



Minutes of the Ordinary Meeting held on 25 May 2016



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
Collinsville Community Centre, Conway Street, Collinsville on
25 May 2016 commencing at **9:00am**

Councillors Present:

A Willcox, J Clifford, R Petterson, J Collins, P Ramage, D Clark, M Brunker

Council Officers Present:

B Omundson (Acting Chief Executive Officer); M McGoldrick (Chief Financial Officer); D Staley (Director Planning & Community); G Jarvis (Director Corporate Services); J Raiteri (Director Engineering Services); C Middleton (Communications Manager); B Davis (Administration Officer); E Youd (Councillor Support Officer); E Youd (Councillor Support Officer); J Moller (Senior Financial Officer); K Lesina (Legal & Governance Officer)

Other Details:

The meeting commenced at 9.00am

The meeting adjourned for Citizenship Ceremony and Morning Tea at 10.02am

The meeting reconvened at 10.50am

The meeting closed at 11.11am

Whitsunday Regional Council
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Collinsville Community Centre, Conway Street, Collinsville
 on 25 May 2016 commencing at 9:00am

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2. Condolences

2.1 2016/05/25.01 CONDOLENCES

Moved by: P RAMAGE

Seconded by: J CLIFFORD

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

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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### 3.2 Mayoral Update

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|                                                |                                                                                                                                                                                                                     |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Thursday</b><br><b>12<sup>th</sup> May</b>  | <ul style="list-style-type: none"><li>• Meeting with Caravanning Qld Committee – Bowen</li><li>• Community Services Discussion – Bowen</li><li>• Meetings with Ratepayers - Bowen</li></ul>                         |
| <b>Friday</b><br><b>13<sup>th</sup> May</b>    | <ul style="list-style-type: none"><li>• Thank you Morning Tea Volunteers Day – Bowen Library</li><li>• Whitsunday Crisis &amp; Counselling “Workplace Response to Domestic Violence” Lunch – Airlie Beach</li></ul> |
| <b>Monday</b><br><b>16<sup>th</sup> May</b>    | <ul style="list-style-type: none"><li>• Welcome to Council – Orientation Programme – Proserpine</li><li>• Whitsunday Disaster Management Group Meeting – Proserpine Boardroom</li></ul>                             |
| <b>Tuesday</b><br><b>17<sup>th</sup> May</b>   | <ul style="list-style-type: none"><li>• Budget Workshop</li></ul>                                                                                                                                                   |
| <b>Wednesday</b><br><b>18<sup>th</sup> May</b> | <ul style="list-style-type: none"><li>• Planning &amp; Community Briefing Session – Bowen</li></ul>                                                                                                                 |
| <b>Thursday</b><br><b>19<sup>th</sup> May</b>  | <ul style="list-style-type: none"><li>• Meetings with Ratepayers – Bowen</li><li>• Don River Trust Meeting – Bowen</li><li>• Telephone Conference – Regional Development Australia</li></ul>                        |

|                                              |                                                                                                                                         |
|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>Friday</b><br><b>20<sup>th</sup> May</b>  | <ul style="list-style-type: none"> <li>• Culture Setting Workshop with CEO &amp; Executive Team – Proserpine Boardroom</li> </ul>       |
| <b>Monday</b><br><b>23<sup>rd</sup> May</b>  | <ul style="list-style-type: none"> <li>• Elected Members Update Training – Bowen Boardroom</li> <li>• CEO Interviews - Bowen</li> </ul> |
| <b>Tuesday</b><br><b>24<sup>th</sup> May</b> | <ul style="list-style-type: none"> <li>• Elected Members Update Training – Bowen Boardroom</li> </ul>                                   |

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4. Confirmation of Minutes

4.1 2016/05/25.02 CONFIRMATION OF MINUTES

Moved by: M BRUNKER

Seconded by: J CLIFFORD

That the Minutes of the Ordinary Meeting held on 11 May 2016 be confirmed.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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

**10.1 2016/05/25.03 MONTHLY FINANCIAL REPORT - APRIL 2016**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**That Council receive the Monthly Financial Report for the month of April 2016.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor & CEO
10.2 2016/05/25.04 DELEGATIONS TO THE CEO

Moved by: D CLARK
Seconded by: J COLLINS

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

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO  
10.3 2016/05/25.05 EXPRESSION OF INTEREST - USE OF LAND  
IN THE AERONAUTICAL USES PRECINCT  
WHITSUNDAY COAST AIRPORT

Moved by: J CLIFFORD  
Seconded by: R PETERSON

That Council approves entering in to a call for public Expressions of Interest for use of land in the Aeronautical Uses Precinct at the Whitsunday Coast Airport.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor & CEO
10.4 2016/05/25.06 AIRLIE FORESHORE PROJECT

Moved by: J CLIFFORD
Seconded by: R PETERSON

That Council appoint RPS to undertake the community consultation for the Airlie Foreshore Concept and that at the conclusion of the Public Consultation period RPS be invited to present the collated public feedback.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor & CEO  
10.5 2016/05/25.07 THIRD QUARTER BUDGET REVIEW 2015/2016

Moved by: J COLLINS  
Seconded by: R PETERSON

That Council endorse the changes made to the operational and Capital Budget as part of the Budget review and adopt the Revised Budget.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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11. Corporate Services
11.1 2016/05/25.08 CORPORATE SERVICES DEPARTMENT
MONTHLY REPORT – APRIL 2016

