

Notice of Meeting

Notice is hereby given that the **Ordinary Meeting** of the **Whitsunday Regional Council** will be held at the **67 Herbert Street, Bowen** on **26 August 2015** commencing at **9:00 a.m.** and the Agenda is attached.

Councillors: Jennifer Whitney, John Atkinson, David Clark, Jan Clifford, John Collins, Peter Ramage and Andrew Willcox

Local Government Act 2009

55.(1) Written notice of each meeting or adjourned meeting of a local government must be given to each councillor at least 2 days before the day of the meeting unless it is impracticable to give the notice.

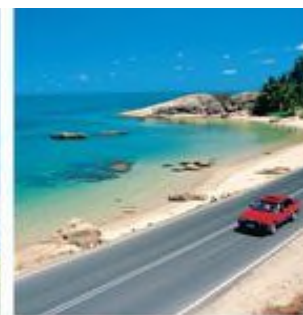
(2) The written notice must state:

- (a) the day and time of the meeting; and
- (b) for a special meeting – the object of the meeting

(3) A **special meeting** is a meeting at which the only business that may be conducted is the business stated in the notice of meeting.

S J WATERS
CHIEF EXECUTIVE OFFICER





**Agenda of the Ordinary Meeting to be held at
67 Herbert Street, Bowen
on 26 August 2015 commencing at 9:00am**

Council acknowledges and shows respect to the Traditional Custodian/owners whose country we hold this meeting.

9:00 am

- Formal Meeting Commences

10:15 am - 11:00 am

- Citizenship Ceremonies
- Morning Tea

1:00 pm

- Lunch

Whitsunday Regional Council
 Agenda of the Ordinary Meeting to be held at
Bowen Council Chambers 67 Herbert Street, Bowen
 on 26 August 2015 commencing at 9:00am

1.	APOLOGIES	4
2.	CONDOLENCES	6
2.1	CONDOLENCES	6
3.1	MAYORAL MINUTE	7
3.2	MAYORAL UPDATE	8
4.	CONFIRMATION OF MINUTES	9
4.1	CONFIRMATION OF MINUTES	9
5.	DELEGATIONS	10
6.	PETITIONS	11
7.	NOTICE OF MOTION	12
8.	QUESTIONS ON NOTICE	13
9.	QUESTIONS FROM PUBLIC GALLERY	14
10.	OFFICE OF THE MAYOR & CEO	15
10.1	MONTHLY FINANCIAL REPORT - JULY 2015	15
10.2	COLLINSVILLE TOWN ENTRY STATEMENT AND PIT PONY PROJECT	22
10.3	LGAQ 119TH ANNUAL CONFERENCE - 19-21 OCTOBER 2015	25
11.	CORPORATE SERVICES	27
11.1	RECISION OF POLICY - NOTICE TO PURCHASERS OF LAND IN RURAL/RURAL RESIDENTIAL/PARK RESIDENTIAL AREAS	27
12.	PLANNING AND COMMUNITY SERVICES	29
12.1	20150680 - APPLICATION FOR RENEWAL OF SPECIAL LEASE 5/48510 - LOT 295 ON HR1871	29
12.2	6SP220416 - APPLICATION FOR RENEWAL OF TERM LEASE 0/230976 BEING LOT 6 ON SP220416 - LEASE FOR MARINE FACILITY, DENT ISLAND	32
12.3	20140772 - PROPOSAL TO LEASE OR PURCHASE ROAD RESERVE (ST KILDA STREET) ADJOINING LOT 6 RP705712, BIG 4 CORAL COAST HOLIDAY PARK	35
12.4	20140711 - REVISED PROPOSAL - APPLICATION FOR ROAD OPENING AND CLOSURE DESCRIBED AS LOT 72 ON HR1773	39
12.5	20140651 - REQUEST FOR CHANGE OR CANCEL CONDITIONS OF APPROVAL - 277 SHUTE HARBOUR ROAD AIRLIE BEACH, ALGONA DEVELOPMENTS PTY LTD	43
12.6	20150659 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR OPERATIONAL WORKS - TWO (2) ON PREMISES SIGNS (ILLUMINATED) AT THE GRAND VIEW HOTEL - 5 HERBERT STREET, BOWEN - BAOJEF PTY LTD	48

12.7	APPROVED INSPECTION PROGRAM - DOG & CAT REGISTRATION	56
12.8	REQUEST FOR DONATION - ATTENDANCE AT THE SYDNEY NATIONAL EQUESTRIAN CHAMPIONSHIPS - LILY HORSPOOL	58
12.9	REQUEST FOR FEE WAIVER - COLLINSVILLE DEVELOPMENT AND INDUSTRY GROUP	60
12.10	ANTI-POVERTY WEEK	62
12.11	BOWEN WORK CAMP COMMUNITY ADVISORY COMMITTEE - AUGUST 2015	64
12.12	WHITSUNDAY TRIATHLON CLUB - AIRLIE BEACH TRIATHLON SUPPORT REQUEST	67
13.	ENGINEERING SERVICES	69
13.1	REVISED TRADEWASTE POLICY AND ENVIRONMENTAL PLAN	69
13.2	WHITSUNDAY REGIONAL WATER AND WASTE – CUSTOMER SERVICE STANDARD	74
13.3	HAY STREET BOWEN RENUMBERING	76
13.4	PARKING IN CORAL ESPLANADE CANNONVALE	78
13.5	TIDS ANNUAL WORKS PROGRAM	81
13.6	DRAFT WASTE REDUCTION AND RECYCLING PLAN	85
14.1	CONFIDENTIAL MATTERS - OFFICE OF THE MAYOR & CEO	
14.1.1	BUSINESS ACTIVITIES REPORT - JULY 2015	
14.2	CONFIDENTIAL MATTERS - CORPORATE SERVICES	
14.2.1	RATES AND SUNDRY DEBTORS - JULY 2015	
14.3	CONFIDENTIAL MATTERS - PLANNING AND COMMUNITY SERVICES	
14.3.1	PROPOSED SEWER PUMP STATION - FLAMETREE	
14.3.2	ARGYLE PARK ROAD PROJECT	

1. Apologies

No Agenda items for this section

2. Condolences
2.1 CONDOLENCES

RECOMMENDATION

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

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August, 2015 by Council's Office of the Mayor & CEO Department.

BACKGROUND

Advice has been received by Council of members of the communities passing.

REPORT

The Mayor and Chief Executive Officer forwarded bereavement cards to the families of recently deceased members of the Whitsunday Regional Council.

STATUTORY MATTERS

N/A

CORPORATE PLAN REFERENCE

N/A

OPERATIONAL PLAN REFERENCE

N/A

BUDGET REFERENCE

N/A

CONSULTATION

N/A

ATTACHMENTS

N/A

3.1 **Mayoral Minute**

No Agenda items for this section

3.2 Mayoral Update

No Agenda items for this section

4. Confirmation of Minutes
4.1 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on 12 August, 2015 be confirmed.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August, 2015 by Council's Office of the Mayor & CEO Department.

BACKGROUND

Minutes were kept from the previous Ordinary Meeting of Council held on 12 August, 2015. These minutes once drafted were submitted to the Chief Executive Officer for review before the unconfirmed version of the minutes were attached onto the internet for public viewing.

These minutes are therefore submitted for adoption of their accuracy by the Councillors at this meeting of Council.

REPORT

The Minutes of the Council's Ordinary Meeting held on 12 August, 2015 are attached to this agenda report for review by Councillors.

STATUTORY MATTERS

Local Government Regulation 2012 section 272

CORPORATE PLAN REFERENCE

N/A

OPERATIONAL PLAN REFERENCE

N/A

BUDGET REFERENCE

N/A

CONSULTATION

Scott Waters – Chief Executive Officer

ATTACHMENTS

Copy of the minutes from Ordinary Meeting held on 12 August, 2015

Separate attachment

5. Delegations

No agenda items for this section.

6. Petitions

No agenda items for this section.

7. Notice of Motion

No agenda items for this section.

8. Questions on Notice

No agenda items for this section.

9. Questions from Public Gallery

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

10. Office of the Mayor & CEO
10.1 MONTHLY FINANCIAL REPORT - JULY 2015

RECOMMENDATION

That Council receive the Monthly Financial Report for the month of July 2015.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August, 2015 by Council's Office of the Mayor and CEO Department.

BACKGROUND

This report seeks to inform Council on the performance and position of Council for the year to date to 31 July 2015. The report includes ratios, breakdowns of significant amounts on the Statement of Comprehensive Income and the Balance Sheet.

REPORT

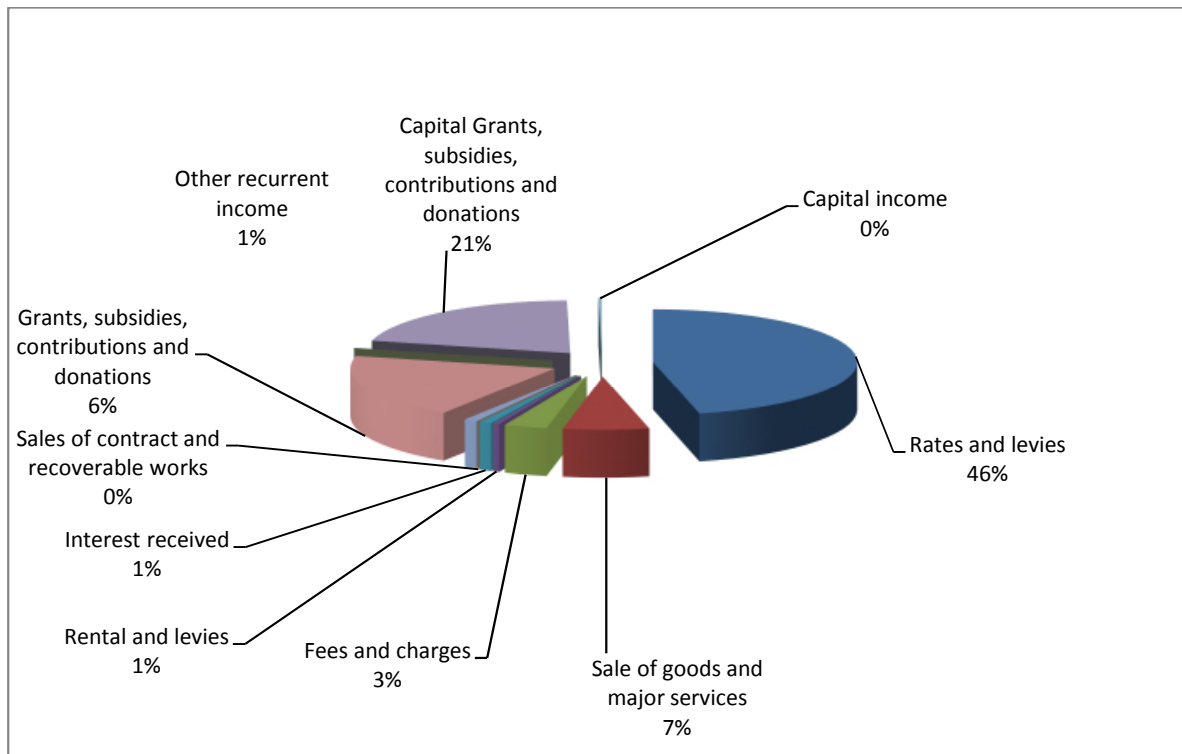
This report aims to provide a plain English summary of the financial position of Council.

STATEMENT OF COMPREHENSIVE INCOME

The purpose of this statement is to disclose the revenue and expenses for Council and the resulting surplus or deficit from operating activities.

Recurrent Revenue

Revenue sources as a percentage



Recurrent Revenue

A total of \$12,220,373 has been raised in revenue during the period 1 July to 31 July 2015 against a total revenue budget for 2015/16 of \$113,737,229. This represents 11% of the total yearly budgeted revenue expected to be received in the financial year and on a yearly basis should be at 8% which is on target to meet budget.

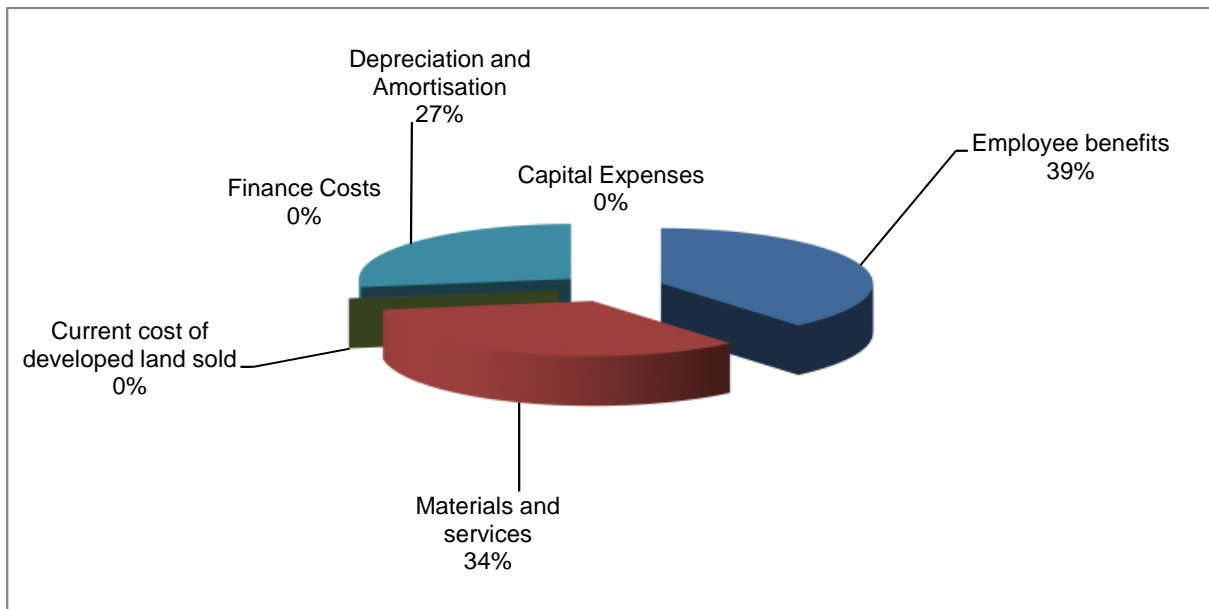
The above revenue is derived from three categories of activity:-

1. Revenue from operations \$9,632,630 (Revised Budget \$102,600,209)
2. Capital Grants, subsidies and contributions \$2,555,076 (Revised Budget \$10,987,020)
3. Other capital income \$32,666 (Revised Budget \$150,000)

Overall, there is a surplus from Council's operating activities for the period ending 31 July 2015 of \$5,833,436 which is on target to meet the budgeted operating surplus of \$15,803,705 to 30 June 2016.

Recurrent Expenses

Expenses sources as a percentage



Recurrent Expenses

To date Council has expended a total of \$6,386,937 which includes depreciation of \$1,747,661 against a total expenditure budget for 2015/16 of \$97,933,524 including depreciation of \$20,957,015. This represents 8% of budgeted expenditure and on a yearly basis should be at 8% which is on target to meet the expected level for this period.

