



Minutes of the Ordinary Meeting held on 12 August 2015



Council's Guiding Principles:

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



Whitsunday Regional Council
**Minutes of the Ordinary Meeting held at
Barrier Reef TAFE Cannonvale Campus, Shute Harbour Road, Cannonvale on
12 August 2015 commencing at 9:00am**

Councillors Present:

J Atkinson; J Clifford; J Collins; P Ramage and A Willcox

Council Officers Present:

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

Other Details:

The meeting commenced at 9.00am

The meeting adjourned for the Citizenship Ceremony and morning tea at 9.48am

The meeting reconvened after morning tea at 10.58am

The meeting closed at 12.45pm

Whitsunday Regional Council
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1. Apologies

1.1 2015/08/12.01 APOLOGIES

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council receive the apologies from Mayor Jennifer Whitney and Cr David Clark.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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2. Condolences

2.1 2015/08/12.02 CONDOLENCES

Moved by: P RAMAGE

Seconded by: J CLIFFORD

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

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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3.2 Mayoral Update

The Mayoral Minute will be presented by Mayor Jennifer Whitney at the next Council Meeting dated 26 August 2015.

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**4. Confirmation of Minutes**

**4.1 2015/08/12.03 CONFIRMATION OF MINUTES**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

**That the Minutes of the Ordinary Meeting held on 22 July 2015, be confirmed subject to the following amendment:**

- **Item 14.2.11 Hardship Application Assessment 1204868**
  - o **Condition 3, replace 'six (6) months' with 'twelve (12) months'**

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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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

Name: Rogin Taylor
Address: 670 Conway Road
CONWAY QLD 4800

Subject: Whitsunday Coast Airport Master Plan & Feasibility Study

The Master Plan and Feasibility Study failed to state and I now ask "How many International flights would be needed per day or per week to justify the \$59 million cost in the first five years to establish an International Airport and did the \$59,186,105 as quoted in the feasibility study for the first five years include the cost of immigration, customs, quarantine, air traffic controllers, baggage handlers, catering and other staff and what was the cost of obtaining the Master Plan and Feasibility study.

Mr Taylor was thanked and advised that Council will respond to his question at the next Council meeting.

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10. Office of the Mayor and CEO

10.1 2015/08/12.04 SUPPORT OF SCHOOL AWARDS

Moved by: J CLIFFORD

Seconded by: P RAMAGE

That Council allocate an amount of \$100.00 per school in the Whitsunday Regional Council region to support and assist in rewarding commitment and excellence for student achievements in academic, social, arts and sports, by sponsoring prizes for recipients of awards.

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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10.2 2015/08/12.05 STRONGER COMMUNITIES PROGRAMME
COMMITTEE

Moved by: J ATKINSON

Seconded by: J COLLINS

That Council nominate Mayor Jennifer Whitney and Deputy Mayor Andrew Willcox to be Whitsunday Regional Councils' representatives on the Stronger Communities Programme Committee.

Furthermore, that divisional Councillors' be invited to meetings where projects specific to their division are considered. Should the Mayor and/or Deputy Mayor be unable to attend that a divisional Councillor is delegated to attend.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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**10.3      2015/08/12.06      REQUEST FOR FEE WAIVER - PIT PONY EXPERIENCE PROJECT INC.**

**Moved by:                  P RAMAGE**

**Seconded by:              J CLIFFORD**

**That Council:**

- a)      **Waive the application fee of \$510.00 (GST inclusive) for the building application made by the Pit Pony Experience Project Inc, for the construction of a bronze Pit Pony statue and donor wall situated at Sonoma Park, Collinsville.**
  
- b)      **Waive the application fee of \$510.00 (GST inclusive) for the building application made by the Pit Pony Experience Project Inc, for the construction of a "Selfie Wall" situated at the Bowling Club, Collinsville.**

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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10.4 2015/08/12.07 REQUEST FOR FEE WAIVER - BOWEN TRIATHLON 2015

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council waive the associated Class 2 Event application fee for the Bowen Triathlon which will be held on the 10 & 11 October 2015.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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10.5      2015/08/12.08      **REQUEST FOR FINANCIAL ASSISTANCE - BOWEN HORSE & PONY CLUB INC.**

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

That Council provide a \$200.00 donation to the Bowen Horse & Pony Club Inc. to assist with water consumption costs for ground maintenance in preparation of the competition being held on 12 & 13 September 2015.

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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10.6 2015/08/12.09 **REQUEST FOR SPONSORSHIP AND IN-KIND SUPPORT - AIRLIE BEACH AIRSHOW 2015**

Moved by: **J CLIFFORD**
Seconded by: **J ATKINSON**

That Council provide \$5000 in the form sponsorship and \$5000 in the form of in-kind support to the 2015 Airlie Beach Airshow event which will be held on the 26th & 27th September 2015.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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10.7      2015/08/12.10      **REQUEST FOR SPONSORSHIP AND IN-KIND SUPPORT - AIRLIE BEACH FESTIVAL OF MUSIC 2015**

Moved by:              **J CLIFFORD**  
Seconded by:          **J ATKINSON**

That Council provide \$5000 in the form sponsorship and \$5000 in the form of in-kind support to the Airlie Beach Festival of Music event which will be held from the 6<sup>th</sup> – 8<sup>th</sup> November 2015.

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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10.8 2015/08/12.11 FEES AND CHARGES 2015/16 AMENDMENT TO SHUTE HARBOUR TRANSIT FACILITY

Moved by: J ATKINSON
Seconded by: P RAMAGE

That Council amend the Council's *Register of Cost Recovery Fees and Schedule of Commercial and Other Charges for the year 1 July 2015 to 30 June 2016* to add the following in relation to the Shute Harbour Transit Facility:

The schedule of fees & charges will not apply where specific individual agreements have been negotiated with Council.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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11. Corporate Services

11.1 2015/08/12.12 TELECOMMUNICATIONS CONTRACT

Moved by: J CLIFFORD  
Seconded by: J ATKINSON

That Council authorise the Chief Executive Officer to enter into the revised telecommunications services contract with Telstra under LocalBuy BUS 238-0813.