Moved by: D CLARK
Seconded by: J COLLINS

That Council receives the Corporate Services Department monthly report for April 2016.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.1 2016/05/25.09 PLANNING & COMMUNITY - MONTHLY REPORT - APRIL 2016**

**Moved by: D CLARK**

**Seconded by: J COLLINS**

**That Council receive the Planning & Community Monthly Report for April 2016.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.2 2016/05/25.10 ADVISORY - REGIONAL ARTS DEVELOPMENT FUND (RADF) FUNDING PROGRAM FOR 2015/16 AND 2016/17

Moved by: J CLIFFORD

Seconded by: R PETERSON

That Council receive the changes implemented in the RADF Guidelines for Councils applying to Arts Queensland for Regional Arts Development Fund (RADF) 2015-16 Funding and 2016-17 Funding.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.3 2016/05/25.11 PLANNING AND COMMUNITY POLICIES - TO BE REVOKED**

**Moved by: M BRUNKER**

**Seconded by: J COLLINS**

**That Council revoke the following policies:**

- a) **Community Assistance Grant - Support for Elite Performance**
- b) **Community Assistance Grant - Project Grants**
- c) **Community Assistance Grant - Minor Event Grant**
- d) **Community Assistance Policy - Major Event Grant**
- e) **Community Assistance Policy - Equipment Purchase Grants**
- f) **Minor Events/Weddings - Class 3 & 4 Events Policy**
- g) **Notification of adjoining owners Policy**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.4 2016/05/25.12 REQUESTS FOR COUNCIL FEES AND CHARGES WAIVERS - APRIL 2016

Moved by: D CLARK

Seconded by: J CLIFFORD

That Council note the waiving of Events/ Application/Licence/Hall Hire Fees for the following Not for Profit recipients:

- a) **Whitsunday Crisis and Counselling Service – Class 3 Event - \$383**
- b) **PCYC Bowen – Class 1 Event - \$891**
- c) **Airlie Beach/Whitsunday RSL Sub Branch – Class 3 Event - \$383**
- d) **Collinsville Development and Industry Group – Hall Hire - \$143**
- e) **Rotary Club of Bowen – Class 3 Event - \$383**
- f) **Whitsunday Sailing Club – Class 3 Event - \$383**
- g) **Whitsunday Reef Festival – Class 1 Event - \$891**
- h) **Bowen Tourism and Business – Class 3 Event - \$383**
- i) **Bowen Park Run – Class 3 Event - \$383**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

12. Planning and Community Services

12.5 2016/05/25.13 WITHDRAWAL OF PENALTY INFRINGEMENT NOTICES

Moved by: J CLIFFORD

Seconded by: R PETERSON

That Council withdraw a number of Penalty Infringement Notices and endorse spending costs associated with completing Queensland registration vehicle checks to pursue outstanding infringements.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.6 2016/05/25.14 MERINDA SPORTS GROUND LEASE**

**Moved by: D CLARK**

**Seconded by: R PETERSON**

**That Council authorises the Acting Chief Executive Officer to:**

- a) negotiate and execute a Trustee Lease of Lot 2 on CP M4884 and Lot 1 on CP M4887, otherwise known as the Merinda Sports Ground, for a period of five years to the Bowen and District Motor Enthusiasts Club; and**
- b) seek Ministerial Consent to the lease of Lot 2 on CP M4884 and Lot 1 on CP M4887.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

12. Planning and Community Services  
12.7 2016/05/25.15 COMMUNITY ASSISTANCE GRANT  
APPLICATIONS - 25 MAY 2016

Moved by: R PETERSON

Seconded by: J CLIFFORD

That Council approve the payment of Community Assistance Grants to the following recipients:

- a) Bowen Netball Association - \$3,000;
- b) Unit Support Committee TS Whitsunday – \$1,000; and
- c) Whitsunday Netball Association - \$3,000

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services
12.8 2016/05/25.16 STEER NORTH RIDE - SUPPORT REQUEST

Moved by: J CLIFFORD

Seconded by: M BRUNKER

That Council supports the Steer North Ride by engaging with various local community groups and schools to assist with the hosting of participants during their bike riding event.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.9 2016/05/25.17 BOWEN SUPER BOATS EVENT  
SPONSORSHIP REQUEST**

**Moved by: D CLARK**

**Seconded by: P RAMAGE**

**That Council authorise the Chief Executive Officer to enter into a sponsorship arrangement with Bowen Tourism & Business, in the form of \$10,000 cash plus in kind support up to \$5,000, to assist the hosting of the Bowen Offshore Super Boats Event to be held on 23/24 July 2016.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

**12.10 2016/05/25.18 BOWEN RIVER RODEO SPONSORSHIP
REQUEST**

Moved by: P RAMAGE

Seconded by: J COLLINS

That Council authorise the Chief Executive Officer to enter into a \$20,000 sponsorship arrangement with The Bowen River Rodeo & Campdraft Association, to assist the organisation host the Bowen River Rodeo Event held from 10 to 12 June 2016.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.11 2016/05/25.19 WHITSUNDAY REEF FESTIVAL 2016 -  
SPONSORSHIP PROPOSAL**

**Moved by: J CLIFFORD**

**Seconded by: M BRUNKER**

**That Council authorise the Chief Executive Officer to enter into a platinum sponsorship arrangement with The Whitsunday Reef Festival Committee, in the form of \$10,000.00 cash plus in kind support up to \$5,000, to assist the hosting of the Whitsunday Reef Festival to be held from 5 to 14 August 2016.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