The above expenses is derived from four categories of activity

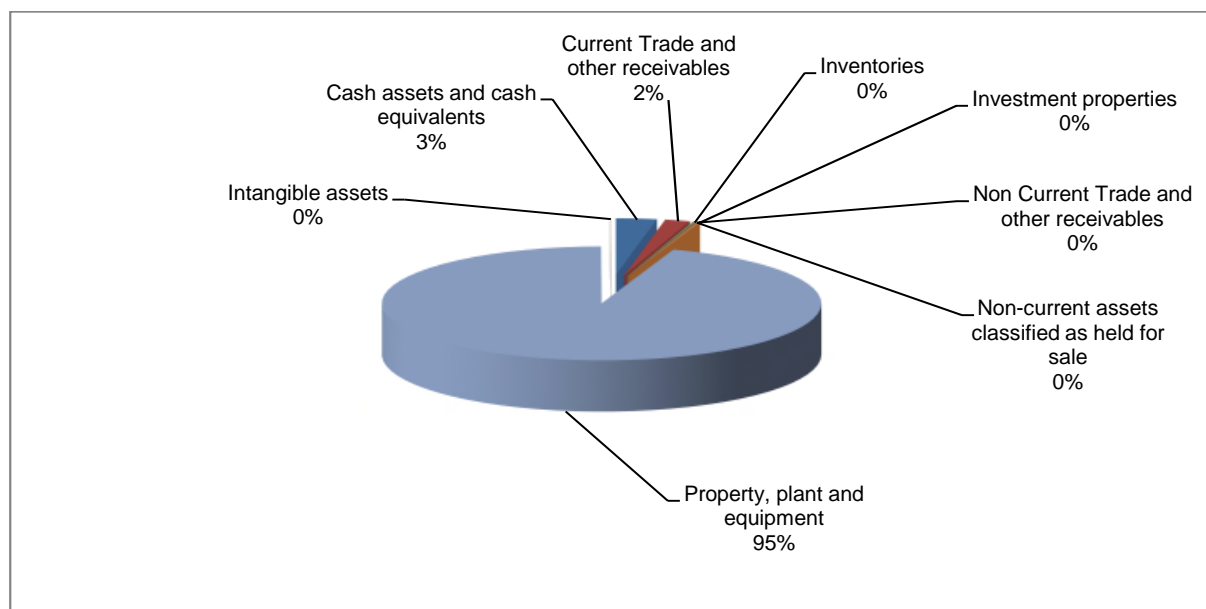
1. Expense for Employee benefits \$2,479,137 (Revised Budget \$29,231,274)
2. Expense for Materials & Services \$2,151,041 (Revised Budget \$43,682,198)
3. Depreciation Expenses \$1,747,661 (Revised Budget \$20,957,015)
4. Expenses for Finance Costs \$9,098 (Revised Budget \$3,682,324)

Loan repayments come out every quarter with the first payment being paid in September 2015.

STATEMENT OF FINANCIAL POSITION

The purpose of this statement is to disclose information about Councils assets and liabilities. The result of these two components determines the net worth of Council.

Total Assets



Total Assets

The value of total assets held as at 31 July 2015 is \$1,122,936,370. After deducting total liabilities of \$73,053,396 the total is \$1,049,882,974. This represents the financial interest the community has in the Council and is therefore named Community Equity. The figures represented in the balance sheet **include estimated unaudited closing balances as at 30 June 2015.**

Within the Statement of Financial Position the assets of council are divided into current and non-current. The non-current portion includes all the infrastructure and plant and equipment owned by Council.

The above assets are broken up into the following six categories:-

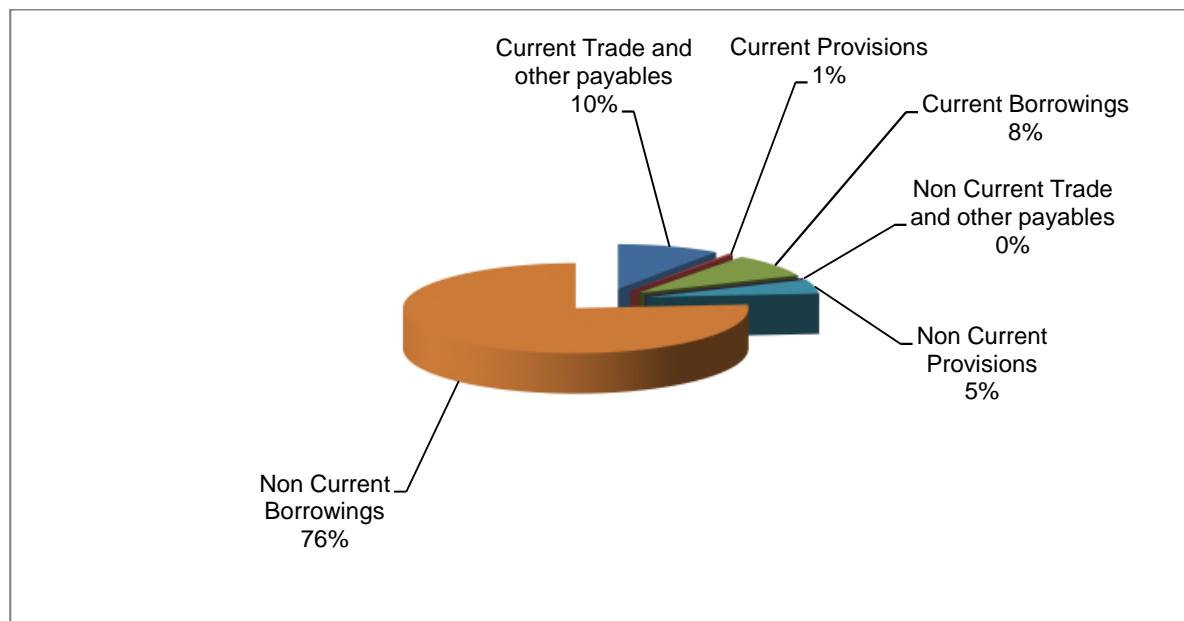
1. Cash & Cash equivalents \$33,791,002
2. Trade & Other receivables \$20,702,702
3. Inventory Assets \$1,725,624
4. Non-current Assets \$1,140,901
5. Investment Properties \$2,280,000
6. Property, Plant & Equipment Assets \$1,063,296,141

Trade and Other receivables includes pro-rata of rates levies as per summary below:

Note 15 (a) summary

Rates revenue and utility Charges	42,697,605
Rates accruals	(27,374,709)
Other Debtors	4,358,984
Impairment	(278,903)
Prepayments	1,191,083
Loan and advances to community (current)	16,725
Loan and advances to community (non current)	22,344

Total Liabilities



Total Liabilities

The Total Liabilities as at 31 July 2015 of \$73,053,396 includes Accrued Employee Benefits (annual leave, long service leave and sick leave benefits up to July 2015) and Payables.

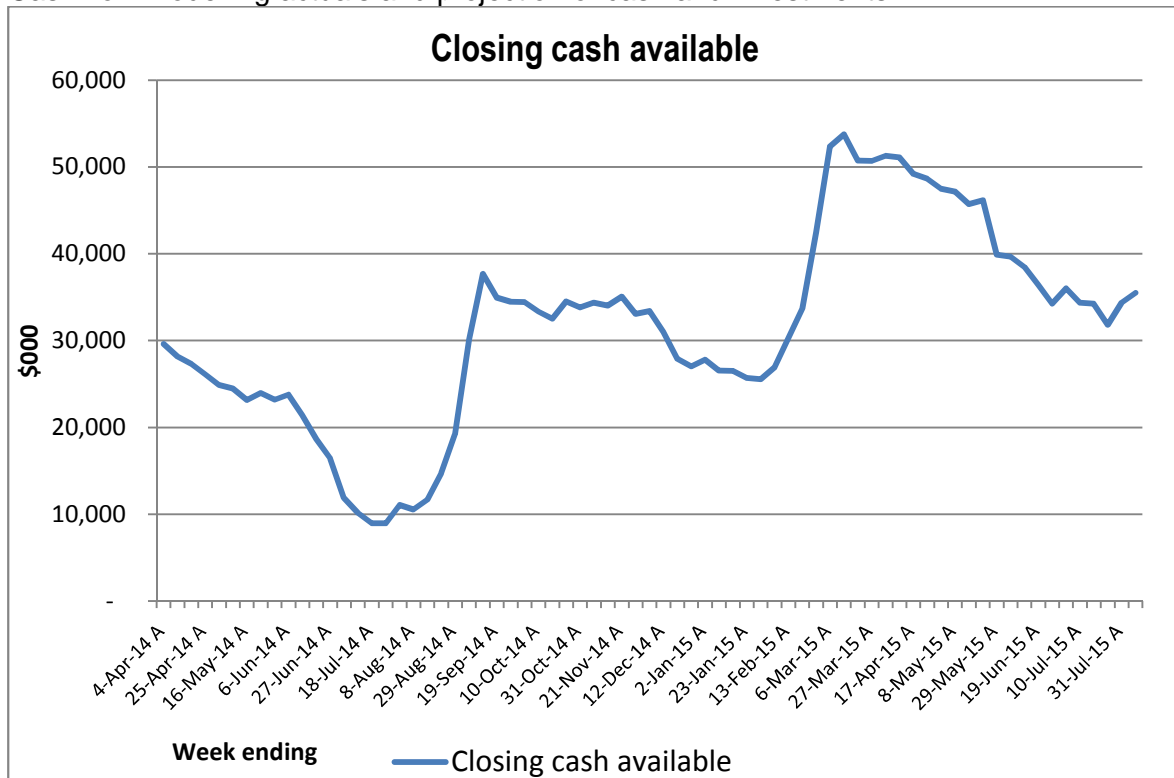
The above liabilities are broken up into the following three categories:-

1. Trade & Other Payables including Annual Leave \$7,044,700
2. Provisions including Long Service Leave \$4,106,420
3. Loan Borrowings \$61,902,277

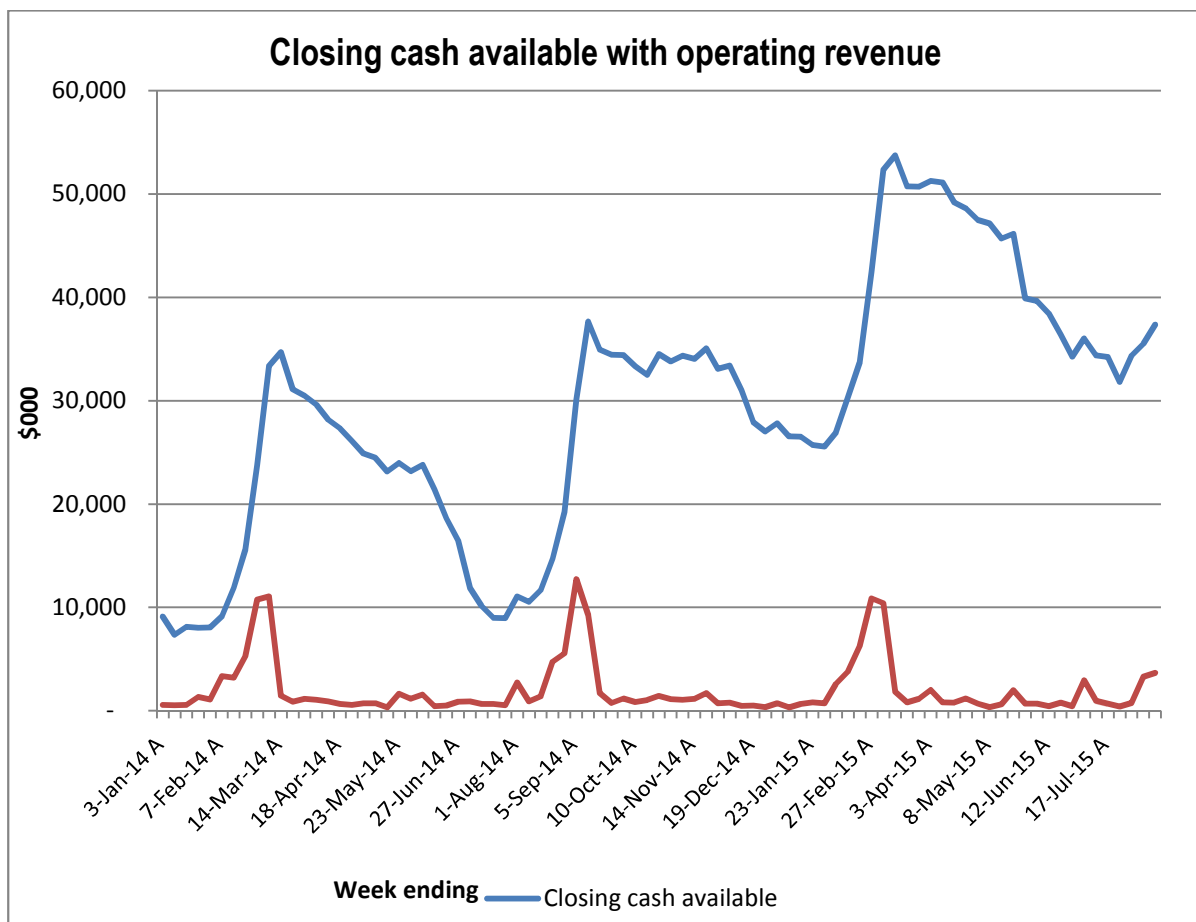
The loan borrowings of \$61,902,277 divided by 18,300 rateable assessments equates to \$3,383 per assessment.

Investments

Cash flow modelling actuals and projection of cash and investments.



Cash flow modelling measuring revenue and cash on hand up to 17 July 2015.



Aged Debtors Balance as at 31 July 2015

Current	1,593,215	62.31%
< 30 Days	417,439	16.33%
< 60 Days	104,865	4.10%
< 90 Days	56,550	2.21%
> 90 Days	384,629	15.04%
Balance	<u>2,556,998</u>	

Rates Debtors Balances as at 31 July 2015

Brought Forward Arrears	5,072,005
Levies	38,367,380
State Government Rebates	(192,461)
Council Pensioner Rebate	(260,101)
Discount	(1,507,264)
Write off	(678,792)
Receipts	1,138,724
Arrears Closing Balance	<u>41,939,491</u>

Prepayments (281,707)

Outstanding Rates as a % of levies & brought forward arrears

Arrears	5,208,077	12%
Current	37,013,122	85%
Prepayments	(281,707)	-1%
Total Arrears	<u>41,939,491</u>	

STATUTORY MATTERS

Section 104 Local Government Act 2009

CORPORATE PLAN REFERENCE

Objective - To provide effective and accountable financial planning and management.

Strategy - Continue to develop and maintain financial systems and reporting to provide accountability for Council's corporate objectives

OPERATIONAL PLAN REFERENCE

Further enhancement of Council's financial reporting and analysis capabilities.

BUDGET REFERENCE

All

CONSULTATION

Matthew Mc Goldrick - Chief Financial Officer
Julie Moller - Senior Management Accountant (Author)
Graham Jarvis - Director Corporate Services
Mel Humphries - Finance Team Leader
Paula Taylor - Senior Payroll Officer
Amanda Ayers - Rates Team Leader

ATTACHMENTS

1. Monthly Finance Report July 2015
2. Program Performance Report - July 2015

10. Office of the Mayor & CEO

10.2 COLLINSVILLE TOWN ENTRY STATEMENT AND PIT PONY PROJECT

RECOMMENDATION

That Council note the update on the Collinsville Town Entry Statement and Pit Pony Project.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Office of the Mayor and CEO Department.

BACKGROUND

Council at its ordinary meeting on 11 March 2015 resolved to approve the Collinsville Business Women's Group entry statement plan as per their presentation at Council's Ordinary Meeting on the 25 February 2015 to use Council's funding of \$100,000 to contribute \$50,000 to the Collinsville Pit Pony Experience project and \$50,000 towards Town and Regional signage (minute 2015/03/11.07 refers).

The Collinsville Business Women's Group Entry Statement Plan consists of two parts:

Part 1: \$50,000 Pit Pony Experience project including the proposed bronze Pit Pony statue; and

Part 2: \$50,000 Town & Regional Signage.

This report provides an update and more detail on Part 1 and Part 2 of the Plan

REPORT

The Collinsville Business Women was nominated by Council as the group to oversee the Town Entry Statement for Collinsville at the time of the 2014-15 budget setting process.. The group engaged other organisations in the Collinsville community, including Lions Club, Retired Miners, State High School and Pensioners' League, to ensure that there was broad community support for their proposal.

Since Council approved the Collinsville Business Women's proposal, Council officers have worked with the group to progress the project as follows.