**MEETING DETAILS:**

The motion was Carried 5/0

CARRIED

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11.2 2015/08/12.13 ANNUAL VALUATION EFFECTIVE 30 JUNE 2016 CONSULTATION

Moved by: J CLIFFORD
Seconded by: P RAMAGE

That Council advise the Valuer-General that the preference to undertake the annual statutory valuation for the Whitsunday Regional Council area is for the period effective from 30th June 2016.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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**12. Planning and Community Services**

**12.1 2015/08/12.14 REEF GUARDIAN COUNCIL ACTION PLAN**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That Council endorse the Reef Guardian Council Action Plan.**

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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12.2 2015/08/12.15 WHITSUNDAY SCHOOLIES ADVISORY COMMITTEE

Moved by: J COLLINS

Seconded by: J CLIFFORD

That Council receive the minutes of the Whitsunday Schoolies Advisory Committee Executive Meeting Minutes held on the 09 July 2015.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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**12.3 2015/08/12.16 RSPCA'S EDUCATION MOBILE UNIT VISIT 2015**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That Council receive the report from the RSPCA in regards to the Education Mobile Unit's visit to the Whitsunday Regional Council area from 15 June to 20 June 2015.**

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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12.4 2015/08/12.17 DEVELOPMENT ASSESSMENT - MONTHLY PERFORMANCE REPORT - JULY 2015

Moved by: J ATKINSON
Seconded by: J COLLINS

That Council receives the monthly performance report for the Development Assessment Team for July, 2015.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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12.5 2015/08/12.18 20080638 - REQUEST FOR EXTENSION OF RELEVANT PERIOD - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT - ONE (1) LOT INTO FIFTEEN (15) LOTS, TWO (2) PARKLAND AND ONE (1) BALANCE LOT - LOT 39 SP212228 ARMITAGE AVENUE MANDALAY

Moved by: P RAMAGE  
Seconded by: J COLLINS

That Council approve the request for a 2 year extension of relevant period of the Development Permit for Reconfiguration of a Lot – One Lot into Fifteen (15) Residential Lots and Two (2) Parkland Lots and One (1) Balance Lot lodged by RPS East Australia Pty Ltd on land over Lot 39 on SP 212228 (historical Lot 40 on SP 189772) to the 12 August 2017.

**MEETING DETAILS:**

*As per section 273 of the Local Government Regulation 2012, the decision against the Council Officer's recommendation was due to the economic down turn and a two year extension would assist the applicant to go ahead with the application at a more economically favourable time.*

The motion was Carried 3/2

CARRIED

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12.6 2015/08/12.19 20080689 - REQUEST FOR EXTENSION OF RELEVANT PERIOD - DEVELOPMENT APPLICATION FOR MCU - FIFTY (50) MULTIPLE DWELLING UNITS AND RECONFIGURATION OF A LOT - TWO (2) LOTS INTO THREE (3) LOTS, ERROMANGO DRIVE JUBILEE POCKET, SAILDON HOLDINGS PTY LTD

Moved by: J CLIFFORD
Seconded by: J ATKINSON

That Council approve the request for an extension of relevant period of the Development Permit for Material Change of Use - Fifty (50) Multiple Dwelling Units and Reconfiguration of a Lot - Two (2) Lots into Three (3) Lots lodged by Vision Surveys on behalf of Saldon Holdings Pty Ltd on land described as Lot 800 SP248489, Erromango Drive Jubilee Pocket to 02 June 2017.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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12.7      2015/08/12.20      DA09037 - REQUEST FOR EXTENSION OF RELEVANT PERIOD - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - FIVE (5) MULTIPLE DWELLING UNITS - 9 POOLE STREET BOWEN - CRUSADER INVESTMENTS PTY LTD

Moved by:              J CLIFFORD  
Seconded by:          P RAMAGE

That Council approve the request for an extension of relevant period of the Development Permit for Material Change of Use - Five (5) Multiple Dwelling Units lodged by Eileen Myers on behalf of Crusader Investments Pty Ltd on land described as Lot 4 RP 852600, 9 Poole Street Bowen, to 30 July 2017.

**MEETING DETAILS:**

The motion was Carried 5/0

CARRIED

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12.8 2015/08/12.21 20150147 - APPLICATION FOR PURCHASE/LEASE UNALLOCATED STATE LAND - LOT 1 ON AP13184, LOT 24 D93514 AND LOT 20 CP85825 - PARISH OF GLOUCESTER

Moved by: J ATKINSON

Seconded by: J CLIFFORD

That Council advise the Department of Natural Resources and Mines that Council requires further information in relation to the application to purchase /lease Unallocated State Land over all of Lot 1 on AP13184, Lot 24 D93514 and Lot 20 CP858285 due to:

- No information being provided (proposal plans) on the scale and intensity of the development;
- the intended use of the site is inconsistent with the purpose of the reserve being environmental, the proposed farming of the site will result in clearing;
- no supporting information has been provided to demonstrate the proposal will not compromise the intended character and amenity of the area and the open space zone;
- no supporting information has been provided to demonstrate how the proposal will avoid or mitigate any adverse impacts on areas of environmental significance; and
- no overriding justification being provided for the encroachment of an incompatible development in this location; and
- the proposal triggers assessable development under the 2009 Whitsunday Shire Planning Scheme and the Sustainable Planning Act 2009 for the proposed use.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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12.9      2015/08/12.22      20150495 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR STAGED RECONFIGURATION OF A LOT - ONE (1) RURAL LOTS INTO TWENTY-TWO (22) INDUSTRIAL LOTS - SCULLY STREET BOWEN - JAMEE HILLERY

Moved by:                    J CLIFFORD

Seconded by:                P RAMAGE

That Council approve the application for Development Permit for Staged Reconfiguration of a Lot - One (1) Lot into Twenty-two (22) Industrial Lots, made by J W Hillery, on Lot 43 SP113319 and located at Scully Street Bowen, subject to the following conditions.