**12.12 2016/05/25.20 AIRLIE BEACH MUSIC FESTIVAL
SPONSORSHIP PROPOSAL**

Moved by: J CLIFFORD

Seconded by: R PETERSON

That Council authorise the Chief Executive Officer to enter into a sponsorship arrangement with The Airlie Beach Music Festival organisers, in the form of \$20,000 cash plus in kind support up to \$5,000, to assist the hosting of the Airlie Beach Music Festival to be held from 3 to 6 November 2016.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

**12.13 2016/05/25.21 CRUISE SHIP VOLUNTEER AMBASSADOR PROGRAM - REQUEST FOR SUPPORT**

**Moved by: M BRUNKER**

**Seconded by: J CLIFFORD**

**That Council note the purchase of 12 chairs valued at \$498.00 to assist the Cruise Ship Volunteer Ambassador Program in providing an important service for cruise ship passengers.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.14 2016/05/25.22 20140651 - APPLICATION FOR PERMIT TO OCCUPY - PART OF LOT 331 SP141145, SHUTE HARBOUR ROAD, AIRLIE BEACH - ALGONA DEVELOPMENTS

Moved by: J CLIFFORD

Seconded by: D CLARK

That Council support the Application for a Permit to Occupy part of Lot 331 on SP141145, Shute Harbour Road, Airlie Beach for the construction a balcony.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Community Services**

- 12.15 2016/05/25.23 20150685 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - UNDEFINED LAND USE (FISHING RETREAT) AND RECONFIGURATION OF A LOT - ONE LOT INTO FORTY-FIVE COMMUNITY TITLE LOTS AND COMMON PROPERTY - BLUEDRUM PTY LTD**

**Moved by: M BRUNKER**

**Seconded by: D CLARK**

**That the 2015065 – Development Application for Development Permit for Material Change of Use – Undefined Land Use (Fishing Retreat) and Reconfiguration of a Lot – One Lot into Forty-Five Community Title Lots and Common Property – Bluedrum Pty Ltd be tabled pending the next Ordinary Council Meeting.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

- 12.16 2016/05/25.24 20150690 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT - ONE (1) LOT INTO TWENTY-EIGHT (28), ONE (1) COMMUNITY FACILITIES LOT, ONE (1) BALANCE LOT & ONE (1) ENTRY STATEMENT LOT - RICHARDSON ROAD, STRATHDICKIE - S & M CURKO**

Moved by: J CLIFFORD

Seconded by: P RAMAGE

That Council approve the application for Development Permit for Reconfiguration of a Lot - One (1) Lot into Twenty-eight (28) Rural Residential Lots, One (1) Community Facilities Lot, One (1) Balance Lot and One (1) Entry Statement Lot, made by S and M J Curko, on Lot 51 SP225079 and located at 122 Richardson Road Sugarloaf, 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 Sheet 1	WSG	30300P05 – Rev K	07/04/2016
Proposal Plan Sheet 2	WSG	30300P05 – Rev K	07/04/2016
Staging Plan	WSG	30300P07 – Rev F	14/04/2016
Revised Engineering Report	Flanagan Consulting	R-RS0023 Rev B	29/09/2015
Hydraulic Assessment	Water Technology	J3802_R01_V04	02/03/2016
Ecological Items	Element Ecology	15035-1	September 2015

1.2 The applicant is to comply with the Department of conditions as outlined in the Department's correspondence dated 5 November, 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; and
 - Stormwater Drainage;

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 for the relevant stage.

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 for the relevant stage.

1.7 The applicant is to transfer proposed Lot 31 to Council in freehold for a Community Purpose following the sealing the plan of survey for Stage 1.

2.0 CLEARING, LANDSCAPING AND FENCING

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

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

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

2.3 Landscaping provided in the entrance garden of proposed Lot 1 must be maintained to the satisfaction of Council at all times by the applicant/owner.

3.0 EARTHWORKS

- 3.1** Prior to commencement of any work on site an Operational Works Development Permit must be obtained in relation to Earthworks. 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.
- 3.2** Any application for Operational Works Earthworks must be accompanied by a detailed Flood Risk Assessment (FRA) prepared by a qualified (RPEQ) hydraulic/flood modelling professional. The FRA shall include the following:
- a. Design event analysis of all events up to a Probable Maximum Flood (PMF).
 - b. A suite of design durations analyses are undertaken to determine periods of isolation.
 - c. Demonstrate that the development does not directly, indirectly or cumulatively contribute to any increase in water levels or velocity and does not increase the potential for flood damage either on site or on other properties.
- 3.3** All lots are to be filled to ensure that house pad areas are set a minimum of 300mm above the calculated Q100 flood level.
- 3.4** At completion of construction and prior to Signing of Plan of Survey for the relevant stage, the Supervising Engineer must provide certification to Council that all construction complies with this Decision Notice and Council's Development Manual.
- 3.5** During the excavation and filling of the site the applicants Civil Engineer shall supervise, and at the completion, certify that the work carried out on site has meet the design intent and provide evidence that the finished work will not cause adverse impact on adjoining properties.

4.0 WATER INFRASTRUCTURE

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

5.0 ON SITE EFFLUENT DISPOSAL

- 5.1** The applicant is to provide, prior to signing of plan of survey, a preliminary effluent disposal report demonstrating that after filling of the proposed lots on-site sewerage treatment systems can be established and the suitability of methods of effluent disposal within the proposed Lots can be established in accordance with the Plumbing Code of Australia 2011 and the Queensland Plumbing and Wastewater code.
- 5.2** The applicant is to provide at the time of application for a building permit a detailed effluent disposal report for the proposed Lots demonstrating that on-site sewerage treatment systems can be established and the suitability of methods of effluent disposal within the proposed Lots can be established in accordance with the Plumbing Code of Australia 2011 and the Queensland Plumbing and Wastewater code.