Part 1. Council has paid the \$50,000 sum to the Collinsville Business Women. This sum will assist with the project overall, and was not earmarked for any particular element of the project, which includes

- Casting of the 18 hh (1,829 mm) bronze Pit Pony Statue
- Installation of the statue in Sonoma Park Collinsville
- Donor Wall, situated near the statue, bearing names of those who contributed financially
- "Selfie walls" which will be built at other locations in the town
- Publication of a book "Helen and the Pit Ponies"
- 3-D printed models of the Pit Pony
- 3-D printer to be donated to Collinsville State High School
- Development of the Pit Pony "brand" to increase Tourism benefits

Currently the statue is being cast in bronze and it is anticipated that installation will occur before the end of October 2015. Attachment 1 shows the proposed location of the statue. The Collinsville Business Women have submitted Building Applications in respect of the statue, donor wall and selfie wall. Council officers will continue to work with the Collinsville Business Women to facilitate the project.

A local resident has written to Council suggesting that the name "Pit Pony Park" be formally adopted as the name of the reserve upon which the Pit Pony will be situated, and that a sign be erected bearing this name and a Pit Pony logo. This park has no formal name, its locally known name is not appropriate, and officers consider that this suggestion is worthy of merit, and should be considered as part of a regional park-naming exercise.

Part 2. Since the approval of the initial outline proposal for "Town & Regional Signage", Council officers have worked with the Collinsville Business Women to build more detail into the project. As at August 2015 officers have assisted the Collinsville Business Women by developing a signage plan for 20 signs and a Notice Board (see attachment 2) and providing concepts for each sign to the sign writers. Purchase orders totalling \$23k have been raised and officers estimate that total spend should exceed \$35k. As can be seen from the Signage Plan some minor details still require to be finalised however officers will continue to support the Collinsville Business Women until the project is completed before the end of 2015.

STATUTORY MATTERS

Manual of Uniform Traffic Control Devices (MUTCD) Queensland, 2013 Edition
Sustainable Planning Act 2009
Bowen Shire Planning Scheme 2006

CORPORATE PLAN REFERENCE

People

Objective: Our region is inclusive and motivated by a range of social, cultural and recreation opportunities.

OPERATIONAL PLAN REFERENCE

People

Strategies

- 1. Effectively maintain public spaces and ensure they are accessible to people of all ages and abilities.***
- 6. Support community groups in facilitating a variety of cultural, community, sporting and recreation activities, events and programs.***
- 7. Promote volunteerism and encourage the participation of volunteers in community activities.***

BUDGET REFERENCE

Budget Cost Code: 3709.260. Collinsville Town Entry Statement

CONSULTATION

Karl Murdoch – Area Manager – Collinsville Area of Operations (Author)
Scott Waters – Chief Executive Officer
Ken McLoughlin – Chief Operating Officer
Scott Hardy – Manager Parks & Gardens
Cr Peter Ramage
Collinsville Business Women

ATTACHMENTS

Appendix Item 1 - Location and Installation of Pit Pony Statue
Appendix Item 2 - Signage Plan August 2015

10. Office of the Mayor & CEO

10.3 LGAQ 119TH ANNUAL CONFERENCE - 19-21 OCTOBER 2015

RECOMMENDATION

That Council approve for Mayor Jennifer Whitney, Cr _____ and the Chief Executive Officer to be Council's delegates to attend the LGAQ 119th Annual Conference held on the 19 – 20 October 2015 at the Empire Theatre, Toowoomba.

Furthermore, that any motions for the agenda be provided to the Chief Executive Officer to submit to the LGAQ for consideration prior to the 28 August 2015.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Office of the Mayor and CEO Department.

BACKGROUND

Held annually in October, our Annual Conference provides an important opportunity for councils to not only network and learn but also to debate and vote on new policy. The event doubles as the Association's AGM.

The Annual Conference consists of two and a half days of full plenary, split plenary and workshop sessions where participants will immerse themselves in the challenges facing local government and their communities.

This is the LGAQ's signature and largest yearly event - bringing together Federal, State and local government, external stakeholders and media. Additionally, a significant contingent of industry suppliers comprise a large trade exhibition to show-off their latest offerings to the sector's leaders from across the state.

REPORT

Council is requested to send two (2) delegates to this Conference which entitles them to voting rights. All Councillors are invited to attend as Observers. Under Clause 4.11(5) of the LGAQ Constitution, Whitsunday Regional Council will be entitled to a total of 4 votes and the LGAQ is to be notified prior to the Conference how the total voting entitlement will be allocated.

The LGAQ has sent through a request for submission of motions for the Conference Agenda and attached is a letter from the LGAQ stipulating the requirements.

STATUTORY MATTERS

N/A

CORPORATE PLAN REFERENCE

Governance and Leadership

Objective: Our leadership partners with government, industry, business and community to deliver positive outcomes.

OPERATIONAL PLAN REFERENCE

Governance and Leadership

Strategies

- 1. Build and maintain strong, collaborative and cooperative relationships across all levels of government, business, industry and the community.***
- 2. Identify opportunities for alignment between Council's interests and objectives with those of Federal and State Governments.***
- 3. Partner with government, business, industry and the community to promote the Whitsunday Region at both a national and international level.***
- 4. Advocate Council's interests and objectives to government, business, industry and the community.***

BUDGET REFERENCE

WO 1730 – Councillor Conferences

WO 2307 – Councillor Travel & Accommodation

CONSULTATION

Billie Davis – Administration Support Officer OMCEO (Author)

Scott Waters – Chief Executive Officer

ATTACHMENTS

Appendix Item 1 – LGAQ Annual Conference Voting Arrangements

11. Corporate Services

11.1 RECISION OF POLICY - NOTICE TO PURCHASERS OF LAND IN RURAL/RURAL RESIDENTIAL/PARK RESIDENTIAL AREAS

RECOMMENDATION

That Council rescinds the policy “Notice to Purchasers of Land in Rural/Rural Residential/Park Residential Areas”, as this policy is no longer applicable.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August, 2015 by Council's Office of the Mayor and CEO Department.

BACKGROUND

This policy was first introduced in 2004, when an increase in rural residential properties was occurring. The policy was carried forward following the amalgamation and formation of the Whitsunday Regional Council.

Council sought to inform all purchasers of land in the rural areas that Council supported the existing rural practices and intending purchasers should consider the impact of rural practices before they purchased the property.

The notice required by this policy also include advice that unformed road, on-site sewerage treatment systems and self-provided domestic water supplies are standard in may rural areas, with upgrading of these facilities to an urban/town standard was generally unlikely.

REPORT

This policy is now due for review, and Council may wish to rescind the policy as it is considered that it is no longer required or relevant. Whilst this information remains good advice, it is consider that it is not necessary for it to be a policy.

Where a complaint is received in regard to agricultural or pastoral land use, Council's Compliance Section is now able to handle such situations and deal with the complaints in accordance with their procedures and Council's Planning regulations.

STATUTORY MATTERS

Whitsunday Regional Council's Planning Schemes and associated legislation

CORPORATE PLAN REFERENCE

Governance and Leadership

Objective: Our obligation is innovative, efficient and financially sustainable.

OPERATIONAL PLAN REFERENCE

Governance and Leadership

1. Ensure Council's financial position if effectively managed and sustainable.

BUDGET REFERENCE

N/A

CONSULTATION

Amanda Ayers – Rates Team Leader (Author)
Graham Jarvis – Director of Corporate Services

ATTACHMENTS

Appendix Item 1 – Policy – Notice to Purchasers of Land in Rural/Rural Residential/Park Residential Areas

12. Planning and Community Services

12.1 20150680 - APPLICATION FOR RENEWAL OF SPECIAL LEASE 5/48510 - LOT 295 ON HR1871

RECOMMENDATION

That Council:

- a. advise the Department of Natural Resources and Mines that Council seeks to renew the Special Lease 5/48510 over Lot 295 on HR1871;
 - b. approve the Chief Executive Officer to prepare the necessary documentation and undertake negotiations to renew the Special Lease;
 - c. approve the Chief Executive Officer to commence negotiations for the conversion of the lease to an appropriate reserve.
-

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

In accordance with s16 of the *Land Act 1994*, before land is allocated under this Act, the Chief Executive of the State Department of Natural Resources and Mines must evaluate the land to assess the most appropriate tenure and use for the land.

In accordance with Departmental Guideline - Land Allocation: Deciding Most Appropriate Use, Tenure and Management (PUX/901/101), an assessment of the most appropriate use of the land should give due consideration to:

- attributes of the land,
- views and rights of interested parties, and
- government policy.

“Attributes of the land” include the environmental, social and economic values of the land, and opportunities and constraints based upon land capacity (capabilities) and condition. This will require an assessment of (among other things) natural resources, environmental values, culturally valuable and sensitive areas and features, biodiversity, community needs, and the location of the land with respect to existing and future needs for public infrastructure and services.

“Views and rights of interested parties” may require a consideration of interest holders' views (including lessees, native title holders, secondary interest holders such as a grantee of an easement, holders of rights and interests under the Mineral Resources Act 1989) and consideration of the views of interested parties such as State and local government agencies and, at times, conservation groups, community groups and adjoining property owners or managers. At a minimum the consultation process will include requesting views of local government, other relevant government agencies and assessing the status of native title and indigenous cultural heritage over the land.

“Strategies and policies”, for example regional plans and local government planning schemes, need to be checked to expert advice will be largely relied upon to provide information – for example, the State will rely on the relevant local government to provide advice on whether a proposed use is consistent with its planning scheme and policies.

Land evaluation information, upon which the most appropriate use decision will be based, will be accessed from a range of sources, including planning strategies and policies, views of interested parties, departmental databases, government laws and policies, previous planning studies, and from a physical inspection of the subject land.

After the most appropriate use for the land is determined, the specific oversight that the State wishes to retain will need to be decided by the State to ensure that the tenure type which will achieve and maintain the use is allocated.

A decision to allocate tenure is a reviewable decision in terms of the *Judicial Review Act 1991* and a decision maker must be able to provide an adequate statement of reasons for a decision.

Further, allocation and other dealings under the Land Act are subject to Native Title being satisfactorily addressed - sections 7, 27 and 28 of the Land Act 1994 (Land Act) apply.

REPORT

The Department of Natural Resources and Mines has notified Council that Special Lease 5/48510, being Lot 295 on HR1871 is due to expire 30 November 2016. An invitation to renew the lease has been extended to Council and should Council wish to retain tenure, the application forms must be completed and returned together with the application fee of \$252.90.

Lease A has an area of 292sqm with the permitted use being Local Government (Water Pumping Station) and houses Council's Mandalay Water Pump Station.

Council offers have reviewed and request and have offered no objection to the renewal.

It is recommended Council take necessary actions to renew the lease.

STATUTORY MATTERS

Land Act 1994

CORPORATE PLAN REFERENCE

Place: Our natural environment is valued and sustainable.

Place: Our region is accessible and connected.

Place: Our infrastructure supports our region's current and future needs.

OPERATIONAL PLAN REFERENCE

Place Strategies

- 1. Develop and implement an efficient, effective and accountable framework for managing the growth and development of the Whitsunday Region.***
- 2. Develop and implement strategies to preserve the unique character of our communities and heritage places.***
- 3. Advocate the Whitsunday Region's planning and growth needs to Federal and State Governments.***

BUDGET REFERENCE

Water Infrastructure Expenses – 3740.0450.0451

CONSULTATION

Emma Letic – Technical Officer Planning Assessment (Author)
Kellianne Wynne – Manager of Development Assessment

ATTACHMENTS

Appendix Item 1 – Locality Plan

12. Planning and Community Services

12.2 6SP220416 - APPLICATION FOR RENEWAL OF TERM LEASE 0/230976 BEING LOT 6 ON SP220416 - LEASE FOR MARINE FACILITY, DENT ISLAND

RECOMMENDATION

That Council advise the Department of Natural Resources that it has no objection to the renewal of Term Lease 0/230976 over Lot 6 on SP220416 being a lease for a marine facility at Dent Island.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

In accordance with s16 of the *Land Act 1994*, before land is allocated under this Act, the Chief Executive of the State Department of Natural Resources and Mines must evaluate the land to assess the most appropriate tenure and use for the land.

In accordance with Departmental Guideline - Land Allocation: Deciding Most Appropriate Use, Tenure and Management (PUX/901/101), an assessment of the most appropriate use of the land should give due consideration to:

- attributes of the land,
- views and rights of interested parties, and
- government policy.

“Attributes of the land” include the environmental, social and economic values of the land, and opportunities and constraints based upon land capacity (capabilities) and condition. This will require an assessment of (among other things) natural resources, environmental values, culturally valuable and sensitive areas and features, biodiversity, community needs, and the location of the land with respect to existing and future needs for public infrastructure and services.

“Views and rights of interested parties” may require a consideration of interest holders' views (including lessees, native title holders, secondary interest holders such as a grantee of an easement, holders of rights and interests under the Mineral Resources Act 1989) and consideration of the views of interested parties such as State and local government agencies and, at times, conservation groups, community groups and adjoining property owners or managers. At a minimum the consultation process will include requesting views of local government, other relevant government agencies and assessing the status of native title and indigenous cultural heritage over the land.

“Strategies and policies”, for example regional plans and local government planning schemes, need to be checked to expert advice will be largely relied upon to provide information – for example, the State will rely on the relevant local government to provide advice on whether a proposed use is consistent with its planning scheme and policies.

Land evaluation information, upon which the most appropriate use decision will be based, will be accessed from a range of sources, including planning strategies and policies, views of interested parties, departmental databases, government laws and policies, previous planning studies, and from a physical inspection of the subject land.

After the most appropriate use for the land is determined, the specific oversight that the State wishes to retain will need to be decided by the State to ensure that the tenure type which will achieve and maintain the use is allocated.

A decision to allocate tenure is a reviewable decision in terms of the *Judicial Review Act 1991* and a decision maker must be able to provide an adequate statement of reasons for a decision.

Further, allocation and other dealings under the Land Act are subject to Native Title being satisfactorily addressed - sections 7, 27 and 28 of the Land Act 1994 (Land Act) apply.

REPORT

The Department of Natural Resources and Mines has sought Council's views on an application for the Renewal of Term Lease 0/230976 over Lot 6 on SP220416 being lease for a marine facility at Dent Island.

In order to provide a response to the Department in relation to the "views and rights of interested parties", council officers have undertaken a review as whether or not the Renewal of Term Lease 0/230976 will adversely impact on Council interests.

The Renewal of Term Lease 0/230976 does not adversely impact on existing or future Council owned or controlled infrastructure, being:

- urban and rural residential water cycle management infrastructure, including infrastructure for water supply, and sewerage;
- transport infrastructure, including constructed roads and footpaths;
- public parks infrastructure;
- community facilities, including community halls or public libraries.

It is noted that the proposed area subject to Term Lease 0/230976 does not contain any Council owned or controlled infrastructure and there are no plans to locate Council owned or controlled infrastructure within the area subject to the Term Lease 0/230976.

The Renewal of Term Lease 0/230976 does not adversely impact on valuable features, as stated in the planning scheme, such as:

- resources or areas that are of ecological significance;
- areas contributing significantly to amenity;
- areas or places of cultural heritage significance;
- resources or areas of economic value.

The Renewal of Term Lease 0/235976 does not adversely impact on land use intent of the area.

STATUTORY MATTERS

Land Act 1994

CORPORATE PLAN REFERENCE

Place

Objective: Our natural environment is valued and sustainable.

Place

Objective: Our region is accessible and connected.

Place

Objective: Our infrastructure supports our region's current and future needs.