**1.0 ADMINISTRATION**

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

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| <i>Plan/Document Name</i> | <i>Prepared By</i> | <i>Plan Number</i>      | <i>Dated</i>      |
|---------------------------|--------------------|-------------------------|-------------------|
| <i>Proposal Plan</i>      | <i>RPS</i>         | <i>4024-PD-02 Rev C</i> | <i>11/05/2015</i> |

- 1.2 *The applicant is to comply with the Department of Infrastructure, Local Government and Planning conditions as outlined in the Department's correspondence dated 9 July 2015.*
- 1.3 *The following further development permits are required prior to commencement of work on site or commencement of the use:*

- *Operational Works:*
  - *Earthworks;*
  - *Roadworks;*
  - *Erosion and Sediment Control;*
  - *Stormwater Drainage;*
  - *Water Infrastructure; and*
  - *Sewerage Infrastructure.*

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

- 1.4 *Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.*
- 1.5 *All conditions of this approval must be complied with in full to Council's satisfaction prior to the release of the survey plan.*
- 1.6 *The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of sealing the survey plan.*
- 1.7 *The development is to be staged in accordance with plan number 4024-PD-02 Rev C or otherwise agreed by Council.*

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

- 2.1 *Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.*
- 2.2 *All vegetative waste cleared as part of the development of the site is to be either:*
- a) stored neatly on site and shredded within sixty (60) days of clearing; or*
  - b) removed off the site to an approved disposal location.*

## **3.0 EARTHWORKS**

- 3.1 *Prior to commencement of any work on Stage 3 an Operational Works development permit must be obtained in relation to Earthworks.*
- 3.2 *Any application for Operational Works (Earthworks) must be accompanied by engineering design drawings demonstrating compliance with the recommendations of the Geotechnical and Civil site report for the site. All filling is to be placed, trimmed and compacted as a minimum to standards identified in AS 3789. Compaction test results are to be submitted to Council for its records.*

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**4.0 WATER INFRASTRUCTURE**

- 4.1 *The development must be connected to Council’s water network prior to commencement of the use.*
- 4.2 *A Development Permit for Operational Works (Water Infrastructure) must be obtained prior to commencement of work on site.*
- 4.3 *Any application for Operational Works (Water Infrastructure) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council’s Development Manual (current at the time of development) and this Decision Notice.*
- 4.4 *All water infrastructure must be designed and constructed in accordance with Council’s Development Manual and standard drawings (or equivalent replacement document current at the time of development) prior to signing of the survey plans.*
- 4.5 *Stage 1B and Stage 2 must be connected to Council’s water supply network prior to signing of the Survey Plans for the relevant Stage.*
- 4.6 *Prior to signing of Plan of Survey for each Stage, the applicant must lodge with Council a civil engineer’s design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that all Water Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Councils Development Manual.*

**5.0 SEWERAGE INFRASTRUCTURE**

- 5.1 *The development must be connected to Council’s sewerage network prior to commencement of the use.*
- 5.2 *A Development Permit for Operational Works (Sewer Infrastructure) must be obtained prior to commencement of work on site.*
- 5.3 *Any application for Operational Works (Sewer Infrastructure) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council’s Development Manual (current at the time of development) and this Decision Notice.*
- 5.4 *Easements must be provided over all new Council sewerage lines constructed as part of the development located on private property.*
- 5.5 *Easement documentation must be provided free of cost to Council.*
- 5.6 *Sewerage infrastructure must be constructed to comply with S6 “Sewer Reticulation” of Council’s Development Manual, Council’s Standard Drawings and Water Services Association of Australia Sewerage Code of Australia. Where a discrepancy or conflict exists between Council’s Development Manual and the Sewerage Code, the requirements of Council’s Development Manual will prevail.*
- 5.6 *Prior to signing of Plan of Survey for each stage, the applicant must lodge with Council, a civil engineer’s design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that all Sewer Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Councils Development Manual.*

**6.0 STORMWATER AND FLOODING**

- 6.1 *All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual current at the time of development and Council’s Development Manual (or equivalent replacement document current at the time of development).*

- 6.2 *All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including Q100.*
- 6.3 *Each allotment must be designed so as to be self-draining and drain towards the road reserve and flood free for all levels of immunity up to and including Q100.*
- 6.4 *A Development Permit for Operational Works (Stormwater Drainage) must be obtained prior to commencement of work on site.*
- 6.5 *Any application for Operational Works (Stormwater) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual (current at the time of development), Council's Development Manual (current at the time of development) and this Decision Notice.*
- 6.6 *Prior to commencement of use on the site or signing of Plan of Survey, whichever is sooner, the owner must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that the Stormwater Drainage works have been constructed in accordance with the requirements of Queensland Urban Drainage Manual current at the time of development, Councils Development Manual (current at the time of development) and this Decision Notice and will not cause adverse effects to adjoining or downstream properties or infrastructure.*
- 6.7 *Prior to commencement of use on the site or signing of Plan of Survey, whichever is sooner, the applicant must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that the stormwater drainage works have been constructed in accordance with the requirements of Queensland Urban Drainage Manual current at the time of development, Councils Development Manual (current at the time of development) and this Decision Notice and will not cause adverse effects to adjoining or downstream properties or infrastructure.*
- 6.8 *Easements must be provided over all land assessed to be below the Q100 level of immunity.*
- 6.9 *Easement documentation must be provided free of cost to Council.*
- 7.0 **ROADWORKS**
- 7.1 *A Development Permit for Operational Works (Roadworks) must be obtained prior to commencement of work on site.*
- 7.2 *Any application for Operational Works (Roadworks) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual (current at the time of development), Council's Development Manual (current at the time of development) and this Decision Notice.*
- 7.3 **STAGE 1B LOTS 2 – 5** *Prior to signing of Plan of Survey for Stage 1B the applicant must design and construct the proposed road generally as indicated on Proposal and Staging Plan Drawing No 4024-PD-02 Rev C to the northern boundary of Proposed Lot 5 in accordance with the criteria and specifications in Council's Development Manual. A sealed Temporary Turning Facility must be provided past the extent of works as described above.*