6.0 ACCESS AND PARKING

- 6.1** The external access from the internal roads to the property boundary of each lot must be constructed to comply with the dimensions, gradients

and specifications as indicated on Council's Standard Drawing R0035 prior to the release of the survey plan for the relevant stage.

7.0 STORMWATER AND FLOODING

- 7.1 All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual current at the time of development and Council's Development Manual (or equivalent replacement document current at the time of development).
- 7.2 Easements must be provided over all land assessed to be below the Q100 level of immunity identified on WSG Proposal Plan 30300P05 Rev K.
- 7.3 Easement documentation must be provided free of cost to Council.
- 7.4 A Development Permit for Operational Works (Stormwater Drainage) must be obtained prior to commencement of work on site.
Any application for Operational Works (Stormwater Drainage) 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.
- 7.5 All habitable dwellings must be constructed to a level not less than 500mm above the calculated 100 year flood level.
- 7.6 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.

8.0 ROADWORKS

- 8.1 A Development Permit for Operational Works (Roadworks) must be obtained prior to commencement of work on site.
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.
- 8.2 Stage 1 Lots 1, 27, 28 and 20.0 Meter Wide Road Reserve
Prior to signing of the first Plan of Survey the applicant must create Lots 1, 27, 28 and 31 as indicated on Staging Plan 30330P07 Rev F and a 20.0 meter wide road reserve from the boundary of proposed Lot 27 to the boundaries of Proposed Lot 30 and Lot 2RP719757 in accordance with the criteria and specifications in Council's Development Manual. Reconstruction of the existing stormwater drainage infrastructure on Richardson Road adjacent to the northern boundary of proposed lot 21 shall be undertaken so as to achieve 20 year ARI immunity and 100 year ARI trafficability. The necessary upgrades shall be undertaken within twelve (12) months from sealing the plan of survey for Stage 1. An uncompleted works bond is to be provided to Council at sealing of the plan of survey for Stage 1.
- Stage 2 Lot 29
Prior to signing of Plan of Survey for this stage the applicant must create the proposed Lot as indicated on Staging Plan 30300P07 Rev F.
- Stage 3 Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15
Prior to signing of Plan of Survey for this stage the applicant must design and construct the proposed internal road generally as indicated

on Staging Plan 30300P07 Rev F and in accordance with the criteria and specifications in Council's Development Manual.

The reconstruction of Richardson Road including Stormwater infrastructure will be from the intersection of North Gregory Cannonvalley Road to the northern boundary of proposed Lot 3. The reconstruction must achieve 100 year ARI flood immunity to the southern lot boundary of proposed Lot 3 and taper down to the northern lot boundary of proposed Lot 3.

The construction of the proposed internal road to the northern boundary of proposed lot 14 and shall be to a level so as to achieve 100 year ARI flood immunity and a sealed temporary turning facility must be provided past the extent of this stage.

The proposed works shall be designed to meet as a minimum requirement the Street and Road Hierarchy as shown in Table D1.4 of Council's Development Manual. The design criteria must as a minimum be as follows:

Proposed Internal Road

Pavement Width	-	6.5 m
Formation Width	-	8.0 m
Seal Width	-	6.5 m
Road Reserve width	-	20.0 m

Richardson Road

Pavement Width	-	6.5 m
Formation Width	-	8.0 m
Seal Width	-	6.5 m
Road Reserve width	-	20.0 m

Stage 4 Lots 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26

Prior to signing of Plan of Survey for this stage the applicant must design and construct the proposed internal road generally as indicated on Staging Plan 30300P07 Rev F and in accordance with the criteria and specifications in Council's Development Manual.

The construction of the proposed internal road shall be to a level so as to achieve 100 year ARI flood immunity.

The proposed works shall be designed to meet as a minimum requirement the Street and Road Hierarchy as shown in Table D1.4 of Council's Development Manual. The design criteria must as a minimum be as follows:

Internal Road

Pavement Width	-	6.5 m
Formation Width	-	8.0 m
Seal Width	-	6.5 m
Road Reserve width	-	20.0 m

8.3 All road designs must comply with the criteria and specification as detailed in Council's Development Manual (current at the time of development).

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

- 8.5 At completion of construction and prior to Signing of Plan of Survey for the relevant stage, the Supervising Engineer must provide certification to Council that all construction complies with this Decision Notice and Council's Development Manual.
- 8.6 Street trees must be established in the road reserve in accordance with Council's Development Manual. The lots must not be occupied unless and until the street trees have been established.

9.0 **ELECTRICITY AND TELECOMMUNICATIONS**

- 9.1 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.

- 9.2 Proposed Lot 31 will not be required to be connected to Ergon and Telecommunications prior to the sealing the plan of survey for Stage 1 and will be the responsibility of the Community Facility.

10.0 **ENVIRONMENTAL MANAGEMENT PLAN (EMP)**

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

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

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.

The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g. turfed, concreted).

- 10.2 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 10.3 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented

to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.