OPERATIONAL PLAN REFERENCE

Place

Strategies

- 1. Develop and implement an efficient, effective and accountable framework for managing the growth and development of the Whitsunday Region.**
- 2. Develop and implement strategies to preserve the unique character of our communities and heritage places.**
- 3. Advocate the Whitsunday Region's planning and growth needs to Federal and State Governments.**

BUDGET REFERENCE

N/A

CONSULTATION

Emma Lekic – Technical Officer Planning Assessment (Author)

Kellianne Wynne – Manager of Development Assessment

ATTACHMENTS

Appendix Item 1 – Locality Plan

Appendix Item 2 – Smart Map

12. Planning and Community Services

12.3 20140772 - PROPOSAL TO LEASE OR PURCHASE ROAD RESERVE (ST KILDA STREET) ADJOINING LOT 6 RP705712, BIG 4 CORAL COAST HOLIDAY PARK

RECOMMENDATION

That Council advise Pathfinder Outdoor Destinations Pty Ltd that it does not support the proposal to lease or purchase the road reserve in St Kilda Street adjoining Lot 6 on RP705712 for the purpose of redevelopment of the Big 4 Coral Coast Holiday Park at this point in time.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

In November, 2014, the Department of Natural Resources and Mines received an application for permanent road closure of an area of about 1,790m² adjoining the eastern boundary of Lot 6 on RP705712. The application was referred to Council for consideration and comment.

When considering this application, Council had to consider the following:

- Does the reserve give the only practical access to a parcel of land whether or not there is some other access to such land?
- Does the reserve provide the only dedicated access to a parcel of land (whether or not the owner of the parcel agrees to the closure)?
- Is the reserve used by the public for road, including Bicentennial, stock route purposes and is expected to continue to be required for such purposes?
- Is the reserve required to provide continuity to an existing road network?
- Are there any interests of existing public service facilities or authorised private service facilities that cannot be otherwise protected or accommodated?
- Does the reserve contain or is the reserve critical for existing or foreseeable road structures and road maintenance?
- Does the reserve contain any historical or socially significant features or flora and fauna that should be protected?

The reserve is identified on the Storm Surge Hazard Overlay Map, the Natural Features and Resources Overlay – Special Management Areas (Bushfire Hazard) of the *Bowen Shire Planning Scheme 2006* and on the former Temporary Local Planning Instrument 02/2013 (Bowen Flood).

The Coral Coast Caravan Park is situated on Lots 1-6 on RP705712 and is bound by Soldiers Road to the west, Horseshoe Bay Road to the south, St Kilda Road to the east and ocean to the north. The area of St Kilda Road (subject of this application) is not a formed road however is utilised as an extension to the Council Park Land.

Council at its meeting of 10 December, 2014 resolved that *the Department of Natural Resources and Mines be advised that Council does not support the application for Permanent Road Closure adjoining Lot 6 on RP705712, nor the proposed Temporary Road Closure of Esplanade adjoining Lots 4 to 6 on RP705712 on the following grounds:*

- *The proposals restrict public access to the foreshore;*
 - *The further development or extension of the Big 4 Caravan Park cannot be supported in that locality due to the close proximity to the ocean (less than 20m). Any development in that area would be subject to a development application to demonstrate the proposed extension does not increase the risk to people from natural hazards to an unacceptable level (storm surge, sea level rise);*
 - *There is a constructed public footpath including lighting which forms part of the walking track to Horseshoe Bay of which was constructed and funded under the Healthier Communities Program;*
 - *There is an existing bus stop in the locality which is well utilised by the residents; and*
- The area is well utilised as part of Hansen Park and a significant investment has been made to infrastructure in this road reserve by Council.*

REPORT

The proponent to the application for permanent road closure adjoining Lot 6 on RP705712 and temporary road closure of the esplanade adjoining Lots 4 to 6 on RP705712 withdrew the above application from the Department shortly after Council's response was provided.

The proponent recently contacted Council to discuss the proposal and the future development of the Big 4 Coral Coast Beachfront Holiday Park highlighting the fact that the park had no further options for growth.

The proponent is seeking either a lease or an opportunity to purchase land to allow future development and growth for the caravan park.

A proposal has been put forward by the Woolman Group to:

- Apply for a Permanent Road Closure of the St Kilda St extension abutting Coral Coast Holiday Park (CCHP).
- Should the Application be successful then the Woolman Group (WG) Lease/Purchase St Kilda Street land as an addition to CCHP. The lease or purchase would be at market rate determined through research conducted by WG.
- Should the opportunity arise, WG would like the opportunity to purchase/Lease an additional parcel of the Hansen Park land abutting the St Kilda Road extension.
- WG is prepared to contribute to the cost of moving the Public and Council Infrastructure currently positioned on the St Kilda St extension further into Hansen Park so that it remains accessible for Public use.
- CCHP to be extended onto acquired land as detailed in the presentation to the Council Committee and as on the plan B (refer to Attachment 4 of the report)
- This Extension of the CCHP will include powered camping sites with minimal building infrastructure.

The proposal will provide CCHP the ability to expand its accommodation range – an opportunity that currently does not exist. It is estimated that with the additional powered sites and rearrangement of the current design with additional roofed accommodation that the extra land provided by acquisition of the St Kilda Road extension will allow, CCHP will be able to attract increased tourism into Bowen during both the peak and “shoulder” periods. It is therefore predicted that the following benefits will accrue to the local Bowen economy:

- Income from the long-term Lease or sale of land (St Kilda Rd extension and potentially an additional parcel of land) will be able to help fund Council projects or additional infrastructure for use by residents.
- The current infrastructure positioned on the St Kilda Road extension (as indicated in the rough diagram, refer to Attachment 2 of the report) will be retained for public and Council use with the cost of moving this infrastructure being contributed to by Woolman Group thereby reducing cost to WRC and ratepayers.
- There is significant potential for increased tourism stays in Bowen – particularly during the peak period when all existing accommodation is at capacity and so tourists wishing to stay in Bowen are forced to “move on” and any financial benefit to the local economy goes with them.
- It is estimated that the financial benefit to Bowen businesses from this additional tourism will be around \$425,000 pa (minimum & excluding site/cabin fees) – This figure is based on an average \$73 per day spend by Holiday Park guests.
 - *Research conducted by BDO Australia for Camping and RV Industry of Australia*
- It is further estimated that the financial benefit to the local Bowen economy from expansion of CCHP will be around \$225,000 minimum per annum.
 - *Research conducted by BDO Australia for Camping and RV Industry of Australia*

The proponent does not wish in any way, to be the cause of disharmony in the local community as they have spent considerable time, effort and finance since purchasing CCHP in promoting and supporting Bowen and the Whitsundays and it is in their interest that we all work together to build the profile and business in the area. The proponent is keen to work under advisement of Council in how best to move forward with what they believe is an exciting and financially beneficial project for Bowen and the Whitsunday Regional Council.

Council Officers have considered the proposal and due to no overall master plan being undertaken in this area, it is recommended Council does not support this proposal until such time as Council has undertaken a master plan for this area.

STATUTORY MATTERS

Land Act 1994

CORPORATE PLAN REFERENCE

Place

Objective: Our infrastructure supports our region’s current and future needs.

OPERATIONAL PLAN REFERENCE

Place

Strategies

1. ***Develop and maintain effective roads and drainage infrastructure, networks and facilities.***
2. ***Develop and maintain effective water and waste water infrastructure, networks and facilities.***

3. *Develop integrated asset management plans to effectively manage and maintain road, water and waste water infrastructure and ensure assets meet the demands of a growing population.*

BUDGET REFERENCE

N/A

CONSULTATION

Kellianne Wynne – Manager of Development Assessment (Author)

ATTACHMENTS

Appendix Item 1 - Locality Plan

Appendix Item 2 - Existing Infrastructure - Road Reservation - St Kilda Street

Appendix Item 3 - Plan illustrating Existing Configuration of Big 4 Coral Coast holiday Park

Appendix Item 4 - Plan illustrating possible future development of closed Road Reserve (St Kilda Street)

12. Planning and Community Services

12.4 20140711 - REVISED PROPOSAL - APPLICATION FOR ROAD OPENING AND CLOSURE DESCRIBED AS LOT 72 ON HR1773

RECOMMENDATION

That Council advise the Department of Natural Resources and Mines that it has no objection to the proposal to amend the road closure and road opening as shown on Drawing No. 15/603/CEN.

Furthermore, in response to the views sought in relation to subdivision of Lot 72 on HR1773 to create two (2) separate GHPL's, with the Department issuing two (2) separate deeds of grant in fee simple for each lot to Shane & Kylie Jameson, Council advises that it has no objection to:

- an application for subdivision of Lot 72 on HR1773 as per the proposal;**
- an application for conversion to freehold of the second proposed GHPL over the eastern section of Lot 72 on HR1773; and**
- the conversion of the western section of Lot 72 on HR1773, if the GHPL is subdivided.**

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

The Department of Natural Resources and Mines sought Council's views in January 2012 for the conversion of the Grazing Homestead Perpetual Lease into Freehold Tenure.

Council at its meeting of 23 January 2013 resolved that the Department of Natural Resources and Mines be advised that Council has no objection to Grazing Homestead Perpetual Lease 5/2111 over Lot 72 on HR1773 being converted to freehold provided the use of the land is for grazing purposes.

During the course of investigations by Council Officers, it was noted that Roma Peak Road was formed off the Road Reserve as it passes through part of the subject property.

Council wrote to the current Lessee in March 2013 advising of the road out of alignment and advised that in order for Council to correct the road being "off alignment" Council will be applying to the Department of Natural Resources and Mines to simultaneously open a road reserve over the formed road and to close the unused road reserve.

Council sought consent from the Lessees Mr and Mrs Jameson to the Road Opening and Road Closure which effectively results in a land swap or exchange.

Council in June 2013 wrote to the Department of Natural Resources and Mines confirming the constructed road in Roma Peak Road is out of alignment and to correct this matter made an application to simultaneously open a road over the formed road and to close the unused road reserve.

The Department of Natural Resources and Mines advised Council in June 2013 that the application had been received and was being processed.

The Department of Natural Resources and Mines provided an Offer to Council on 20 June 2014 subject to various actions occurring before the deadlines. This included payment of search and title fees, return of Notification of Acceptance of Offer by Lessee, lodgement of a

new Survey Plan showing the road opening and road closure, confirmation of no public utilities being affected on this area and partial Surrender of land form signed by the Lessee.

The Department approached Council again 3 October 2014 seeking advice in relation to an application for Conversion to Freehold of Grazing Homestead Perpetual Lease 5/2111.

Council at its meeting of 12 November 2014 resolved to advise the Department of Natural Resources and Mines that:

1. Council has no objection to the Grazing Homestead Perpetual Lease 5/2111 over Lot 72 on HR1773 being converted to freehold provided the use of the land is for grazing purposes;
2. Council consents to the withdrawal of the Offer dated 20 June 2014 in relation to the simultaneous road and permanent road closure within the Grazing Homestead Perpetual Lease 5/2111 described as Lot 72 on HR1773; and
3. Council instruct the Chief Executive Officer to take necessary actions to finalise the application for a simultaneous road opening and permanent road closure within the Grazing Homestead Perpetual Lease 5/2111 described as Lot 72 on HR1773.

REPORT

The Department has recently contacted Council with a new proposal for consideration.

The Department has given consideration to all comments, in particular the comment from the owner of Lot 75 on H124109 regarding how the value and future development potential of Lot 75 on H124109 may be decreased if the full width of Roma Peak Road were to be permanently closed.

In light of these concerns, the Department is considering amending the simultaneous road opening and closure application to that shown on Drawing 15/603/CEN attached. Instead of opening a 200m wide road in replacement for the proposed 200m wide permanent road closure area shown on earlier Drawing 13/527A/CEN, this new proposal will dedicate as road an area of about 9.8 hectares being the current formed road constructed by Whitsunday Regional Council, such area being only 60m wide, thereby legalising the current formed road.

In addition, an area of 60m will remain open as road along Roma Peak Road - this 60m wide area will continue to provide dedicated access the full length of neighbouring Lot 75 on H124109 and address the main concern of the owner of Lot 75.

The remaining 140m width of Roma Peak Road (about 23.0 hectares) is proposed to be permanently closed and added into the Grazing Homestead Perpetual Lease Lot 72 on HR1773 in exchange for the 9.8 hectares proposed to be opened as road. This will slightly increase the size of the lease.

Council officers consider this proposal to be reasonable and recommend support.

In addition to the above amended proposal, a second request was received 12 August 2015 seeking Council to consent to the following:-

- Assess and decide an application for subdivision of Lot 72 on HR1773 to create two separate new GHPL's. The main one to the west of the formed road, and the second which would lie between the formed road and the 60m wide area which is proposed to retain dedicated access to Lot 75 on H124109; and
- Subject to approval of above, approve 2 new applications for conversion of both new GHPL's, with the Department issuing 2 separate deeds of grant in fee simple for each lot to Shane and Kylie Jameson.

Views are sought as to whether Council would likely:

- Object to, or support an application for subdivision of Lot 72 on HR1773 as per the aforementioned proposal; and
- Object to, or support an application for conversion to freehold of the second proposed GHPL over the eastern section of Lot 72 on HR1773 which would lie between the formed 60m road and the 60m area of road adjoining Lot 75 on H124109 which would remain as road; and
- Council has already consented to conversion of the whole of the GHPL over Lot 72 on HR1773, so Council is requested to advise if Council would support conversion of the western section of Lot 72 on HR1773 if this GHPL were to be subdivided.

A preliminary assessment against the provisions of the *Bowen Shire Planning Scheme 2006* has been undertaken which has revealed the site is zoned rural and is approximately 2880 hectares in size. The site is subject to the following overlays:

- Bushfire Hazard; and
- Acid Sulphate Soils.

A 'Reconfiguration of a Lot' is code assessable in all circumstances with assessment being against the Rural Zone Code and Natural Features Code. The proposal is considered to be generally consistent however the proposed new lot will be approximately 50 hectares in size. The minimum lots size for lots contained within the Good Quality Agricultural Land Overlay is 60 hectares and other Rural Lots is 100 hectares. The proposed allotment is not considered to be fragmentation or alienation of farming land due to the allotment size being similar to other allotments in close proximity and the allotment is already fragmented due to the separation by way of the road reservation.

The Department of Natural Resources and Mines is exempt from the requirements of the *Sustainable Planning Act 2009* in accordance with Schedule 4, Table 3 (f) of the *Sustainable Planning Regulation 2009* due to the land not being in freehold tenure.

It is recommended Council:

- Support an application for subdivision of Lot 72 on HR1773 as per the proposal;
- Support an application for conversion to freehold of the second proposed GHPL over the eastern section of Lot 72 on HR1773; and
- Consent to the conversion of the western section of Lot 72 on HR1773, if the GHPL is subdivided.

STATUTORY MATTERS

Land Act 1994

Local Government Act 2009

Sustainable Planning Act 2009

CORPORATE PLAN REFERENCE

Objective:

Place: Our natural environment is valued and sustainable.

Place: Our region is accessible and connected.

Place: Our infrastructure supports our region's current and future needs.

OPERATIONAL PLAN REFERENCE

Place Strategies

- 1. Develop and implement an efficient, effective and accountable framework for managing the growth and development of the Whitsunday Region.***
- 2. Develop and implement strategies to preserve the unique character of our communities and heritage places.***
- 3. Advocate the Whitsunday Region's planning and growth needs to Federal and State Governments.***

BUDGET REFERENCE

N/A

CONSULTATION

Emma Letic – Technical Officer Planning assessment (Author)

Kellianne Wynne – Manager of Development Assessment

ATTACHMENTS

Appendix Item 1 – Locality Plan

Appendix Item 2 – Proposal Plans

12. Planning and Community Services

12.5 20140651 - REQUEST FOR CHANGE OR CANCEL CONDITIONS OF APPROVAL - 277 SHUTE HARBOUR ROAD AIRLIE BEACH, ALGONA DEVELOPMENTS PTY LTD

RECOMMENDATION

That Council approve the Request to Change an Existing Approval on land described as Lot 1 on A85911 and located at 277 Shute Harbour Road, Airlie Beach, lodged by Plantz Town Planning Pty Ltd on behalf of Algona Developments Pty Ltd as follows:

- Change of land use description from - Development Permit for Material Change of Use - Commercial Complex and Thirty-Three (33) Accommodation Units to Development Permit for Material Change of Use - Commercial Complex and Forty (40) Accommodation Units under the following amended conditions:
- Condition 1.1 (amended):

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
Ground Floor Plan	Hunt Architects Design	P8.1	10/06/2015
First Floor Plan	Hunt Architects Design	P8.2	10/06/2015
Second Floor Plan	Hunt Architects Design	P8.3	10/06/2015
Plant and Roof Floor Plan	Hunt Architects Design	P8.4	10/06/2015
Elevation 01 & 02	Hunt Architects Design	P8.5	10/06/2015
Elevation 03 & 04	Hunt Architects Design	P8.6	10/06/2015
Total Use Area Diagrams	Hunt Architects Design	P8.7	10/06/2015

- Condition 4.3 (amended):

4.3 The development results in increased demand on Council's existing public car parking with the township of Airlie Beach which is not designed to accommodate the additional demand. To accommodate the additional demand, the applicant must pay a monetary contribution towards the provision of additional public car parking in Airlie Beach by Council. Such contribution is to be paid prior to the commencement of the approved use, and amounts to a total of \$65,000, based on the provision of thirteen (13) car parking spaces at a cost of \$5,000 per space.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

On 25 February 2015, Council at its meeting approved a development application for a Development Permit for a Commercial Complex and Thirty-Three (33) Accommodation Units at premises located at 277 Shute Harbour Road, Airlie Beach, also described as Lot 1 A85911, subject to conditions.