*The proposed Street shall be designed to meet as a minimum requirement the Street and Road Hierarchy as shown in Table D1.1 of Council's Development Manual. The design criteria must as a minimum be as follows:*



**Industrial Access**

- Pavement Width** - 12 metre
- Edge Treatment** - Kerb and Channel
- Surface** - Asphalt
- Verge Width** - 4.0m
- Footpath** - 1.5 metres one side

**7.4** **STAGE 2A, B, C, D & E LOTS 6 – 21** Prior to signing of Plan of Survey for the first of any sub-stages in stage 2 the applicant must design and construct the proposed road generally as indicated on Proposal and Staging Plan Drawing No 4024-PD-02 Rev C to the northern boundary of Proposed Lot 21 in accordance with the criteria and specifications in Council’s Development Manual. A sealed Temporary Turning Facility must be provided past the extent of works as described above.

The proposed Street shall be designed to meet as a minimum requirement the Street and Road Hierarchy as shown in Table D1.1 of Council’s Development Manual. The design criteria must as a minimum be as follows:

**Industrial Access**

- Pavement Width** - 12 metre
- Edge Treatment** - Kerb and Channel
- Surface** - Asphalt
- Verge Width** - 4.0m
- Footpath** - 1.5 metres both sides

**7.5** **STAGE 3 LOT 22** Prior to signing of Plan of Survey for Stage 3 the applicant must design and construct the proposed road generally as indicated on Proposal and Staging Plan Drawing No 4024-PD-02 Rev C to the northern boundary of Proposed Lot 22 in accordance with the criteria and specifications in Council’s Development Manual. A sealed Temporary Turning Facility must be provided at the extent of works as described above.

The proposed Street shall be designed to meet as a minimum requirement the Street and Road Hierarchy as shown in Table D1.1 of Council’s Development Manual. The design criteria must as a minimum be as follows:

**Industrial Access**

- Pavement Width** - 12 metre
- Edge Treatment** - Kerb and Channel
- Surface** - Asphalt
- Verge Width** - 4.0m
- Footpath** - 1.5 metres one side

**7.6** All stormwater drainage works associated with the above roadworks must be designed and constructed in accordance with Councils Development Manual.

**7.7** Design and construction of all roadworks must be in accordance with Council’s Development manual and Standard Drawings applicable at the time of development.

**7.8** At completion of construction and prior to Signing of Plan of Survey for each stage, the Supervising Engineer must provide certification to Council that all construction complies with this Decision Notice and Council’s Development Manual.



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7.9 *Street trees must be established in the Eyles Road and Harris Place road reserve in accordance with Council's Development Manual prior to the sealing of the plan of survey for the relevant stage.*

8.0 **ELECTRICITY AND TELECOMMUNICATIONS**

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

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

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

9.0 **ENVIRONMENTAL MANAGEMENT PLAN (EMP)**

9.1 *A site based Erosion Prevention and Sediment Control Plan must be submitted with any application for Development Permit for Operational Works*

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

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

9.4 *No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.*

9.5 *The Environmental Management Plan must address but not be limited to the following:*

- *water quality and drainage;*
- *erosion prevention and silt control;*
- *fauna management;*
- *vegetation clearing;*
- *construction program and timing;*
- *Wet Season arrangements;*
- *geotechnical issues;*
- *cultural heritage issues;*
- *weed control;*
- *bushfire management;*
- *emergency vehicle access;*

- noise and dust suppression; and
- other issues as required.

#### 10.0 MAINTENANCE VALUATION

10.1 *The applicant must pay to Council a maintenance valuation fee per lot at the time of sealing of the survey plan at the rate applicable at the time of payment. The current rate is \$35.00 per lot.*

#### 11.0 CATCHMENT AND LAND MANAGEMENT

11.1 *The applicant is required to address the requirements of SPP: Water Quality, including the associated code to ensure development is planned, designed, constructed and operated to manage stormwater in ways that support the protection of environmental values identified in the Environmental Protection (Water) Policy 2009 and submit for approval with Council all required management plans as listed in the SPP code for Water Quality prior to the sealing of the plan of survey of the first stage lodged with Council.*

#### 12.0 INFRASTRUCTURE CHARGES

12.1 *Infrastructure Charges for future uses over the allotments will be as per the Planning Scheme and related policies applicable at the time.*

#### 13.0 MISCELLANEOUS

13.1 *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.*

13.2 *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.*

13.3 *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.*

13.4 *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 Scully Street, Eyles Road or adjoining land unless written permission from the owner of that land and Council is provided.*

13.5 *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.*

#### 14.0 ADVISORY NOTES

##### 14.1 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.*

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**14.2 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.*

**14.3 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.*

**14.4 Noise During Construction and Noise in General**

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

**14.5 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.*

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

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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12.10	2015/08/12.23	20150544 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES - INTENSIVE ANIMAL HUSBANDRY (FREE RANGE EGG FARM) AND ERA 4 POULTRY FARMING . 1,000-200,000 BIRDS, 77 TELFORD ROAD, STRATHDICKIE, M & J STREETER
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Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council approve the application for a Development Permit for Material Change of Use - Intensive Animal Husbandry (Free Range Egg Farm) and Environmentally

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Relevant Activity (ERA) No. 4 - Poultry Farming >1,000-200,000 birds, made by M J Streeter & J E Streeter, on Lot 42 SP232112 and located at 77 Telford Road Strathdickie, subject to the following 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	Vision Surveys Queensland	15208-PP1 Sheet 1 of 1 Rev B	12/06/2015
Site Based Management Plan	Golden Yolks Whitsundays Pasture Eggs	V3	14/07/2015

1.2 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.