- 10.4 The applicant must ensure that when undertaking any on-site or external works, including any filling and extraction, appropriate dust control measures are implemented in accordance with the Environmental Protection Act 1994 and complies with the relevant air quality objectives defined in the Environmental Protection (Air) Policy 2008.
- 10.5 Prior to commencement of any works on the site, the applicant must submit to Council for approval, a Site-based Stormwater Management Plan, addressing but not be limited to the following:
- water quality and drainage;
 - erosion prevention and silt control;
 - vegetation clearing;
 - construction program and timing;
 - Wet Season arrangements;
 - geotechnical issues;
 - noise and dust suppression; and
 - other issues as required.

11.0 CERTIFICATION

- 11.1 All engineering, stormwater management and building works described in this development approval are to be certified by a suitably qualified Registered Professional Engineer of Queensland at both the design and the constructed stage. The certification must show that the engineer is satisfied that all construction has taken place in accordance with the design and the relevant Australian Standards and used best practice methods.

12.0 BUSHFIRE PROTECTION

- 12.1 Prior to the commencement of the use the owner for each newly constructed dwelling is to provide a water tank with a standard rural fire brigade fitting (50 mm cam lock).

14.0 MAINTENANCE VALUATION

- 14.1 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.

15.0 CATCHMENT

- 15.1 The applicant is required to provide a minimum 50 metre buffer from the high bank of Crofton Creek to any development area.
- 15.2 The applicant is required to rehabilitate riparian vegetation (includes any required weed management) within the stated buffer area with suitable locally sourced indigenous plant species.
- 15.3 The applicant is required to provide a Covenant over the buffer area adjacent to Crofton Creek.

16.0 MISCELLANEOUS

- 16.1 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.
- 16.2 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.
- 16.3 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.

- 16.4 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 Richardson Road or adjoining land unless written permission from the owner of that land and Council is provided.
- 16.5 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.

17.0 **ADVISORY NOTES**

17.2 **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.

17.3 **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.

17.4 **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.

17.5 **Noise During Construction and Noise in General**

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

17.6 **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.

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

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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12. Planning and Community Services

12.17 2016/05/25.25 20150972 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - MEDICAL CENTRE AND CARETAKERS RESIDENCE - 48 PALUMA ROAD, CANNONVALE - PALUMA ROAD PTY LTD

Moved by: J COLLINS

Seconded by: R PETERSON

That Council approve the application for Development Permit for Material Change of Use - Medical Centre and Caretakers Residence, made by Paluma Road Pty Ltd as Trustee, on Lot 1 on RP714805, located at 48 Paluma Road Cannonvale, 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       |
|-------------------------------------------|--------------------------------------|---------------|-------------|
| Proposed Site Plan                        | Cyclone Studios                      | 15597 DA01    | 16/03/2016  |
| Proposed Clinic & Caretaker Accommodation | Cyclone Studios                      | 15597 DA02    | 05/11/2015  |
| Proposed Medical Centre                   | Cyclone Studios                      | 15597 DA03    | 16/03/2016  |
| Site Overview                             | Cyclone Studios                      | 15597 DA04    | 05/11/2015  |
| Preliminary Site Based Management Plan    | Paragon Consulting Engineers Pty Ltd | 1384-01 Rev E | March, 2016 |

1.2 The applicant is to comply with the Department of conditions as outlined in the Department's correspondence dated 23 February, 2016.

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

- Operational Works:
  - Earthworks and retaining walls;
  - Roadworks;

- Access and Parking
  - Landscaping;
  - Stormwater drainage; and
  - Water Infrastructure;
  - Sewerage Infrastructure.
  - Plumbing and Drainage Works; and
  - Building Works;
- All Operational Works, Plumbing and Drainage Works Development Permits must be obtained prior to the issue of a Building Works Development Permit.
- 1.4 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 commencement of the use.
- 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 prior to the commencement of the use.
- 1.7 The development is to be staged in accordance with drawing number 15597 DA01.
- 2.0 CLEARING, LANDSCAPING AND FENCING**
- 2.1 The applicant must submit to Council as part of any future development application, a landscaping/buffer plan to demonstrate appropriate setbacks to the wetland habitat and regulated vegetation have been maintained.
- 2.2 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.
- 3.0 EARTHWORKS**
- 3.1 Prior to commencement of any work on site 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.
- 3.3 Earthworks required on the Paluma Road frontage of the development site to achieve safe sight distances will require approval from external agencies (Telstra & Ergon) for works around these assets prior to Operational Works Approval for Earthworks being submitted.
- 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 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 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 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.
- 5.5 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 all Sewer Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Councils Development Manual.
- 6.0 **ACCESS AND PARKING**
- 6.1 The external access from the pavement of Pauma Road to the property boundary must be constructed to comply with the dimensions, gradients and specifications as indicated on Council's Standard Drawing R0051 prior to commencement of the use.
- 6.2 The external access must include provision for all drainage from within the property and along the driveway surface to be collected at or inside the property boundary and discharged by way of a pipe or other approved means to Council's drainage system.
- 6.3 A minimum of 46 car parking spaces must be provided on site prior to commencement of the use.
- 6.4 All accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas are to be provided as indicated on Cyclone Studios Proposed Site Plan Dwg No 15597 – DA01 Rev E and must be designed and constructed so as to comply with the Councils Development Manual, AS2890 and AS1428 prior to the commencement of the use.
- 6.5 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Access and Parking.
- 6.6 Any application for Operational Works (Access and Parking) must be accompanied by detailed engineering drawings demonstrating compliance with Council's Development Manual (current at the time of development), Australian Standard AS2890, AS1428 and this Decision Notice.