On 10 April 2015, Council received a request for a Negotiated Decision Notice in an attempt to amend Condition 4.3.

Council at its meeting of 10 June, 2015 resolved that *the Development Application for 277 Harbour Road, Airlie Beach - Algona Developments be tabled to a formal briefing session.*

Council at its meeting of the 24 June, 2015 approved the Negotiated Decision Notice to amend Condition 4.3 to:

4.3 *The development results in increased demand on Council's existing public car parking with the township of Airlie Beach which is not designed to accommodate the additional demand. To accommodate the additional demand, the applicant must pay a monetary contribution towards the provision of additional public car parking in Airlie Beach by Council. Such contribution is to be paid prior to the commencement of the approved use, and amounts to a total of \$60,000, based on the provision of twelve (12) car parking spaces at a cost of \$5,000 per space.*

ORIGINAL PROPOSAL

The original development was for the establishment of a Queensland style three (3) storey mixed use development with commercial premises on the ground floor and thirty – three (33) accommodation units located on the first and second floor. The second floor also included a bar and deck licenced premises.

REPORT

The applicant has lodged an application to change the approval to reduce the bar and commercial areas and add an additional seven (7) accommodation units.

The proposed change results in the following amended floor areas:

<i>Proposed Use</i>	<i>Approved</i>	<i>Proposed</i>
Refreshment Premises	243m ²	153m ²
Commercial Premises	277m ²	272m ²
Accommodation	33 Rooms	40 Rooms
Car Parking	60	61

The applicant has requested an amendment to two conditions of approval. The first being Condition 1.1 which is the approved plans of development and the second is condition 4.3 in relation to car parking.

Condition 1.1

A request to change existing condition 1.1 which reads:

1.0 ADMINISTRATION

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

<i>Plan/Document Name</i>	<i>Prepared By</i>	<i>Plan Number</i>	<i>Dated</i>
---------------------------	--------------------	--------------------	--------------

<i>Ground Floor Plan</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P7.1</i>	<i>22/01/2015</i>
<i>First Floor Plan</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P7.2</i>	<i>22/01/2015</i>
<i>Second Floor Plan</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P7.3</i>	<i>22/01/2015</i>
<i>Roof Floor Plan</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P7.4</i>	<i>22/01/2015</i>
<i>Elevation 01 & 02</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P7.5</i>	<i>22/01/2015</i>
<i>Elevation 03 & 04</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P7.6</i>	<i>22/01/2015</i>
<i>Total Use Area Diagrams</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P7.7</i>	<i>22/01/2015</i>

The applicant has requested this condition be amended by:

2.0 ADMINISTRATION

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

<i>Plan/Document Name</i>	<i>Prepared By</i>	<i>Plan Number</i>	<i>Dated</i>	
<i>Ground Floor Plan</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P8.1</i>	<i>10/06/2015</i>
<i>First Floor Plan</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P8.2</i>	<i>10/06/2015</i>
<i>Second Floor Plan</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P8.3</i>	<i>10/06/2015</i>
<i>Plant and Roof Floor Plan</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P8.4</i>	<i>10/06/2015</i>
<i>Elevation 01 & 02</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P8.5</i>	<i>10/06/2015</i>
<i>Elevation 03 & 04</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P8.6</i>	<i>10/06/2015</i>
<i>Total Use Area Diagrams</i>	<i>Hunt Architects</i>	<i>Design</i>	<i>P8.7</i>	<i>10/06/2015</i>

The reasons for this request are based on the change in usage on the ground floor and the second floor by way of minor alterations to the ground floor layout and the removal of the deck bar on the second floor and replacement with an additional seven (7) accommodation units.

Council officers have no issues with the suggested change to condition 1.1 as recommended by the applicant.

Condition 4.3

A request to change existing condition 1.1 which reads:

- 4.3 *The development results in increased demand on Council's existing public car parking with the township of Airlie Beach which is not designed to accommodate the additional demand. To accommodate the additional demand, the applicant must pay a monetary contribution towards the provision of additional public car parking in Airlie Beach by Council. Such contribution is to be paid prior to the commencement of the approved use, and amounts to a total of \$60,000, based on the provision of twelve (12) car parking spaces at a cost of \$5,000 per space.*

The applicant has requested this condition be amended by:

- 4.3 *The development results in increased demand on Council's existing public car parking with the township of Airlie Beach which is not designed to accommodate the additional demand. To accommodate the additional demand, the applicant must pay a monetary contribution towards the provision of additional public car parking in Airlie Beach by Council. Such contribution is to be paid prior to the commencement of the approved use, and amounts to a total of \$50,000, based on the provision of ten (10) car parking spaces at a cost of \$5,000 per space.*

Council officers have undertaken an assessment and are of the view and the request to change results in one additional car parking space on site. It is recommended that the condition be amended as follows:

- 4.3 *The development results in increased demand on Council's existing public car parking with the township of Airlie Beach which is not designed to accommodate the additional demand. To accommodate the additional demand, the applicant must pay a monetary contribution towards the provision of additional public car parking in Airlie Beach by Council. Such contribution is to be paid prior to the commencement of the approved use, and amounts to a total of \$65,000, based on the provision of thirteen (13) car parking spaces at a cost of \$5,000 per space.*

Officer Comments:

The request to change the approval has been reviewed and considered against the test under Section 367 of the *Sustainable Planning Act 2009* (The Act) which details what is a permissible change for a development approval. A permissible change is as follows:

- (1) **A permissible change** for a development approval, is a change to the approval that would not –
- (a) result in a substantially different development; or
 - (b) if the application for the approval were remade including the change –
 - (i) require referral to additional concurrence agencies; or
 - (ii) for an approval for assessable development that previously did not require impact assessment – require impact assessment; or
 - (c) for an approval for assessable development that previously required impact assessment – be likely, in the responsible entity's opinion, to cause a person to make a properly made submission objecting to the proposed change, if the circumstances allowed; or
 - (d) cause any development to which the approval relates to include any prohibited development.
- (2) For deciding whether a change is a permissible change under subsection (1)(b) or (d), the planning instruments or law in force at the time the request for the change was made apply (the applicable law).
- (3) Application of the applicable law does not stop a change mentioned in subsection (1)(b) from being a permissible change only because the applicable law, if applied to the application as originally made, would require referral to any additional referral agencies or involve impact assessment

The proposed change does not result in a substantially different development, is contained within the same footprint, does not result in additional concurrence agencies nor change in level of assessment or cause a person to make a properly made submission.

Based on the above, Council Officers recommend Council support the change of the two conditions as contained within the report.

STATUTORY MATTERS

Sustainable Planning Act 2009

CORPORATE PLAN REFERENCE

Place

Objective: Our infrastructure supports our region's current and future needs.

OPERATIONAL PLAN REFERENCE

Place

Strategies

- 1. Develop and maintain effective roads and drainage infrastructure, networks and facilities.*
- 2. Develop and maintain effective water and waste water infrastructure, networks and facilities.*
- 3. Partner with Federal and State Governments to enhance the Whitsunday Region's capacity for ongoing development and infrastructure maintenance.*

CONCLUSION

The proposed request to change conditions is consistent with the 'permissible change' test under the *Sustainable Planning Act 2009* and should therefore be supported.

BUDGET REFERENCE

N/A

CONSULTATION

Emma Lekic – Technical Officer Planning Assessment (Author)
Kellianne Wynne – Manager of Development Assessment

ATTACHMENTS

Appendix Item 1 – Locality Plan
Appendix Item 2 – Original Approved Plan
Appendix Item 3 – Proposal Plans

12. Planning and Community Services
- 12.6 20150659 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR OPERATIONAL WORKS - TWO (2) ON PREMISES SIGNS (ILLUMINATED) AT THE GRAND VIEW HOTEL - 5 HERBERT STREET, BOWEN - BAOJEF PTY LTD

RECOMMENDATION

That Council approve the Development Permit for Operational Works - Two (2) On Premises Signs (Illuminated), made by Baojef Pty Ltd Tte, on L: 1 RP: 720238 and located at Grand View Hotel/5 Herbert Street BOWEN, subject to the conditions:

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
Proposal Plan		Unnumbered	undated

- 1.2 The above roof sign, fourx (XXXX) man, is to be mounted flush against the building wall, not on top of the building as proposed.
- 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 time of commencement of the use.

2.0 LIGHTING

- 2.1 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.
- 2.2 All illuminated advertising devices are only to be turned on during the operational hours of the premises for which the signs are advertising.

3.0 MISCELLANEOUS

- 3.1 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.
- 3.2 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.
- 3.3 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.

- 3.4 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 the Bruce highway or adjoining land unless written permission from the owner of that land and Council is provided.
- 3.5 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.

4.0 ADVISORY NOTES

4.1 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.

4.2 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.

4.3 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.

4.4 Noise During Construction and Noise in General

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

4.5 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.

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

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

Council has received this Development Application under the Sustainable Planning Act 2009 as detailed below.

SUMMARY OF APPLICATION

Applicant	Baojef Pty Ltd Tte
Landowner	Baojef Pty Ltd Tte
Property Address:	Grand View Hotel/5 Herbert Street BOWEN
Real Property Description:	L: 1 RP: 720238
Area of Site:	1935
Planning Scheme Zone:	Business Central Business, Bowen Shire Planning Scheme 2006
Existing Use:	Grand View Hotel
Proposed Use:	2 x On Premises Sign (Illuminated)
Existing Approvals:	Existing Hotel
Approval Sought:	Development Permit for Operational Works - Two (2) On Premises Signs (Illuminated)
Application Progress	
Application Lodged:	23/07/2015
Last Receipt of Information from Applicant:	4/08/2015
Original Statutory Determination Date:	31/08/2015
First Extension of Time:	Not applicable
Further Extension of Time:	Not applicable

PROPOSAL

The proposal consists of the following elements:

- The application is for Operational Works for Two (2) On Premises Signs (Illuminated)
- Sign 1 – wall/fascia sign – 4.0m x 1.0m x 300mm deep;
- Sign 2 – above roof sign (XXXX man) - 2.5m x 1m x 250mm deep.

SUBJECT SITE AND ADJOINING LAND USES

The site is surrounded by the following uses:

- To the east - Commercial
- To the west - Commercial
- To the north - Commercial
- To the south - Commercial

STATE PLANNING MATTERS

1. State Assessment and Referral Agency (SARA)

The application did not require referral to the State Assessment and Referral Agency.

2. State Planning Policy – July, 2014

The single State Planning Policy (SPP) came into effect on 3 December 2013, which consolidates the former multiple SPP's into one document. Part E of the SPP contains Interim Development Assessment Provisions, which are applicable to the assessment of development applications where the state interests have not already been appropriately reflected within the relevant Planning Scheme.

No elements of the State Planning Policy are applicable to the proposal.

3. Mackay Isaac and Whitsunday Regional Plan - February, 2012

The subject site is within the area of the Mackay, Isaac Whitsunday Regional Plan. The assessment of the proposed development against the Regional Plan is relevant to aspects which are not appropriately included within the current Planning Scheme pursuant to Section 314(2) of the *Sustainable Planning Act 2009*. The Planning Scheme predates the Regional Plan and so does not yet appropriately reflect the Regional Plan for the purposes of section 314(2).

The Mackay Isaac Whitsunday Regional Plan is not applicable to the proposal.

LOCAL PLANNING MATTERS

1. Desired Environmental Outcomes

- (1) The desired environmental outcomes for Bowen Shire are:
 - (a) Development does not adversely affect the values of the Shire's natural environment including coastal areas, wetlands, beaches, headlands, waterways, Protected Areas, undeveloped hillslopes, and areas of significant native vegetation, from any adverse effects accruing from clearing, soil degradation and pollution due to erosion and contamination, acidification, salinity, waste disposal and any modification to natural processes.
 - (b) Development does not adversely affect the quality and quantum of water available for a range of consumptive uses throughout the Shire.
 - (c) Risks to safety, property and the environment are not increased by the interaction of development and natural or other hazards, including flooding, bushfire, disturbance of acid sulphate soils, storm surge, cyclonic weather events and landslide.
 - (d) Development protects the economic values of natural resources including good quality agricultural land, extractive and mineral resources, vegetation and water.
 - (e) Development provides a benefit to and satisfies an economic demand of residents of the area in which it is located.
 - (f) Opportunities for maintaining and improving employment resulting from advancements in information technology and emerging business/industry trends are maximised.
 - (g) The Shire's tourism industry is strengthened and expanded based on the sustainable use of natural, cultural and man-made assets and the orderly provision of services and facilities.
 - (h) Bowen continues to function as the main business centre and administrative hub for the Shire.

- (i) Growth and community development within the Shire focussed on the existing Bowen and Collinsville urban areas to facilitate the efficient use, timely and orderly expansion and continued operation of infrastructure.
- (j) Development facilitates diverse housing choice, including affordable housing, that is responsive to the changing demographic structure of the Shire's population and promotes equity in access to goods and services.
- (k) Development promotes the efficient use and provides for the orderly expansion of the Shire's movement system, including motorised and non-motorised modes.
- (l) Development occurs in the area:
 - (i) which is suitable and compatible with the nature of the development; and
 - (ii) in which services and facilities required in respect of the development are existing, planned or provided by the development.
- (m) Development does not adversely affect:
 - (i) the community's health and safety;
 - (ii) the amenity enjoyed by people in different areas of the Shire; and
 - (iii) the safe and efficient operation of the transport, energy and other infrastructure supporting the Shire and surrounding region.
- (n) Development reflects the community's reasonable expectations and harmonises with the natural environment and does not prejudice the Shire's existing scenic amenity, particularly along the coastal plain.
- (o) The community values of places and landscapes reflecting the community's history and identity are not detrimentally affected by development.

The proposed Advertising Device is considered to comply with the Desired Environmental Outcomes (DEOs) of the *Bowen Shire Planning Scheme 2009*.

2. Overall Outcomes of Zone Code

- (1) Purpose
 - (a) The purpose of the Business Zone Code is the achievement of the overall outcomes of the Business Zone Code;
 - (b) The overall outcomes sought for the Business Zone are:
 - (i) Development of the business centres nominated in Column 1 of Table 5C fulfil the specific functions assigned to that type of centre identified in Column 2 without exceeding the floor space index nominated in Column 3 of the table:

Column 1 Location	Column 2 Centre Function	Column 3 Maximum Gross Floor space
Bowen	District Centre	10,000sqm
Collinsville	Convenience Centre	1,000sqm
Gumlu	Local Store	150sqm
Guthalungra	Local Store	150sqm
Merinda	Local Store	150sqm
Mt Coolon	Local Store	150sqm

- (ii) Development of business centres is characterised by:
 - (A) Building layout and form is suitable to accommodate the range of consistent uses, and
 - (B) The provision of infrastructure services commensurate with the type and scale of development, and
 - (C) Premises that are designed, constructed and operated to be sympathetic to the surrounding natural and built environment by:

- Integrating existing mature vegetation within landscape design to mitigate adverse visual effects of new buildings on streetscape and the surrounding environment; and
 - Contributing to the retention or attainment of a desirable streetscape and character; and
- (D) Buildings with a high standard of finish contributing to attractive and safe urban spaces
- (iii) Buildings and structures are not higher than 12 metres.