1.3 All conditions of this approval must be complied with in full to Council's satisfaction prior to the commencement of the use.

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

2.0 ENVIRONMENTAL HEALTH

2.1 The applicant is to ensure caravans housing poultry are moved around the site at least once every seven (7) days, or once every three (3) to six (6) days during rainfall events.

2.2 The applicant is to ensure all caravans are cleaned at least once every seven (7) days to avoid the build-up of manure or other associated poultry waste.

2.3 The applicant is to ensure all food, pellets or other feed is stored in vermin proof containers so as to avoid the proliferation of pests.

2.4 The activity must be carried out by such practicable means necessary to prevent the emission or likelihood of emission of noise, dust or odour that constitutes environmental nuisance.

2.5 The applicant is to establish, implement and maintain procedures for the feeding of birds. Hours of activities must ensure disturbance to birds occurs only during daylight hours.

2.6 Poultry sheds must be designed and maintained in such a manner as to ensure adequate ventilation and prevent generation of odour and dust beyond the site boundary.

2.7 All chemicals such as cleaners, detergents or other chemicals must be stored in an area where a spill will not result in any release to the environment

2.8 All solid waste must be stored and disposed of in waste receptacles on the premises, or otherwise stored/disposed of in an approved and environmentally friendly manner.

3.0 OPERATING PROCEDURES

3.1 The use is conducted by two (2) persons, who are permanent residents of the Dwelling House.

3.2 The use is to be operated in accordance with plan number 15208-PP1 Sheet 1 of 1 Rev B. No activities relating to the use are to occur within 200 metres of neighbouring dwellings.

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- 3.3 The use is to be operated in accordance with V3 of the Site Based Management Plan as provided to Council on 14/07/2015.
- 3.4 Minimise all vehicle movements onsite associated with the use to between the hours of 7:00am to 5:00pm weekdays and Saturdays and 8:00am to 5:00pm Sundays and Public Holidays.
- 3.5 The maximum number of egg laying hens on site is to be 2,000.
- 3.6 The applicant is to ensure adequate fencing is provided around the chicken caravans to prevent chickens escaping.
- 3.7 The applicant is not to sell the eggs directly from the site.

- 4.0 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 Telford Road 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..

- 5.0 ADVISORY NOTES
- 5.1 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.
- 5.2 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.
- 5.3 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.
- 5.4 Noise During Construction and Noise in General
It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994.
- 5.5 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.

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

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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12.11      2015/08/12.24      **REQUEST FOR FEE REFUND - TOWN SQUARE  
CONCERT - BOWEN CHRISTIAN OUTREACH  
CENTRE**

Moved by:                      **J COLLINS**

Seconded by:                **P RAMAGE**

That Council refund the event application fee of \$255.00 for use of the Town Square Bowen for a concert by Bowen Christian Outreach Centre on 7 August 2015.

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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12.12 2015/08/12.25 **REQUEST FOR FEE WAIVER AND SPONSORSHIP -
BOWEN REV HEADS CAR, BIKE & TRUCK ANNUAL
SHOW 2015**

Moved by: **J CLIFFORD**

Seconded by: **P RAMAGE**

That Council:

- a) Waive the Class 2 Event Application Fee of \$638.00; and
- b) Donate \$1000.00 in support of the Bowen Rev Heads Car Show to be held on 10 October 2015.

MEETING DETAILS:

The motion was Carried 5/0

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12.13      2015/08/12.26      REQUEST FOR FEE WAIVER - TOUR DUCHENNE  
2015

Moved by:            J COLLINS  
Seconded by:        J CLIFFORD

That Council waive the Class 3 event application fee of \$255.00 for The Tour  
Duchenne 2015 to be held on 04 September 2015.

**MEETING DETAILS:**

The motion was Carried 5/0

CARRIED

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12.14 2015/08/12.27 REQUEST FOR FEE WAIVER - BOWEN SOUND SHELL
14 NOVEMBER 2015 - PCYC BOWEN

Moved by: J CLIFFORD
Seconded by: J ATKINSON

That Council waive the Class 3 event application fee of \$383.00 for show casing dance
classes at Bowen Sound Shell on 14 November 2015

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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12.15      2015/08/12.28      REQUEST FOR FEE WAIVER - WEEKLY  
PLAYGROUPS RUN BY SAVE THE CHILDREN  
AUSTRALIA - COLLINSVILLE, SCOTTSVILLE &  
BOWEN

Moved by:            P RAMAGE  
Seconded by:        J COLLINS

That Council waive the 2015/2016 application & licence fee of \$447.00 for Use of Local  
Government Controlled Areas; Facilities and Roads for weekly playgroup sessions to  
be held in Bowen; Collinville & Scottville by Save The Children Australia.

**MEETING DETAILS:**

The motion was Carried 5/0

CARRIED

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12.16 2015/08/12.29 REQUEST FOR FEE WAIVER - BOWEN TOURISM & BUSINESS

Moved by: J CLIFFORD

Seconded by: P RAMAGE

That Council waive the Minor Events – Class 3 Application fee of \$383.00 to assist the Bowen Tourism & Business to hold the “Jazz on the Beach” fundraising event on Saturday 12 September 2015.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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12.17 2015/08/12.30 REQUEST FOR FEE WAIVER - PARENT ACTION GROUP

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council waive the Minor Events – Class 3 Application fee of \$383.00 to assist the Parent Action Group to hold a ‘Family Fun Day’ fundraising event on Sunday 13 September 2015.