- 6.7 **Accesses must be located so as to achieve Safe Intersection Sight Distance and Approach Sight Distance in accordance with Section 3 of Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections, Stopping Sight Distance in accordance with Section 5 of Austroads Guide to Road Design – Part 3 Geometric Design and AS2890.1.**
- 7.0 STORMWATER AND FLOODING**
- 7.1 **A Development Permit for Operational Works (Stormwater Drainage) must be obtained prior to commencement of work on site.**
- 7.2 **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.**
- 7.3 **Stormwater for the development must include gross pollutant traps, or other appropriate water quality measures, within the system adequate to ensure 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.**
- 7.4 **Prior to commencement of use on the site, the applicant must lodge with Council, a civil engineer’s design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that 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 affects to adjoining or downstream properties or infrastructure.**
- 7.5 **Any application for Operational Works (Stormwater Drainage) must be accompanied with a MUSIC model to demonstrate the appropriate stormwater treatment for the site, being grassed swale drains and Enviropods for treatment of runoff from the rooftops and carparks.**
- 8.0 ROADWORKS**
- 8.1 **A 1.5 metre wide concrete, or approved alternative finish, footpath, including tactile indicators in accordance with AS1428.4, must be provided for the full frontage of the proposed development in Paluma Road prior to commencement of the use.**
- 8.2 **The applicant must design and construct widening of the existing pavement in Paluma Road on the northern side of Paluma Road for the full frontage of the proposed development so as to provide a sealed carriageway width of 7.5m including Kerb and Channel and drainage as detailed in Table D1.1 of Councils Development Manual (current at the time of development) prior to commencement of use of the site.**
- 8.3 **Widening of Paluma Road must also include shoulder widening on the western side of Paluma Road to reduce the risk to vehicles entering the proposed access.**
- 8.4 **A Development Permit for Operational Works (Roadworks) must be obtained prior to commencement of work on site.**
- 8.5 **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.

- 8.6 All road designs must comply with the criteria and specification as detailed in Council's Development Manual (current at the time of development).
- 8.7 All stormwater drainage works associated with the above roadworks must be designed and constructed in accordance with Council's Development Manual.
- 8.8 At completion of construction and prior to commencement of the use, the Supervising Engineer must provide certification to Council that all construction complies with this Decision Notice and Council's Development Manual.

#### **9.0 ELECTRICITY AND TELECOMMUNICATIONS**

- 9.1 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 development; 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 new development, 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 new development prior to the commencement of the use.

#### **10.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP)**

- 10.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site.
- 10.2 Prior to commencement of any work on the site, the applicant must submit to Council for approval, a site based Erosion Prevention and Sediment Control Plan for the site
- 10.3 The plan must be prepared in accordance with Council's Development Manual (current at the time of the development), the Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction Sites, June 1996 by The Institution of Engineers, Australia and the EPA Best Practice Urban Stormwater Management – Erosion and Sediment Control Guideline.
- 10.4 The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g. turfed, concreted).
- 10.5 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 10.6 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.

#### **11.0 CATCMENT**

- 11.1** The applicant is required to rehabilitate riparian vegetation (includes any required weed management) within the stated buffer area with suitable locally sourced indigenous plant species.
- 11.2** Stormwater swales are designed to distribute runoff rather than concentrate it and minimise discharge velocities to Galbraith Creek.
- 11.3** The applicant is required to provide a minimum 50 metre buffer from the high bank of Galbraith Creek to any development area.
- 11.4** The applicant is required to provide a Covenant over the buffer area adjacent to Galbraith Creek.
- 11.5** The applicant must demonstrate that the development meets the SPP WQO by providing council with an electronic copy of the developments MUSIC model prior to the commencement of any development works.
- 11.6** All Stormwater Quality Improvement Devices (SQIDs) must be implemented in accordance with the provided Stormwater System Plan provided to council.

#### **12.0 MISCELLANEOUS**

- 12.1** 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.
- 12.2** Provision and maintenance of a refuse collection areas to the requirements of the Council.
- 12.3** Waste disposal bins stored outdoors must be screened from all public roads by solid fencing of a colour and material which will match the buildings on the site.
- 12.4** Provide and maintain on site waste disposal bins in accordance with section 6 (5) of the Environmental Protection (Interim Waste) Regulations 1996. Waste disposal bins stored outdoors on the site, shall provide:
  - An imperviously paved floor,
  - Suitably drained to the satisfaction of Council,
  - A suitable hose cock in the vicinity of such paved area; and
  - A suitable form of enclosure to prevent vermin entry to the waste container area.The design and materials used for the enclosure is to be of a compatible form to that of the approved unit buildings and shall be approved by Council prior to the issue of a Development Permit for Building Works.
- 12.5** 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.
- 12.6** 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.
- 12.7** 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 Paluma Road or adjoining land

unless written permission from the owner of that land and Council is provided.

- 12.8** 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.

