matters - Office of the Mayor & CEO

14.1.3 2015/04/29.59 FRONT BEACH LAND - REHABILITATION

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council endorse the actions by Council officers to rehabilitate the Front Beach site and carry out the works at the earliest possible opportunity.

Furthermore, that the most cost effective solution be delivered, this is inclusive of control measures to ensure rehabilitation of the site.

**MEETING DETAILS:**

The motion was carried 7/0

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14.1 Confidential Matters - Office of the Mayor & CEO

14.1.4 2015/04/29.60 REQUEST FOR MEMORIAL SEAT

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council approve the placement of a memorial seat in the Coral Esplanade Park, with the applicant to pay for all expenses in relation to the purchase and installation of the seat.

Furthermore, in accordance with Council Policy for Memorials in Council Parks, Gardens and Reserves, the applicant collaborate with Council staff in relation to the purchase of the seat and its location being as close to the originally requested site as possible.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**14.3 Confidential Matters - Planning and Community Services**

**14.3.1 2015/04/29.61 REQUEST FOR DEMOLITION OF DWELLING HOUSE & SHED - LOT 20N RP700056, 19 SINCLAIR STREET, BOWEN**

**Moved by: D CLARK**

**Seconded by: J COLLINS**

**That Council, in accordance with s590(7) of the Sustainable Planning Act 2009, authorise the Chief Executive Office to issue an enforcement notice requesting the demolition and removal of the dwelling house, shed and associated debris at 19 Sinclair Street, Bowen.**

**MEETING DETAILS:**

The motion was Carried 7/0

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14.3 Confidential Matters - Planning and Community Services

14.3.2 2015/04/29.62 REQUEST FOR DEMOLITION OF A DWELLING HOUSE - LOTS 41 & 141 ON MPH13540, 87 SONOMA STREET, COLLINSVILLE

Moved by: P RAMAGE

Seconded by: D CLARK

That Council, in accordance with s590(7) of the Sustainable Planning Act 2009, authorise the Chief Executive Office to issue an enforcement notice requesting the demolition and removal of the dwelling house and associated debris at 87 Sonoma Street, Collinsville.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**14.4 Confidential Matters - Engineering Services**

**14.4.1 2015/04/29.63 BARRIER REEF LINEN - TRADE WASTE CHARGES**

**Moved by: P RAMAGE**

**Seconded by: J CLIFFORD**

**That Council resolves to write off \$22,784.02 from the invoice raised against Barrier Reef Linen for their February Trade Waste account in recognition that they were closed for part of this billing period.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14.4 Confidential Matters - Engineering Services

**14.4.2 2015/04/29.64 AIRLIE BEACH ACCESS AND MOVEMENT PLAN -
INFRASTRUCTURE FUNDING AGREEMENT**

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council notes the ongoing negotiations to the Airlie Beach Bus Stop Deed of Agreement.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Confidential Matters - Engineering Services**

**13.2 2015/04/29.65 THOMPSON CREEK BOAT RAMP**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

**That Council resolve to apply to DNRM for an extension of time to the existing conditions to construct a track to access the Thompson Creek Boat Ramp from the Magee Road reserve.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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The meeting closed at 11.42am

Confirmed as a true and correct recording this 13 May, 2015

**CR JENNIFER WHITNEY
MAYOR**