**MEETING DETAILS:**

The motion was Carried 5/0

CARRIED

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12.18 2015/08/12.31 REQUEST FOR FEE WAIVER - PROSERPINE JUNIOR SPORTING COMPLEX ASSOCIATION

Moved by: J COLLINS

Seconded by: P RAMAGE

That Council:

- a) Waive the application fee of \$629.00 (GST inclusive) for the building application made by the Proserpine Junior Sporting Complex Association, for the construction of a machinery shed at the Proserpine Junior Sporting Complex, Proserpine.
- b) Waive the application fee of \$510.00 (GST inclusive) for the building application made by the Proserpine Junior Sporting Complex Association on behalf Proserpine Whitsunday Junior Rugby League for the

construction of an extension to the Junior Rugby League Clubhouse, at the Proserpine Junior Sporting Complex, Proserpine.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

12.19 2015/08/12.32 ~~~~~
**REQUEST FOR FEE WAIVER - MOTIVATIONAL
MEDIA - COLLINSVILLE STATE HIGH SCHOOL**

Moved by: P RAMAGE
Seconded by: J CLIFFORD

That Council note the waiving of the hire fee of \$88.00 for the use of the Collinsville Community Centre for the Collinsville State High School who hosted a Motivational Media Program on 4 August 2015. The management fee of \$26.40 is to be paid by the Collinsville State High School.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

12.20 2015/08/12.33 ~~~~~
**REQUEST FOR SPONSORSHIP - PROSERPINE GOLF
CLUB**

Moved by: J COLLINS
Seconded by: J CLIFFORD

That Council provide \$500 in the form of sponsorship to the Proserpine Golf Club in support of their hosting of the Open and Club Championships events during August 2015.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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12.21 2015/08/12.34 REQUEST FOR FINANCIAL ASSISTANCE - DI PRIMA

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council approve funding of \$500 to assist Matthew Di Prima attend the Mackay State High School's 2015 Rugby League Academy Tour of the United Kingdom.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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12.22 2015/08/12.35 ENVIRONMENTAL IMPACT STATEMENT (EIS) PROCESS FOR THE BYERWEN COAL PROJECT

Moved by: P RAMAGE

Seconded by: J ATKINSON

That Council receive the change to the Byerwen Coal Project approved by the Coordinator General, for future comment by Council.

**MEETING DETAILS:**

The motion was Carried 5/0

CARRIED

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12.23 2015/08/12.36 PEDI-CAB SERVICES AIRLIE BEACH

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council approve the Pedi-cab services along the routes detailed below, subject to Whitsunday Regional Council Local Law No.1 (Administration) 2014 conditions:

- a) From Port of Airlie to Coral Sea Resort along the Esplanade and Main Street Airlie Beach and return; and
- b) From Port of Airlie to Coral Sea Resort via Main Street along Waterson Way around the starfish roundabout to Broadwater Avenue and return.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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**13. Engineering Services**

**13.1 2015/08/12.37 LOGAN'S ADVENTURE PLAYGROUND PROJECT UPDATE**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That Council receives the minutes from the Logan's Adventure Playground Project Committee Meeting held on 16 July 2015.**

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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13.2 2015/08/12.38 CONWAY BEACH STAIRCASE

Moved by: J ATKINSON

Seconded by: J COLLINS

That Council:

- a) contribute \$1210 to the Conway Beach Progress Association to cover the engineering design costs for the proposed new staircase for Conway Beach; and
- b) write to the Conway Beach Progress Association providing approval for it to construct the staircases in accordance with the engineering plans.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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**13.3 2015/08/12.39 WILSON BEACH EROSION MITIGATION**

**Moved by: J ATKINSON**

**Seconded by: J CLIFFORD**

**That Council:**

- a) receive the International Coastal Management Ltd erosion study of Wilson Beach; and
- b) develop a beach nourishment program for Wilson Beach to mitigate the coastal erosion hazard.

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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13.4 2015/08/12.40 **INSTALLATION OF A SPRINKLER SYSTEM INTO COUNCIL RESERVE BETWEEN CASE PARK AND GREY'S BAY**

Moved by: **J CLIFFORD**

Seconded by: **P RAMAGE**

That Council approve gaining access to the Council water pipeline between Case Park and Grey's Bay provided that the property owner:

- a) pays for the installation of the irrigation system; and
- b) installs a suitable irrigation timer; and
- c) does not run the irrigation system for more than one hour every third day; and
- d) the irrigation application area is no more than 1000m²; and
- e) the volume of each application per day is less than 10mm/m²/day.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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15.            **General Business**

15.1          2015/08/12.41          **REQUEST FOR ABBOT POINT DISCUSSIONS**

Moved by:                    **J COLLINS**

Seconded by:                **P RAMAGE**

That Council authorise the Mayor, Deputy Mayor and Chief Executive Officer to meet with Honourable Mark Bailey Minister for Main Roads, Road Safety and Ports and Minister Energy and Water Supply to discuss the future of Abbot Point and re-establish plans for Abbot Point to become a multi-commodity port focused upon resources agriculture and containerised imports and exports. Should the Minister be in the region all available Councillors be invited to the meeting.

Furthermore, that the Chief Executive Officer of North Queensland Bulk Ports be invited to the next available Council briefing session to discuss NQBP's current position in relation to Abbot Point and their plans for expansion and growth at the port and associated state development area.