**13.0 ADVISORY NOTES**

**12.1 Noise During Construction and Noise in General**

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

**12.2 General Safety of Public During Construction**

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

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

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

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

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Community Services

12.18 2016/05/25.26 20160243 - APPLICATION FOR A MATERIAL CHANGE OF USE FOR PORT FACILITIES (TEMPORARY RORO FACILITY) IN THE ABBOT POINT STATE DEVELOPMENT AREA

Moved by: M BRUNKER

Seconded by: D CLARK

That Council as a Referral Entity to the application for the Material Change of Use of Premises for Port Facilities (Temporary Roll-On Roll-Off Facility) prepared by the proponent FAM: Magdedurger Forderanlagen und Baumaschinen GmbH on land described as Lot 52 HR1732 and Lot 54 SP243724, located at Abbot Point Road, Abbot Point, advise the Office of the Coordinator-General that Council:

- a) supports the proposal as outlined in the application material;**
- b) requests the proponent give consideration to opportunities to utilise local suppliers and workers for the proposed development; and**
- c) continues to support Port of Abbot Point, through its Corporate Plan and the preparation of the Draft Whitsunday Shire Planning Scheme identifying the Port of Abbot Point as a strategic priority to providing economic resilience to the region through the establishment of bulk loading and supporting multi-commodity port facilities. Council therefore wishes to express its desire to see permanent infrastructure established within the Port of Abbot Point which has the capacity to service multiple port uses in the future.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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12. Planning and Community Services

12.19 2016/05/25.27 LETTER OF SUPPORT – ELLIOT RIVER  
COMMUNITY – CONTINUATION OF  
NEGOTIATIONS

Moved by: D CLARK

Seconded by: M BRUNKER

That Council provide a letter of support to the Elliot River Hut Owners Association to encourage the continued engagement and negotiations in good faith with the State Government, Kyburra Munda Yalga Aboriginal Corporation (KMYAC), Juru People and the Hut Owners Association in order to resolve the land tenure issues and provide a positive outcome for all parties.

**PROCEDURAL MOTION**

Moved by: J CLIFFORD

Seconded by: R PETERSON

That Council write to the State Government imploring them to continue to facilitate negotiations in good faith with the Kyburra Munda Yalga Aboriginal Corporation (KMYAC), Juru People and the Hut Owners Association in order to resolve the land tenure issues and provide a positive outcome for all parties.

Furthermore, that a copy of Council's correspondence be provided to all parties.

**MEETING DETAILS:**

*Mayor Willcox declared a Perceived Conflict of Interest (as Section 173 per the Local Government Act 2009) on the matter of his family being a Hut Owner and left the meeting room at 9.42am taking no part in the debate or decision of the meeting; Deputy Mayor John Collins chaired the meeting.*

The procedural motion was defeated 4/2

The motion was Carried 4/2

**CARRIED**

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Mayor Willcox returned to the Meeting Room at 9.50am

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12. Planning and Community Services

12.20 2016/05/25.28 BOWEN GUMLU GROWERS ASSOCIATION  
INC. – APPROVAL FOR ASSISTANCE –  
PROCESSING PLANT PRE-FEASIBILITY  
STUDY

Moved by: J CLIFFORD

Seconded by: D CLARK

That Council approve the request for \$20,000.00 to the Bowen Gumlu Growers Association Inc. to undertake a pre-feasibility study into the viability of a Processing Plant in Bowen.

**MEETING DETAILS:**

*Mayor Willcox declared a Material Personal Interest (as per Section 172 of the Local Government Act 2009) on the matter of a sibling being an executive of the Bowen Gumlu Growers Association and left the meeting room at 9.51am taking no part in the debate or decision of the meeting; Deputy Mayor John Collins chaired the meeting.*

The motion was Carried 6/0

**CARRIED**

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Mayor Willcox returned to the Meeting Room at 9.52am

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15. General Business

15.1 2016/05/25.29 GRASS MAINTENANCE – BIG MANGO,  
BOWEN

Moved by: M BRUNKER

Seconded by: J CLIFFORD

That the grass on the lot opposite the Big Mango, Bowen be slashed and poisoned.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. General Business

15.2 2016/05/25.30 BINDII-EYE ERADICATION PLAN

Moved by: M BRUNKER

Seconded by: P RAMAGE

That a coordinated bindii-eye eradication plan be implemented within the region.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**16. Procedural Motion**

**16.1 2016/05/25.32 PROCEDURAL MOTION - ADJOURNMENT**

**Moved by: J CLIFFORD**

**Seconded by: M BRUNKER**

**That Council adjourn the meeting for the purpose of conducting a Citizenship Ceremony and Morning Tea at 10.02am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Procedural Motion

16.2 2016/05/25.32 PROCEDURAL MOTION - RECONVENE

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council reconvene the meeting from conducting a Citizenship Ceremony and Morning Tea at 10.50am

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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16. Procedural Motion

16.3 2016/05/25.33 PROCEDURAL MOTION - CLOSURE OF MEETING

Moved by: R PETERSON

Seconded by: J CLIFFORD

That Council close the meeting to the public at 10.51am in accordance with Section 275 of the Local Government Regulations 2012, 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 – Business Activities Report – April 2016**  
Section 275 (1) (c) the local government’s budget
- **Item 14.2.1 – Rates and Sundry Debtors – April 2016**  
Section 275 (1) (c) the local government’s budget
- **Item 14.2.2 – Application for Arrangement to Pay – Assessment 1204868**  
Section 275 (1) (d) rating concession
- **Item 14.2.3 – Application for Arrangement to Pay – Assessment 1201826**  
Section 275 (1) (d) rating concession
- **Item 14.2.4 – Application for Arrangement to Pay – Assessment 1206183**  
Section 275 (1) (d) rating concession
- **Item 14.2.5 – Application for Special Consideration – Assessment 1101326**  
Section 275 (1) (d) rating concession
- **Item 14.2.6 – Application for Special Consideration – Hardship 1103383**  
Section 275 (1) (d) rating concession
- **Item 14.2.7 – Supply and Delivery of One (1) 7.5T Dual Cab Flatbed Truck with Crane**  
Section 275 (1) (e) contracts proposed to be made by it