3. Overall Outcome of Special Management Area Outcomes

The site is identified on the Bushfire Overlay mapping. The area is already highly developed and there is no threat of bushfire.

4. Specific Outcomes of Zone and other Codes

Signs Code

This proposal for two (2) illuminated on premises signs is partially compliant with the Signs Code. The code states that for a premise in the Business Zone, only a single wall or fascia sign per tenancy is allowable. This proposal is for a wall sign and an above roof sign. The rectangular sign (dimensions 4.0m x 1.0m x 300mm) supports a Commercial business established within the existing commercial complex, displaying the 'XXXX' Logo and wording. This device is to be centrally positioned at right angles with the building frontage.

The proposal does not achieve compliance with the maximum height for the roof sign, exceeding the 6.3 metres height limit. The proposal is to place a XXXX Man on top of the hotel; the dimensions proposed are 2.5m high x 1.0m wide x 250mm deep. A condition is to be included to reduce the height of the above roof sign.

The proposed Advertising Device seeks to be internally illuminated, making it non-compliant with the code. The illumination of this device is considered appropriate for this site, by Council Officers, as it is primarily surrounded by Commercial uses within the major hub of Bowen, where similar internally illuminated advertising devices are prevalent. The site is located within a slow speed traffic area, away from community or residential uses to which the proposed illumination could cause distraction or nuisance. A condition of approval has been included to ensure the light emitted does not exceed eight (8) lux at a distance of 1.5 metres outside any boundary of the site.

5. Adopted Infrastructure Charges Resolution

The proposal is for Operational Works for two (2) illuminated Advertising Devices and will not place additional demand on Council's trunk infrastructure network, therefore no infrastructure charges or developer contributions are applicable.

6. Draft Whitsunday Regional Council Planning Scheme – November, 2014

Council Officers have undertaken an assessment of the proposed development against the provisions of *the Draft Whitsunday Regional Council Planning Scheme 2014*. At this point in time, it is considered too premature to place any significant weight on the draft provisions within this planning scheme. Therefore, it is considered that minimal weight should be given to the *Draft Whitsunday Shire Planning Scheme 2014* when determining this application.

Strategic Framework:

The proposal is considered to be consistent with the Strategic Outcomes of the Draft Whitsunday Regional Council Planning Scheme. The proposal upholds the life-enriching capacities of the community and maintains the coordinated, efficient and orderly provision of

infrastructure. The proposal is not considered to detract from the Strategic Outcomes of ensuring safety of the community, property and infrastructure.

Strategic Intent:

The proposal is considered to be consistent with the Strategic Intent of the Draft Whitsunday Regional Council Planning Scheme. The proposal supports the Strategic Intent to ensure in 2036 and beyond; the Whitsundays is a prosperous, liveable and sustainable region where people live, work, play and invest. The proposal is located within an established urban area of Bowen focused on the intensification of appropriately zoned land.

Proposed Zone:

Pursuant to the *Draft Whitsunday Regional Planning Scheme 2014*, the subject site is located within the Major Centre Zone.

The proposed development is in keeping with the purpose and overall outcomes of the Major Centre Zone

Applicable Overlays:

Pursuant to the *Draft Whitsunday Regional Council Planning Scheme 2014* the subject site triggers the following overlay code:

- Infrastructure overlay code - Strategic Port Buffer Area;
- Waterways and wetlands overlay code - Climatic Region (Central Coast – North)

The proposal does not require assessment against these overlay codes.

Level of Assessment:

An advertising sign under the Draft Planning Scheme requires a Code Assessment Operational Works application where the development does not achieve compliance with the Advertising devices code.

Applicable Codes:

Pursuant to the *Draft Whitsunday Regional Council Planning Scheme 2014* the development proposal is seeking to place two (2) illuminated Advertising Devices within the Major Centre Zone. This proposal triggers a Code assessable application as it does not comply with the Self-assessable Acceptable Outcomes of the Applicable code. This application would therefore require compliance with the following codes:

- Advertising devices code
- Construction management code.

PUBLIC NOTIFICATION, SUBMISSIONS AND REPRESENTATIONS

The application was code assessable and therefore did not require public notification.

CORPORATE PLAN REFERENCE

Place

Objective: Our infrastructure supports our region's current and future needs.

OPERATIONAL PLAN REFERENCE

Place

Strategies

- 1. *Develop and maintain effective roads and drainage infrastructure, networks and facilities.***
- 2. *Develop and maintain effective water and waste water infrastructure, networks and facilities.***
- 3. *Develop integrated asset management plans to effectively manage and maintain road, water and waste water infrastructure and ensure assets meet the demands of a growing population.***
- 4. *Deliver effective customer focused water services that protect the public health.***
- 5. *Develop a planned approach to securing the Whitsunday Region's water supply.***
- 6. *Partner with Federal and State Governments to enhance the Whitsunday Region's capacity for ongoing development and infrastructure maintenance.***
- 7. *Engage with Federal and State Governments regarding regional and national water security issues.***

CONCLUSION / SUMMARY

The application has been assessed against the relevant provisions of the *Sustainable Planning Act 2009* and the Bowen Shire Planning Scheme 2006. The proposal is considered to be consistent with the Planning Scheme with the exception of the XXXX man proposed on top of the roof. A condition has been included to relocate the XXXX man.

CONSULTATION

Emma Letic – Technical Officer Planning Assessment (Author)
Anthea Shivas – Town Planner
Kellianne Wynne – Manager of Development Assessment

ATTACHMENTS

Appendix Item 1 – Locality Plan
Appendix Item 2 – Proposal Plan

12. Planning and Community Services

12.7 APPROVED INSPECTION PROGRAM - DOG & CAT REGISTRATION

RECOMMENDATION

That Council:

- a. approve an Inspection Program under the *Local Government Act 2009* for the purposes of:
 - upgrading of the dog and cat registration register under the *Animal Management (Cats & Dogs) Act 2008*;
 - identifying compliance and non-compliance with the *Animal Management (Cats & Dogs) Act 2008* regarding registration of dogs and cats;
 - identifying overgrown properties under the *Whitsunday Local Law 2014*; and
 - identifying the accumulation of goods, objects materials or other things that detract from the amenity of the land under the *Whitsunday Local Law 2014*.
 - b. approve the public notification of the program in accordance with the *Local Government Act 2009*.
-

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August, 2015 by Council's Planning and Community Services Department.

BACKGROUND

A number of Approved Inspection Programs – Dog and Cat Registration Audits have been conducted by Council in the past. The programs generally assist in increasing the number of dogs and cats registered in the Council with the exception of the previous two financial years due to the audit completing only one third of the Local Government area due to the limited number of Officer resources to conduct the inspection program as the figures below indicate:-

	2011/2012	2012/2013	2013/2014	2014/2015
Dogs	4602	5236	4774	4719
Cats	629	727	636	629

As of 13th August 2015, Council has had 3789 dogs and 494 cats registered.

REPORT

The purpose of the program is to inspect residential properties in the Whitsunday Regional Council area to identify registration and the number of dogs and cats kept at each property to determine compliance with the *Animal Management (Cats and Dogs) Act 2008*.

Whilst inspecting the subject properties it is proposed Local Law Officers will also identify any overgrown properties and the accumulation of goods, objects, materials or other things that detract from the amenity of the land to be actioned accordingly in accordance with *Whitsunday Regional Council Local Law No. 3 (Community and Environment Management) 2014*.

It is proposed the inspection program will commence on 14th September 2015 and conclude on 4th December 2015.

Inspections will be carried out between 8:00am and 4:00pm, Monday to Friday by Council's Local Law Officers.

STATUTORY MATTERS

To achieve compulsory registration of dogs in accordance with:-

Animal Management (Cats and Dogs) Act 2008

Whitsunday Regional Council Local Law No. 3 (Community and Environment Management) 2014

CORPORATE PLAN REFERENCE

People

Objective: Our region is active, healthy, safe and resilient.

OPERATIONAL PLAN REFERENCE

People

Strategies

3. Implement, enforce and review community health regulations and standards and deliver a timely and effective response to emerging health issues.

BUDGET REFERENCE

Dog Registration & Renewal - 02040.0105.0079

CONSULTATION

Julie Wright - Manager of Health & Environment (Author)

Dan Staley - Director of Planning and Community Services

ATTACHMENTS

Appendix Item 1 - Copy of Approved Inspection Program

Appendix Item 2 - Copy of Proposed Advertisement

12. **Planning and Community Services**
- 12.8 **REQUEST FOR DONATION - ATTENDANCE AT THE SYDNEY NATIONAL EQUESTRIAN CHAMPIONSHIPS - LILY HORSPPOOL**
-

RECOMMENDATION

That Council approve a donation of \$500 to Lily Horspool in support of her attendance at the Interschool National Equestrian Championships, to be held at the Sydney International Equestrian Centre from 28 September to 2 October 2015.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

The Interschool National Equestrian Championships is an annual event in which school students are selected to represent their state across several disciplines. Riders and horses were selected for the Queensland team at the State Championships in July 2015. The Championships involve a number of disciplines, including show horse and dressage, in competitions for primary and secondary age participants.

REPORT

Council received correspondence from the Principal of the Merinda State School, Haley Laidlow, requesting financial assistance on behalf of a Year 6 student, Lily Horspool. Lily was chosen to represent Queensland in the Interschool National Equestrian Championships to be held at the Sydney International Equestrian Centre from 28 September to 2 October 2015. Lily is one of only 11 riders chosen to represent Queensland in the Primary School Age Show Horse competitions and will participate in two disciplines, the Primary Show Hack and the Primary Show Hunter.

The costs to participate in such an event are significant, particularly for regional participants. The event is recognised and promoted by Equestrian Australia and Equestrian Queensland via their websites and Lily's involvement has the potential for local media coverage leading up to and post the event. Potential exposure is also possible through various equestrian media outlets.

Support from Council will provide the opportunity for a local junior sportsperson participate in a national event.

STATUTORY MATTERS

Local Government Act 2009

Council Policy – Donations and Concessions for Not for Profit Organisations

CORPORATE PLAN REFERENCE

People

Objective: Our region is inclusive and motivated by a range of social, cultural and recreation opportunities.

OPERATIONAL PLAN REFERENCE

People

Strategies

- 3. Develop a balanced system of funding local sport and recreation facilities.***
- 7. Promote volunteerism and encourage the participation of volunteers in community activities.***

BUDGET REFERENCE

GL03870.0405.0622 – Donations and Concessions

CONSULTATION

Rodney Cousins - Regional Sport and Recreation Officer (Author)

ATTACHMENTS

Appendix Item 1 – Letter from the Principal – Merinda State School

12. Planning and Community Services

12.9 REQUEST FOR FEE WAIVER - COLLINSVILLE DEVELOPMENT AND INDUSTRY GROUP

RECOMMENDATION

That Council waive the associated hire fee of \$61.60 for the use of the Collinsville Community Centre for the Collinsville Development and Industry Group (DIG) Meeting being held at the on Tuesday 8 September 2015, on condition that the Caretaker's fee of \$26.40 is paid by the DIG.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

Collinsville DIG is made up of representatives from community, industry, local and state government to understand what is important to the community, ways to support Collinsville to share in the benefits of its local industries and to work together to address issues.

REPORT

Council is in receipt of an email dated 11 August 2015 from Krystle Rushbrook, Manager – Stakeholder Relations QCoal Group requesting the associated hire fee be waived.

QCoal Group has requested the use of the Collinsville Community Centre on Tuesday 8 September 2015 from 4pm – 8pm, for a Collinsville Development and Industry Group (DIG) meeting, which is a community meeting of which government, industry and local community are members. And as it is a community meeting the group request that the booking fee be waived.

Council nevertheless will incur a cost of \$26.40 in respect of the caretaker's contracted management fee, which should be recovered from the hirer, a bond is currently held in trust.

STATUTORY MATTERS

Local Government Facilities and Areas Local Law 2014

CORPORATE PLAN REFERENCE

Governance and Leadership

Objective: Our leadership partners with government, industry, business and community to deliver positive outcomes.

OPERATIONAL PLAN REFERENCE

Governance and Leadership

Strategies

- 1. Build and maintain strong, collaborative and cooperative relationships across all levels of government, business, industry and the community.***

BUDGET REFERENCE

WO: 2967.1074

CONSULTATION

Jacqueline Neave – Arts & Culture Officer (Author)
Dan Staley – Director of Planning and Community Services
Karl Murdoch – Area Manager – Collinsville Area of Operations

ATTACHMENTS

N/A

12. Planning and Community Services

12.10 ANTI-POVERTY WEEK

RECOMMENDATION

That Council undertakes activities that supports Anti-Poverty Week, which begins Sunday 11 October to Saturday 17 October 2015.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August, 2015 by Council's Planning and Community Services Department.

BACKGROUND

The Week is concerned with poverty and hardship around the world and it is an excellent opportunity to highlight poverty and its impact here in Australia and specifically issues of severe hardship within the community.

The main aims of Anti-Poverty Week in Australia are to:

- Strengthen public understanding of the causes and consequences of poverty and hardship; and
- Encourage research, discussion and action to address these problems, including action by individuals, communities, organisations and governments (attached).

REPORT

Council is in receipt of a letter dated 5 June 2015 from Cath Bartolo, Co-Chair – APW State Facilitating Group.

This year, Anti-Poverty Week runs from 11 October – 17 October 2015, it also coincides with the UN International Day to Eradicate Poverty on 17 October. Many Local Councils have been involved in Anti-Poverty Week in the past and would appreciate the support of Council this year, either through activities arranged or supported by Council, or through including the topic in any public speaking engagements during that week.

The attached flyer includes ideas about activities that Council could organise or support in the local community during the week, with the organisation happy to provide information or material to assist with this if required.

STATUTORY MATTERS

N/A

CORPORATE PLAN REFERENCE

People

Objective: Our region is inclusive and motivated by a range of social, cultural and recreation opportunities.

OPERATIONAL PLAN REFERENCE

People

Strategies

- 6. Support community groups in facilitating a variety of cultural, community, sporting and recreation activities, events and programs.*

BUDGET REFERENCE

N/A

CONSULTATION

Jacqueline Neave - Arts & Culture Officer (Author)

Dan Staley - Director of Planning and Community Services

ATTACHMENTS

Appendix Item 1 - Letter dated 5 June 2015 received from Cath Bartolo, Co-Chair - APW State Facilitating Group and flyer.

12. Planning and Community Services

12.11 BOWEN WORK CAMP COMMUNITY ADVISORY COMMITTEE - AUGUST 2015

RECOMMENDATION

That Council receive the minutes of the Bowen work camp community advisory committee for the month of August 2015.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

The Whitsunday Regional Council has developed a joint project with the Townsville correctional centre. This joint project is called the Bowen Community Service Project, or Bowen work camp project. The Bowen Community Service Project involves basing a small number of low security and low threat prisoners with a security officer in barracks at the Bowen Aerodrome, and using these prisoners to undertake community based projects. Over the last few years, this project has undertaken some valuable community projects such as the Flagstaff hill walkway upgrade. In addition, the Bowen Community Service Project undertake a range of lower priority community work which saves community organisations money, such as lawn mowing.

The Bowen Community Service Project is overseen by the Community Advisory Committee (CAC). The CAC was established to evaluate Queensland Corrective Services Community Work Program Applications submitted by various Community Groups and Organisations.

The Committee is made up of Queensland Corrective Services delegates, Whitsunday Regional Council delegates, and other community members. At present these other members include a representative from Girudala Co-operative Society and a representative from the Queensland Police Service. Meetings are held monthly based on need.