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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16. Procedural Motion

16.1 2015/08/12.42 PROCEDURAL MOTION - ADJOURNMENT

Moved by: J CLIFFORD

Seconded by: P RAMAGE

That the meeting be adjourned for the purpose of the Citizenship Ceremony and morning tea at 9.48am.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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**16.2 2015/08/12.43 PROCEDURAL MOTION - RECONVENE**

**Moved by: J CLIFFORD**

**Seconded by: P RAMAGE**

**That the meeting reconvene from the Citizenship and morning tea at 10.58am.**

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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16.3 2015/08/12.44 PROCEDURAL MOTION - CLOSURE OF MEETING

Moved by: J CLIFFORD

Seconded by: P RAMAGE

That Council reconvene the meeting in accordance with Section 275 of the Local Government Regulations 2012, and Council close the meeting to the public at 10.58am for the purpose of discussing employee or industrial matters, budget, rating concessions, contractual matters, legal proceedings, planning matters or other business likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

- Item 14.1.1 – Whisper Bay Breakwater and Boat Ramp Project – Section 275 (e) contracts proposed to be made by it;
- Item 14.2.1 – Application to defer rates and charges – Section 275 (f) starting or defending legal proceedings involving it;
- Item 14.2.2 – Hardship Application – Assessment 1110251 & 1205526 – Section 275 (d) rating concession;
- Item 14.3.1 – Adoption of the Community Consultation Plan for the Purpose of Undertaking Public Consultation for the Draft Whitsunday Regional Council Planning Scheme (Draft Planning Scheme) – Section 275 (g) any action to be taken by the local government under the *Integrated Planning Act* 1997, including deciding applications made to it under the Act;

- Item 14.3.2 – Withdrawal of proposed Temporary Local Planning Instrument for the Bowen Planning Scheme 2006 – Section 275 (g) any action to be taken by the local government under the *Integrated Planning Act* 1997, including deciding applications made to it under the Act;
- Item 14.3.3 – Withdrawal of proposed Amendment of the Bowen Planning Scheme 2006 Mapping and Relevant Sections for the Purpose of Protection and Regulation of Coastal and Flood Hazards– Section 275 (g) any action to be taken by the local government under the *Integrated Planning Act* 1997, including deciding applications made to it under the Act;
- Item 14.3.4 – Application to convert Lot 309 on SP211528, Jasinique Drive to Appropriate Land Tenure – Section 275 (c) the local government’s budget
- Item 14.4.1 – Contract for the Provision of Maintenance to Dingo Beach and Hydeaway Bay – Section 275 (e) contracts proposed to be made by it.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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**16.4 2015/08/12.45 PROCEDURAL MOTION - REOPENING OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That the meeting be reopened to the general public at 12.32pm.**

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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14.1 Confidential Matters – Office of the Mayor and CEO

14.1.1 2015/08/12.46 WHISPER BAY BREAKWATER AND BOAT RAMP PROJECT

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council:

- a) accept the Tender submitted by Fynbat Pty Ltd for \$428,780 for the load and haul option; and
- b) accept the Tender submitted by Fynbat Pty Ltd \$531,653 for the rock placement and allow the contractor to carry out the work with the use of a dump truck; and
- c) accept the Tender submitted by the Jetty Specialist Option 2 for \$900,049 which includes the two additional pontoons; and
- d) endorse the minutes of the Project Control Group, and

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- e) accept the recommendation of the committee to engage Peter Jeffries as the Project Co-Ordinator, Matthew McGoldrick as the Project Manager and Andrew McGregor as the Project Superintendent; and
- f) apply Section 235 (b) of the *Local Government Regulation 2012* to the engagement of Peter Jefferies for the supervision the construction of the Breakwater and Boat Ramp Upgrade as the services are specialised (significant site and project specific knowledge is required) and that it would be disadvantageous for Council to invite Quotes or Tenders.

AMENDMENT

Moved by: P RAMAGE
 Seconded by: A WILLCOX

That Council:

- a) accept the Tender submitted by Fynbat Pty Ltd for \$428,780 for the load and haul option; and
- b) accept the Tender submitted by Fynbat Pty Ltd \$531,653 for the rock placement and allow the contractor to carry out the work with the use of a dump truck; and
- c) accept the Tender submitted by the Jetty Specialist Option 2 for \$900,049 which includes the two additional pontoons; and
- d) endorse the minutes of the Project Control Group, and
- e) accept the recommendation of the committee to engage Peter Jeffries as the Project Co-Ordinator, Matthew McGoldrick as the Project Manager and Andrew McGregor as the Project Superintendent; and
- f) apply Section 235 (b) of the *Local Government Regulation 2012* to the engagement of Peter Jefferies for the supervision the construction of the Breakwater and Boat Ramp Upgrade as the services are specialised (significant site and project specific knowledge is required) and that it would be disadvantageous for Council to invite Quotes or Tenders; and
- g) employ a reputable company such as Cardno to undertake a peer review of the construction.

MEETING DETAILS:

The amendment was Defeated 4/1

Call for Division

FOR	AGAINST
Cr Peter Ramage	Cr Jan Clifford
	Cr John Collins
	Cr John Atkinson
	Cr Andrew Willcox

The motion was Carried 4/1



Call for Division

FOR

Cr Peter Ramage

AGAINST

Cr Jan Clifford

Cr John Collins

Cr John Atkinson

Cr Andrew Willcox

CARRIED

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**14.2 Confidential Matters - Corporate Services**

**14.2.1 2015/08/12.47 APPLICATION TO DEFER RATES AND CHARGES**

**Moved by: J COLLINS**

**Seconded by: J CLIFFORD**

**That Council:**

a) Approve the deferment of payment of rates and charges, under the Paying Rates by Arrangement Policy for Assessments 1101848, 1107920, 1110945-51, 1110955-57, 1110961-2, 1110965-69, 1110971-2, 1110974-5, 1110979-85, 1110987-1110990, 1110992-1110994, 1110996, 1110998-9, 1111001-7, 1111009-11, 1111014-5, 1111017-8, 1111023, 1111026, 1111082, 1111084, 1111086-8, 1111090, 1111095-00, 1111105, and 1111106 and approve the Chief Executive Officer to enter into payment arrangements with the following conditions:

1. Monthly payments of \$55,000 by the end of the month for five months, with the remaining outstanding amount cleared in full by the end of the sixth month.
2. Interest of 11%
3. Balance of debt to be cleared by 31<sup>st</sup> January, 2016
4. Failure to make payment, to be rectify within 7 days
5. Two consecutive failures to make payment, will see the arrangement terminated
6. Ratepayer can renegotiate arrangement with Council approval.

b) Approve the deferment of payment of rates and charges, under the Paying Rates by Arrangement Policy for Assessments 1105877, 1106364, 1301217-20, 1301225-6, 1301229-30, 1301232, 1301236, 1301240-1, 1301252, 1301260, 1301263, 1301265, 1301267 and approve the Chief Executive Officer to enter into payment arrangements with the following conditions:

1. Outstanding rates and charges for individual assessments to be paid full upon Settlement.

- 2. Outstanding rates and charges owed by ratepayer to Council for undeveloped land lots to be cleared in full by 31<sup>st</sup> March 2016.
- 3. Interest of 11%
- 4. Balance of any other outstanding amounts owed by ratepayer to be cleared by 30<sup>th</sup> June, 2016
- 5. Ratepayer can renegotiate arrangement with Council approval

c) Approves the Chief Executive Officer to pursue debt recovery options outlined in the rates Recovery Policy, should the debt not be cleared by the end of the arrangement.

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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14.2.2 2015/08/12.48 **HARDSHIP APPLICATION - ASSESSMENT 1110251 & 1205526**

Moved by: **J CLIFFORD**

Seconded by: **J ATKINSON**

That Council:

- a) does not approve a concession, in accordance with the Hardship Policy, for rate assessment 1110251 and 1205526;
- b) requires full payment of the rates and charges and interest;
- c) approves the Chief Executive Officer to negotiate with the ratepayer, under the Paying of Rates by Arrangement Policy, a deferral of twelve (12) months with the following conditions to enable the ratepayer time to seek other options to restore financial capacity and pay future Council rates and charges:
 - 1. Fortnightly payment so \$100 per fortnight for each assessment (\$200 per fortnight);
 - 2. Interest of 11%;
 - 3. Balance of debt to be cleared by 12 August, 2016 including new charges accrued fur the arrangement;
 - 4. Failure to make payment, customer to rectify within 7 days;
 - 5. Two consecutive failures to make payment, will see the arrangement terminated;
 - 6. Customer can renegotiate arrangement with Council approval.
- d) approves the Chief Executive Officer to pursue debt recovery options outlined in the Rates Recovery Policy, should the full debt not be cleared by the end of the arrangement.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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

**14.3.1 2015/08/12.49 ADOPTION OF THE COMMUNITY CONSULTATION PLAN FOR THE PURPOSE OF UNDERTAKING PUBLIC CONSULTATION FOR THE DRAFT WHITSUNDAY REGIONAL COUNCIL PLANNING SCHEME (DRAFT PLANNING SCHEME)**

**Moved by: J CLIFFORD**

**Seconded by: J ATKINSON**

**That Council:**

- a) Receive correspondence from the Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade received on 17 July 2015;
- b) Amend the draft Whitsunday Regional Council Planning Scheme to comply with the conditions set out in the correspondence from the Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade received on 17 July 2015; and
- c) Publicly notify the draft Whitsunday Regional Council Planning Scheme (including planning scheme policies) in accordance with Statutory guideline 04/14 Making and amending local planning instruments (MALPI).
- d) That a vote of thanks be conveyed to the Planning Department and other Council officers involved in this Scheme.

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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14.3.2 2015/08/12.50 WITHDRAWAL OF PROPOSED TEMPORARY LOCAL PLANNING INSTRUMENT FOR THE BOWEN PLANNING SCHEME 2006

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council request the withdrawal of the proposed Temporary Local Planning Instrument 01/2014 (TLPI 01/2014) Coastal Protection and Flood Hazard Regulation for the Bowen Planning Scheme 2006 from the Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade.

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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**14.3.3      2015/08/12.51      WITHDRAWAL OF PROPOSED AMENDMENT OF THE BOWEN PLANNING SCHEME 2006 MAPPING AND RELEVANT SECTIONS FOR THE PURPOSE OF PROTECTION AND REGULATION OF COASTAL AND FLOOD HAZARDS**

**Moved by:                      J CLIFFORD**

**Seconded by:                 J ATKINSON**

**That Council request the withdrawal of the proposed amendment of the Bowen Planning Scheme 2006 mapping and relevant sections for the purpose of protection and regulation of coastal and flood hazards from the Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade.**

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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14.3.4 2015/08/12.52 APPLICATION TO CONVERT LOT 309 ON SP211528, JASINIQUE DRIVE TO APPROPRIATE LAND TENURE

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That Council:

- (a) Take appropriate action to manage the ‘Leucaena’ over the subject site including adjoining Lot 310 on SP211528; and**
- (b) Make an application to the Department of Natural Resources and Mines to convert Lot 309 on SP211528 from reserve for the purposes of park and recreation to buffer zone, drainage and open space.**

MEETING DETAILS:

The motion was Carried 5/0

CARRIED

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14.4 Confidential Matters – Engineering Services

14.4.1 2015/08/12.53 CONTRACT FOR THE PROVISION OF MAINTENANCE TO DINGO BEACH AND HYDEAWAY BAY

Moved by: J COLLINS

Seconded by: J CLIFFORD

That Council accept the recommendation of the evaluation panel to award the contract to maintain the Dingo Beach and Hydeaway Bay recreational areas to Dingo Beach Property Maintenance.

Furthermore, that all employees are to obtain a blue card.

MEETING DETAILS:

The motion was Carried 4/1

CARRIED

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The meeting closed at 12.45pm

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Confirmed as a true and correct recording this 26 August, 2015

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Cr Jennifer Whitney  
MAYOR