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Procedural Motion

16.4 2016/05/25.34 PROCEDURAL MOTION - REOPEN OF MEETING

Moved by: J CLIFFORD

Seconded by: R PETERSON

That Council reopen the meeting to the general public at 11.06am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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

**14.1.1 2016/05/25.35 BUSINESS ACTIVITIES REPORT - APRIL 2016**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**That Council receive the Business Activities Report for the month of April 2016.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14.2 Confidential Matters - Corporate Services

14.2.1 2016/05/25.36 RATES AND SUNDRY DEBTORS - APRIL 2016

Moved by: J COLLINS

Seconded by: D CLARK

That Council receive the report showing the actions taken to collect outstanding debtors and rates.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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14.2 Confidential Matters – Corporate Services

14.2.2 2016/05/25.37 APPLICATION FOR ARRANGEMENT TO PAY  
- ASSESSMENT 1204868

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council approves a concession due to hardship to defer payment for twelve months of the outstanding debt for assessment 1204868 with the following conditions:

- a) A payment of \$100 is to be made every fortnight;
- b) No interest to accrue during the arrangement;
- c) The balance of the debt is to be cleared in full within 12 months; including new charges accrued during the arrangement;
- d) Failure to make a payment is required to be rectified within 7 days;
- e) Two consecutive failures to make payment will result in this arrangement terminated.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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14.2 Confidential Matters – Corporate Services

14.2.3 2016/05/25.38 APPLICATION FOR ARRANGEMENT TO PAY
- ASSESSMENT 1201826

Moved by: J CLIFFORD

Seconded by: P RAMAGE

That Council approves a concession to defer payment of the outstanding rates and water consumption charges on assessment 1201826 with the following conditions:

- a) A payment of \$100 is to be made every fortnight to 6 May 2016;
- b) Payments of \$200 per week are then required from 13 May 2016 for a period of 24 months;
- c) Interest of 11% compound will continue to accrue;
- d) Failure to make a payment is required to be rectified within 7 days;
- e) Two consecutive failures to make payment will result in this arrangement terminated;

- f) To be reviewed in 12 months;
- g) Customer can re-negotiate the arrangement with Council approval.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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- 14.2 Confidential Matters – Corporate Services
 - 14.2.4 2016/05/25.39 APPLICATION FOR ARRANGEMENT TO PAY
- ASSESSMENT 1206183

Moved by: D CLARK
 Seconded by: J COLLINS

That Council approves a renegotiated arrangement for payment of the outstanding debt on rate assessment 1206183 with the following conditions:

- a) Fortnightly payments of \$200 per fortnight to 31 July 2017
- b) Interest of 11%
- c) Failure to make payment, customer to rectify within 7 days
- d) Two consecutive failures to make payment, arrangement terminated
- e) Customer can renegotiate arrangement with Council approval

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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- 14.2 Confidential Matters – Corporate Services
 - 14.2.5 2016/05/25.40 APPLICATION FOR SPECIAL
CONSIDERATION – ASSESSMENT 1101326

Moved by: D CLARK
 Seconded by: J COLLINS

That Council grant approval under the Hardship Policy, for a deferral of rates and charges on assessment 1101326, for twenty-four (24) months with the following conditions:

- a) Repayments are required to be continued for a minimum of \$50 per month;
- b) No interest to accrue during the period of this arrangement due to the financial hardship;
- c) This arrangement is for a period of twenty-four (24) months to 31 May, 2018;
- d) Failure to make a payment, customer to rectify within 7 days;
- e) Two consecutive failures to make payment, arrangement terminated;
- f) Customer can renegotiate arrangement with Council approval.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**14.2 Confidential Matters – Corporate Services**

**14.2.6 2016/05/25.41 APPLICATION FOR SPECIAL CONSIDERATION - HARDSHIP 1103383**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

**That Council:**

- a) does not approve a concession under the Hardship Policy to assessment 1103383 to defer payment as evidence presented does not meet the criteria to be considered hardship under Council's policy. In particular, the ratepayer has not demonstrated unusual and severe difficulty, rather than the usual frustrations and trials to which other ratepayers or similar organisations are subjected from time to time.
- b) does approve Chief Executive Officer to negotiate with the ratepayer, under the Paying Rates by Arrangement Policy, a deferral of the debt for assessments 1103383 for twelve (12) months with the following conditions:
  - i. Fortnightly payments of \$50 per fortnight to commence 15 Aug 2016 and to continue for twelve months;
  - ii. Interest of 11%;
  - iii. Failure to make payment, customer to rectify within 7 days;
  - iv. Two consecutive failures to make payment, arrangement terminated;



- v. Customer can renegotiate arrangement with Council approval; or
- vi. Full payment of rates and arrears to be made at the end of the twelve (12) month period.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14.2 Confidential Matters – Corporate Services

14.2.7 2016/05/25.42 SUPPLY AND DELIVERY OF ONE (1) 7.5 T DUAL CAB FLATBED TRUCK WITH CRANE

Moved by: D CLARK

Seconded by: J COLLINS

That Council award contract 500.2015.0093 the Supply and delivery of one (1) 6.5T – 8.5T dual cab flatbed truck with crane to Croker’s Truck Centre \$108,231.82 (Excluding GST).

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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*The meeting closed at 11.11am*

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Confirmed as a true and correct recording this 08 June 2016

**Cr Andrew Willcox
MAYOR**