The role of the Council as a Committee Member is to:

1. Identify, assess and guide the management of community service projects for low security correctional centres, Work camps and Probation and Parole offices as applicable.
2. Provide information and advice with respect to the views and concerns of the local community.
3. Promote effective and open communication between communities and the Queensland Corrective Services' low security correctional centres, Work camps and Probation and Parole offices.
4. Assist in developing opportunities for prisoners in their rehabilitation and reparation, and to facilitate the reintegration of offenders to the community. This may include identifying training and post-release employment opportunities.

Various criteria are considered when evaluating each application. These criteria include but are not limited to if the organisation is a not for profit, type of work to be undertaken, when work is requested to be undertaken and benefit to the Work Camp participants.

Council also assists in providing administration assistance to the Community Advisory Committee.

REPORT

The Minutes from the Community Advisory Committee Meeting are attached.

STATUTORY MATTERS

N/A

CORPORATE PLAN REFERENCE

Governance and Leadership

Objective: Our leadership partners with government, industry, business and community to deliver positive outcomes.

OPERATIONAL PLAN REFERENCE

Governance and Leadership

Strategies

- 1. Build and maintain strong, collaborative and cooperative relationships across all levels of government, business, industry and the community.***

People

Strategies

- 4. Promote healthy and balanced lifestyles and encourage physical activity.***

People

Strategies

- 5. Encourage cooperation between community and sporting groups and maximise benefits to sporting and recreation facilities across the Whitsunday Region.***
- 6. Support community groups in facilitating a variety of cultural, community, sporting and recreation activities, events and programs.***

BUDGET REFERENCE

There is no cost to Council associated with the support of the recommendation.

CONSULTATION

Fiona Leddick – Administration Officer – Planning & Community Services (Author)
Scott Hardy – Manager of Parks and Gardens
Dan Staley – Director of Planning and Community Services

ATTACHMENTS

Appendix Item 1 – Minutes of the Community Advisory Committee Meeting – month of August 2015]

12. Planning and Community Services
12.12 WHITSUNDAY TRIATHLON CLUB - AIRLIE BEACH TRIATHLON SUPPORT REQUEST

RECOMMENDATION

That Council:

- a) Refund the Class 4 Event Application Fee of \$383 for the Airlie Beach Triathlon events on 5/6 September 2015.**
 - b) Approve a donation of \$500 to the Whitsunday Triathlon Club in support of the Airlie Beach Triathlon events on 5/6 September 2015.**
-

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Planning and Community Services Department.

BACKGROUND

The Whitsunday Triathlon Club will be hosting the 17th annual Airlie Beach Triathlon on 5/6 September 2015.

In 2014, over 160 children participated in the Junior Triathlon while over 200 adults competed in the Sprint and Enticer events either as an individual or as part of a team.

REPORT

The Whitsunday Triathlon Club is asking for Council to refund the Event Application Fee and to provide sponsorship for the annual Airlie Beach Triathlon on 5/6 September 2015.

It is expected that this event will draw local media coverage leading up to, during and post the event. Potential exposure will be derived from local newspapers and other media. Exposure on a State level will occur through social media and the Triathlon Queensland website and membership network.

This event will provide Council the opportunity to support a local club's endeavours in hosting events that draw visitors to the region.

STATUTORY MATTERS

Local Government Act 2009
Local Government Facilities and Areas Local Law 2014
Council Policy – Donations and Concessions for Not for Profit Organisations

CORPORATE PLAN REFERENCE

People

Objective: Our region is inclusive and motivated by a range of social, cultural and recreation opportunities.

OPERATIONAL PLAN REFERENCE

People

Strategies

- 3. Develop a balanced system of funding local sport and recreation facilities.***
- 6. Support community groups in facilitating a variety of cultural, community, sporting and recreation activities, events and programs.***

BUDGET REFERENCE

GL 03870.0405.0622 – Donations & Concessions
WO 2967

CONSULTATION

Rod Cousins - Regional Sports & Recreation Officer (Author)
Dan Staley - Director of Planning and Community Services
Allison Magee - Administration Officer

ATTACHMENTS

Appendix Item 1 - Letter from Stephen Jackson, President Whitsunday Triathlon Club, seeking financial support for the Airlie Beach Triathlon.

13. Engineering Services

13.1 REVISED TRADEWASTE POLICY AND ENVIRONMENTAL PLAN

RECOMMENDATION

That Council;

- a) Adopt the revised Trade Waste Policy.
 - b) Adopt the new Trade Waste Environmental Management Plan.
 - c) Adopt the new Trade Waste charging regime and amended fees and charges associated with the new plan for new customers at a future meeting of Council.
 - d) Adopt the implementation plan for existing customers to transition to the new charges over the period from September 2015 to July 2017.
 - e) Endorse the appointment of a casual staff member to undertake the categorisation testing.
 - f) Endorse the expansion of the Council Laboratory to enable it to expand its services to undertake categorisation testing in accordance with 2015-2016 budgeted item.
 - g) Endorse the undertaking of a public communication plan to advise all affected businesses of the new plan.
-

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Engineering Services Department.

BACKGROUND

Historically WRC has had a single Trade Waste Policy document that combined some policy statements, reference to relevant acts and other guidance on installations categorisation and charges regarding trade waste.

Based on current Industry standards it is considered that the existing documentation was vague and lacked integrity.

What has now been prepared are two documents, a Trade Waste Policy and a Trade Waste Environmental Management Plan.

The proposed documents are in line with other Councils throughout Queensland and closely aligned with those of Mackay Regional Council.

The key differences between the previous documents and the proposed documents are highlighted in the attached memos.

Current trade waste make up

Currently the trade waste area has one staff member and receives support from the Water and Waste group administration staff.

Trade waste currently has 260 customers.

Trade waste customers are industries or commercial activities that produce waste discharged into the sewerage system as part of their business activity which if uncontrolled could have adverse effects on the sewerage collection and treatment systems.

This can lead to high maintenance costs, non-compliant discharges that can kill the bacteria in a sewerage treatment plant making it inoperable adversely affecting the environment and the Council being fined for non-compliance with the strict licence conditions that apply to Sewage Treatment Plants today.

Oils, grease and hydro carbons can cause permanent damage to membranes used in the new Sewerage Treatment Plants and present a risk of explosion in the pipe networks.

It is the volume and strength of this waste that typically categorises a business as either a:

Category 1, 2, or 3

Currently WRC only recognises one Category 3 business and one Category 2 business the rest are category 1.

REPORT

Proposed Key changes:

Categorisation and charging

To date the existing management plan while enabling volume and strength to be included in charges this has not been fully implemented in that the businesses have not been categorised based on volume and strength.

What this means is that there are a number of larger fast food outlets, laundries and restaurants that are not categorised and charged appropriately.

With the new plan it is proposed to undertake assessments of medium to high risk businesses to ensure they are categorised appropriately.

It is estimated that there are some 190 existing businesses that we would sample to determine their appropriate category.

A point to remember is that the strength of the waste can be affected by the efficiency of the treatment device and in many cases grease traps are under sized.

The effect of this will be that an initial one off sampling charge will need to be passed on to new businesses and those existing businesses chosen to undertake the testing to confirm their category, this is estimated to be \$221 per sample round for lab and courier fees plus Council officers time estimated to be 0.5 hrs per sample at \$90/hr or \$45. A total of \$304 per sample or \$608 for the 2.

Any future testing would be the responsibility of the business.

It is proposed that these charges would become part of the application fee for **new** businesses.

For existing businesses it is proposed that no charge will be made rather the Council will enable its own Laboratory to expand and undertake these initial categorisation tests as part of this establishment.

Proposed reduction of minimum flow exemption and volume based charging

Currently WRC allow for volumes up to 200 KL per year to be exempt flow based charging. It is proposed to raise this to 312 KL per year, a figure that represents the typical peak load that can be handled by a 1000 litre grease trap. What this then recognises is that if the grease trap is appropriately sized and maintained no additional flow charges will apply.

New Minimum Category

For businesses that produce less than 312 KL of trade waste per year these will be classed as low risk customers and a new annual fee will be introduced to reflect this category.

The fee proposed is \$120 for new applications and \$100 annually from there on.

Remaining customers

All other customers utilising greater than 312 KL per day will be subject to volume charges.

This will mean all trade waste customer charges will increase based on the volume of water used in their business. This will mean increases ranging from \$100 – 200 per year for a low water use business to an example laundry whose charges will increase by \$2000 per year.

Enforcement of grease trap clean outs

Grease trap maintenance is a condition of the individual business licence which the business owner is required to carry out under the prescribed regime.

WRC relies on the business owner to engage a registered contractor to undertake this work and report to WRC when that the maintenance has been undertaken.

This area is difficult to enforce currently and there is no easy solution. The owners of the business are responsible this however tough economic times are a common excuse.

Grease trap sizing

Currently existing grease traps can be as small as 500 litres. As this size has been determined to be ineffective in many cases the industry standard has moved to a minimum size of 1000 litres. This is proposed for adoption in the new plan.

Charges summary

WRC	Current \$	Proposed \$	
New application with pre treatment	117.50	750.00	
New application without pre treatment	117.50	120.00	
Category 1 renewal	236.00	241.00	
Category 1 without pre treatment		100.00	
Category 2 renewal	304.00	310.00 owner carries out own sampling	
Category 3	416.00	424.00 owner carries out sampling	
Volumetric charge	1.05/ KL	1.05 / KL	

Implementation plan

- Adoption of new plan from 25 August 2015
- Introduction of new fees and charges applying to new customers from 1 October 2015
- Initiate a Communication Plan September 2015
- Annual fee to remain being charged in February each year
- Volumetric charges to be levied twice yearly following the water meter reading
- For existing customers not currently categorised transition onto the new fees and charges over a two year period.
 - Issue dummy bill July 2016
 - Apply 50% of the volumetric charge in January 2017 account
 - Apply 100% of the volumetric charge July 2017 account.
- Categorisation sampling existing businesses August 2015 – December 2015 (requires staff member for 5 months and budget of \$115,000, included in Sewerage Capital budget.)

STATUTORY MATTERS

Councils are required to have trade waste management in place.

CORPORATE PLAN REFERENCE

Governance and Leadership

Objective: Our organisation is innovative, efficient and financially sustainable.

OPERATIONAL PLAN REFERENCE

Governance and Leadership

Strategies

- 1. Ensure Council's financial position is effectively managed and sustainable.***
- 2. Drive a positive, proactive and responsive customer service culture across the organisation.***
- 3. Develop and implement business improvement systems and long term asset management plans that support innovation and sustainability of service delivery.***
- 4. Improve methods of service delivery to the community.***
- 5. Implement procurement initiatives to support and promote the local business sector.***
- 6. Maximise commercial benefits to Council's business units and assets.***

BUDGET REFERENCE

Appropriate allowances have been included in the 2015 2016 capital Budget

CONSULTATION

Andrew McGregor – Executive Manager of Water & Sewerage (Author)
Ray Smith – Trade Waste Officer

ATTACHMENTS

Appendix Item 1 – Trade Waste Policy
Appendix Item 2 – Fees and Charges
Appendix Item 3 – Trade Waste Environmental Management Plan July 2015

13. Engineering Services

13.2 WHITSUNDAY REGIONAL WATER AND WASTE – CUSTOMER SERVICE STANDARD

RECOMMENDATION

That Council adopt the Whitsunday Regional Water and Waste Customer Service Standard for publication on Council's website.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Engineering Services Department.

BACKGROUND

The Department of Energy and Water Supply (DEWS) now require Water Service providers to measure and report on the 41 odd measures that to date have been included in Annual Water Industry Reporting plus an additional 24 bringing the total to 65 KPI's for those service providers with less than 10,000 connections.

In addition for service providers with more than 10,000 connections — which Whitsunday is with its 14626 rate assessments issued for a water connection, DEWS have chosen some 70 additional KPI'S from the previous National Water Commission (NWC) reporting requirements and will add these to the suite of 65 making a total of some 165 lines of reporting.

Previously only organizations with greater than 10,000 connections were expected to report through the NWC. This organization has been disbanded and the responsibilities in QLD have been taken over by DEWS.

All reporting will be included in the DEWS report so all inputs and out puts are in the one format. These measures are to be recorded over the 2014-2015 year July to June and reported in October 2015. In conjunction with this is the preparation of a customer service standard was required.

In November 2014 a draft customer service standard was presented to Council and advertised for Public consultation. There was no public feedback recorded and in the meantime the regulator has required additional compulsory KPI's to be included. (attached) The draft document attached has now been amended to comply with the latest requests from the regulator. A more informative explanatory document (attached) has also been prepared, again this is required by the regulator and is aimed to be a more informative document expanding on the briefed down flyer document.

REPORT

The customer service standard and supporting documents are required to be included on Council's website.

This documentation is further supported by the expansion of data planned to be provided on the new website. The website data includes frequently asked questions in response to the common questions Water and Waste staff receives and also information that School children can use for projects related to Water and Waste again in response to the various requests Water and Waste staff receive.

STATUTORY MATTERS

The Department of Energy and Water Supply require Councils to have these documents in place and available to view on Councils website.

CORPORATE PLAN REFERENCE

Governance and Leadership

Objective: Our organisation is innovative, efficient and financially sustainable.

OPERATIONAL PLAN REFERENCE

Governance and Leadership

Strategies

- 1. Provide open, accountable and transparent leadership that ensures community confidence in Council and achieves positive outcomes for the Whitsunday Region.***
- 2. Develop a Governance Framework that provides accountable and transparent decision making and supports Council in meeting its legislative responsibilities.***
- 3. Engage with the community to inform Council's decision making processes.***
- 4. Communicate Council's objectives and decisions to the community through a variety of communication tools.***
- 5. Operate advisory committees, industry reference groups and community reference groups.***

BUDGET REFERENCE

N/A

CONSULTATION

Andrew McGregor – Executive Manager of Water & Sewerage (Author)

ATTACHMENTS

Appendix Item 1 – Customer Service Standard

Appendix Item 2 – Supporting Explanatory Document

13. Engineering Services

13.3 HAY STREET BOWEN RENUMBERING

RECOMMENDATION

That Council:

- a) Consult with the residents of Hays Street, Bowen about a change in street numbering to be consistent with the Australian Standards; and**
- b) Change the datum point for numbering to be at the intersection of Hay Street and Queens Road.**

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Engineering Services Department.

BACKGROUND

The numbering of rural and urban addressing in Australia is normally done in accordance with the Australian/New Zealand Standard AS/NZS 4819:2011. According to the standard road names are needed to be uniquely and clearly identify roads as well as the related address. The road names themselves need to be clear and unambiguous. A road name shall also not include any prefix such as Upper, New, North or South unless the road name is derived from the name which includes it.

Address numbers shall be assigned according to the location of point of access the address site. Address numbering shall continue from the datum point for the entire length of a named road, even when it continues through more than one locality or local government area.

The datum point needs to be changed when the most common access to the road is changed.

REPORT

The street numbering in Hay Street, Bowen has become problematic as the numbering starts on the south eastern corner of Hay Street and Gordon Street and continues to the south in increasing value. None of the properties to the south of the intersection between Gordon Street and Hay Street have been numbered. Some redevelopment of properties to the south of the Gordon Street and Hay Street intersection has occurred and requires numbering.

In order to comply with the Australian Standards it is recommended that the street numbering be changed to be in line with the Australian Standards and that the datum point for numbering be at the intersection of Hay Street and Queens Road. Once this change has been implemented it will allow numbering to be done in accordance with the Australian Standards should redevelopment of some of the properties occur as is currently the case.

Refer to attached plans showing proposed new numbering.

The street numbers will have to change with the starting point (datum point) on the corner on Hay Street and Queens Road. Residents will have to be notified of the change as well as all rates notices to people living in Hay Street.

It is suggested that the street numbering in Hay Street be changed to be in line with the Australian Standards and that the datum point for numbering be at the intersection of Hay Street and Queens Road.

STATUTORY MATTERS

N/A

CORPORATE PLAN REFERENCE

Place

Objective: Our infrastructure supports our region's current and future needs.

OPERATIONAL PLAN REFERENCE

Place

Strategies

- 1. Develop and maintain effective roads and drainage infrastructure, networks and facilities.*

BUDGET REFERENCE

N/A

CONSULTATION

Hennie van der Schyff - Executive Manager of Roads and Drainage (Author)
Amanda Ayers - Rates Team Leader

ATTACHMENTS

Appendix Item 1 - Hay Street - Gordon to Reynolds Streets current numbering
Appendix Item 2 - Hay Street - Santa Barbara Parade to Gordon Street proposed numbering

13. Engineering Services

13.4 PARKING IN CORAL ESPLANADE CANNONVALE

RECOMMENDATION

That Council place a yellow line signifying no parking on the ocean side of Coral Esplanade and allow parking on the opposite side of the street.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August, 2015 by Council's Engineering Services Department.

BACKGROUND

Council continues to receive complaints regarding the parking situation in Coral Esplanade. There are two situations that need clarification.

1 Parking in the cul-de-sac:-

Previous report has adequately explained the rules and needs no further explanation. No Standing Signs should be installed at the start and end of the curved sections of the cul-de-sac.

Report rules follows:

"In accordance with 'Transport Operations (Road Use Management--Road Rules) Regulation 2009 Part 12 "Restrictions on stopping and parking" section 208 clauses 7 & 8, cars parked in a cul-de-sac will unreasonably obstruct the path of other vehicles trying to make a turn.

Further this particular cul-de-sac is not designed to allow standard street parking due to the topography and site constraints. Emergency vehicles and garbage trucks require a much larger turn radius than most passenger vehicles, therefore the installation of these signs will further benefit these particular vehicles. It may create an inconvenience for some, but in order to ensure the safety of the road users and to provide unobstructed access to the emergency and service vehicles, it is recommended that the "no parking" signs remain in their original location as installed by the Works Department.

2 Parking in streets :-

Following investigation it is clear that most streets with kerb and channel have cars parking in front of the allotments. When two opposite allotments park their cars, they usually stagger the cars which allow passage of vehicles, and actually this forms a type of artificial traffic calming.

Transport Operations Regulation 2009 Part 12 Division 8 208 Parallel Parking states:-

- (3) *If the road is a two-way road, the driver must position the vehicle parallel, and near as practicable, to the far left side of the road.*
- (7) *If the road does not have a continuous dividing line or a dividing strip, the driver must position the vehicle so there is at least 3m of the road alongside*

the vehicle that is clear for other vehicles to pass, unless otherwise indicated by information on or with a parking control sign.

- (8) *The driver must position the vehicle so the vehicle does not unreasonably obstruct the path of other vehicles or pedestrians.*

Austrroads Part 3 Fig 4.33 shows that a parallel parks 2.1m & 2.3m wide require an overall width "E" = "D+M" an aisle width of 5.3m. }

REPORT

The current width of Coral Esplanade between inverts from the cul-de-sac Chn 00 to Chn 200 is approximately 5.5metres. As such parking one side would be allowed, as there is no contravening law against this, but cars can't park opposite each other and block the through traffic.

- (a) If Council wanted to stop parking altogether, Council could linemark the road with yellow line in front of the kerb and channel & no parking signage and stop parking wherever they decided applicable. This may not meet the needs of residents as it would preclude on road visitor parking.
- (b) Alternatively, as mentioned above, the current width of Coral Esplanade between inverts from the cul-de-sac Ch 00 to Ch 200 is approximately 5.5m. The constructed width of this was because of the location, available room and hill slope. Austrroads Part 3 Table 4.3 indicates that a General traffic lane should be 3.3m to 3.5m for all roads, or 3.0m to 3.3m for low speed with low truck volumes.

Council can NOT install a center line as the road width does NOT meet the standard requirements of lane widths of a two way street, consequently this matter now requires formal Council resolution.

Council could place a no parking yellow line on one side of the street and allow parking on the other side of the street. This would allow for on street parking while ensuring a trafficable route for emergency and service vehicles. It is suggested that parking restrictions be enforced on the ocean side of the road.

STATUTORY MATTERS

N/A

CORPORATE PLAN REFERENCE

Place

Objective: Our infrastructure supports our region's current and future needs.

OPERATIONAL PLAN REFERENCE

Place

Strategies

- 1. Develop and maintain effective roads and drainage infrastructure, networks and facilities.***

BUDGET REFERENCE

N/A

CONSULTATION

Hennie van der Schyff – Executive Manager of Roads and Drainage (Author)

Ken McLoughlin – Chief Operating Officer

Dan Staley – Director of Planning and Community Services

Ray Tree – Project and Design Manager

ATTACHMENTS

Appendix Item 1 – Parking in Coral Esplanade Cannonvale

13. Engineering Services
13.5 TIDS ANNUAL WORKS PROGRAM

RECOMMENDATION

That Council approve the projects as outlined in Table 2 that are funded by TIDS.

Table 2 Proposed Project List:

RRG Project Number	Road Name	RATB Alliance Contribution				
		2015-16	2016-17	2017-18	2018-19	2019-2020
269-000236-012	Strathmore Road	\$ 365 977				
269-003671-005	Strathmore Road		\$ 365 977			
269-003671-007	Strathmore Road			\$ 362 600		
269-008888-001	Strathdickie Road				\$ 156 800	
269-022170-000	Dingo Beach Road				\$ 39 200	
269-013055-000	Heronvale Road				\$ 169 977	
	Herbert Street	\$347 660				
	Collinsville Heavy Vehicle Bypass		\$347 660			
		\$ 713 637	\$ 713 637	\$ 362 600	\$ 365 977	

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on 26 August 2015 by Council's Engineering Services Department.

BACKGROUND

Whitsunday Regional Council forms part of the Whitsunday Regional Roads and Transportation Group. The WRRTG receives an annual amount of \$933 613 from the Department of Transport and Infrastructure. This funding is normally split between Mackay Regional Council and Whitsunday Regional Council on a 60/40 basis with Mackay Regional Council Receiving \$571 010 and Whitsunday Regional Council Receiving \$362 600.

REPORT

On the 15 July 2015 the WRRTG was informed by the Roads and Transport Alliance that the current funding for the 2015/2016 financial year has been increase to \$1 802 762 (or, by 93%). According to the funding arrangement between MRC and WRC, Mackay would receive a total allocation of \$1 089 125 and Whitsunday Regional Council would receive \$ 713 637 in the 2015-16 and 2016-17 financial years. The works program for TIDS related

projects or normally based on a five year program with the first two years being fixed and the last three years to be variable. The following projects are currently listed on the TIDS program.

Table 1 Existing TIDS Program

RRG Number	Project	Road Name	RATB Alliance Contribution				
			2015-16	2016-17	2017-18	2018-19	2019-2020
269-000236-012		Strathmore Road	\$ 365 977				
269-003671-005		Strathmore Road		\$ 365 977			
269-003671-007		Strathmore Road			\$ 362 600		
269-008888-001		Strathdickie Road				\$ 156 800	
269-022170-000		Dingo Beach Road				\$ 39 200	
269-013055-000		Heronvale Road				\$ 169 977	
			\$ 365 977	\$ 365 977	\$ 362 600	\$ 365 977	

The table below outlines proposed projects to accommodate the additional funding that has been made available by the RTAB following the correspondence dated 15 July 2015.

Table 2 Proposed Project List

RRG Number	Project	Road Name	RATB Alliance Contribution				
			2015-16	2016-17	2017-18	2018-19	2019-2020
269-000236-012		Strathmore Road	\$ 365 977				
269-003671-005		Strathmore Road		\$ 365 977			
269-003671-007		Strathmore Road			\$ 362 600		
269-008888-001		Strathdickie Road				\$ 156 800	
269-022170-000		Dingo Beach Road				\$ 39 200	
269-013055-000		Heronvale Road				\$ 169 977	
		Herbert Street	\$347 660				
		Collinsville Heavy Vehicle Bypass		\$347 660			
			\$ 713 637	\$ 713 637	\$ 362 600	\$ 365 977	

It must be noted that the above is only a proposal and that Council can change the proposed projects for 2015-16 and 2016-17. The project listed for the 2017-18, 2018-2019 and 2019-20 can still be changed. Projects that can be included in the list can only be for roads that have been listed as Local Roads of Regional Significance (LRRS) roads. Funding can also be used to address safety issues around schools.

Table3 Current LRRS Roads

Road Name	From	To
Collinsville Heavy Vehicle By-pass	Station St	Conway St
Conway Rd	Proserpine-Shute Harbour Rd	Wilson Beach Road
Dingo Beach Road	Gregory River Road	Dingo Beach Township
Herbert street	Livingstone Street	The Soldiers Road
Herbert street	Santa Barbara Parade	Livingstone Street
Heronvale Road	Bruce Highway	Pitcairn Avenue
Hinschen Street	Renwick Road	Main Street
Lascelles Ave	Bruce Highway	Proserpine Airport
Leichhardt Street	Livingstone Street	Don Street
Livingstone Street	Herbert Street	Leichhardt Street
Lower Don Road	Woodlands Road	Bruce Highway
Molongle Beach Rd	Bruce Highway	End
Renwick Road	Bruce Highway	Hinschen Street
Richmond Road	Soldiers Road	Woodlands Road
Scottville Rd	Collinsville	Scottville
Shute Harbour Rd	Whitsunday Drive	Shute Harbour
Soldiers Rd	Herbert St	Horseshoe Bay Rd
Strathdickie Rd	Proserpine-Shute Harbour Road	Gregory Cannon Valley Road
Strathmore Road	Bowen-Collinsville Rd (88A)	Bowen River Bridge
Woodlands Road	Richmond Road	Lower Don Road
Airlie Esplanade	Airlie Main Street	Coconut Grove
Airlie Main Street	Waterson Way	Waterson Way
Coconut Grove	Airlie Esplanade	Shute Harbour Road
Dalrymple Street	Herbert Street	Norris Street
Dalrymple street	Hay Street	Herbert Street
Dingo Beach Road	Cannon Valley Road	Gregory River Road
Golf Links Road	Argyle Park Road	Mt Nutt Road
Horseshoe Bay Road	Soldiers Road	Horseshoe Bay
Hydeaway Bay Drive	Dingo Beach Road	Gloucester Avenue
Jubilee Pocket Rd	Shute Harbour Rd	Timberland Road
Mill St	Taylor St	Main St
Mt Nutt Road	Richmond Road	Murroona Street
Norris Street	Dalrymple Street	Reynolds Street
Pantall St	Don St	Russell St
Port Drive -Henry Darwen Drive	Santa Barbara Parade	Boat Harbour
Reynolds Street	Norris Street	Station Street
Rose Bay road	Horseshoe Bay Rd	Rose Bay
Santa Barbara Parade	Hay Street	Herbert street
Station Street	Reynolds Street	Don Street
Taylor St	Bruce Highway	Mill St
Tollington Road	Soldiers Road	Argyle Park Road
West St	Russell St	Richmond Rd

In order to use this funding WRC has to provide counter funding to the same value of the funding provided by the RTAB. WRC will have to identify savings to the value of \$347 660 in the current 2015-16 budget to supplement the additional funding being made available.

STATUTORY MATTERS

N/A

CORPORATE PLAN REFERENCE

Place

Objective: Our infrastructure supports our region's current and future needs.

OPERATIONAL PLAN REFERENCE

Place

Strategies

- 1. Develop and maintain effective roads and drainage infrastructure, networks and facilities.*

BUDGET REFERENCE

External grant funding

CONSULTATION

Hennie van der Schyff – Executive Manager of Roads and Drainage (Author)

ATTACHMENTS

Appendix Item 1 – Letter from the Roads and Transport Alliance Board 15 July 2015

13. Engineering Services

13.6 DRAFT WASTE REDUCTION AND RECYCLING PLAN

RECOMMENDATION

That Council note the Draft Waste Reduction and Recycling Plan to be used in public consultation following the adoption of a Waste Management Strategy.

The following report has been submitted for inclusion in Council's Ordinary Meeting to be held on Wednesday 26 August 2015 by Council's Engineering Services Department.

BACKGROUND

The purpose of this report is to provide Councillors with a draft copy of the Whitsunday Regional Council Recycling and Waste Reduction Plan for their comments.

Councils are required to produce a Waste Reduction and Recycling Plan and have it displayed on their website by June 2015.

Given the change in State Government and delay to finalising the States Waste Strategy, Councils have been advised that discretion will be provided in meeting the June 2015 deadline.

WRC are displaying on our website that the draft Plan has been prepared and is being consulted prior to final adoption.

Council previously had a document called the Waste Management Plan dated April 2011 that has been used as a basis for the new draft document.

Information from the State Government Queensland Waste Strategy 2014 – 2024 has been incorporated into the draft.

The purpose of the Whitsunday Recycling and Waste Reduction Plan is for Council to have its own document that indicates how it intends to align and assist the State in meeting its targets.

REPORT

The key performance targets from the States waste plan are depicted in the table below which has been incorporated into the WRC draft Plan.

Waste stream	Measure	2012- 2013 recovery baseline	2024 target
All general waste	Reduction in per capita generation	1.9 tonnes general waste per person / yr	Reduce by 5% to 1.8 tonnes per yr
Municipal domestic waste	Improve recycling rate	33% state 37% metropolitan 30% regional	50% state 55% metropolitan 45% regional Improve as much as practical remote areas
Commercial and Industrial	Improved recycling rate	42% state	55% state

Construction and demolition waste	Improved recycling rate	61% state	80% state
Landfill diversion target	Reduce volume to landfill	4,675,000 tonnes	Reduce by 15%
Problem and priority wastes	Improved management	Individual baselines to be developed	Individual measures to be developed

To measure our progress to achieving these target Council will need to adopt the measures as KPI's for waste into the operational plan and report regularly on these.

Initially Council will need to establish current volumes and ensure we are measuring the various items.

With respect problem and priority wastes these waste include regulated wastes such as Biosolids which Council is proactively pursuing the beneficial reuse of as part of the composting strategy.

While more proactive enforcement of trade waste grease trap maintenance will likely increase these volumes the composting facility will also provide an opportunity to reuse this waste also.

Improving the recycling volume will reduce volumes to landfill so while kerbside recycling has not been widely supported to date it is proposed to work toward negotiating user pays kerbside recycling for those who want it.

It is suggested that as part of the public consultation program for the plan that Council invite those who wish to take advantage of a user pays kerbside recycling service register their interest and their willingness to pay.

The results of this survey will be used in a production of a Waste Strategy document currently underway that will review Councils Waste Management options into the future including expanding services and meeting regulatory and statutory documents for the future.

STATUTORY MATTERS

Councils are expected to have these documents in place and available to view on Councils website by June 30th 2015.

CORPORATE PLAN REFERENCE

Governance and Leadership

Objective: Our Leadership engages with the community and provides open, accountable and transparent local government.

OPERATIONAL PLAN REFERENCE

Governance and Leadership

Strategies

- 1. Provide open, accountable and transparent leadership that ensures community confidence in Council and achieves positive outcomes for the Whitsunday Region.***

2. *Develop a Governance Framework that provides accountable and transparent decision making and supports Council in meeting its legislative responsibilities.*
3. *Engage with the community to inform Council's decision making processes.*
4. *Communicate Council's objectives and decisions to the community through a variety of communication tools.*
5. *Operate advisory committees, industry reference groups and community reference groups.*

BUDGET REFERENCE

N/A

CONSULTATION

Andrew McGregor – Executive Manager of Water & Sewerage (Author)
Dietmar Peters – Waste Officer
Karl Murdoch – Collinsville Town Manager

ATTACHMENTS

Appendix 1 – Draft Waste Reduction and Recycling Plan 2014-2024

Appendix 2 - Queensland Waste Avoidance and Resource Productivity Strategy 2014 – 2020.