

Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
Bowen Council Chambers, 67 Herbert Street, Bowen on
31 January 2018 commencing at 9:00am

Councillors Present:

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

Council Officers Present:

B Omundson (Chief Executive Officer); S Fernando (Chief Financial Officer); J Raiteri (Director Engineering Services); G Jarvis (Director Corporate Services); J Wright (Director Community & Environment); N McGaffin (Director Planning & Development); A Hagy (Director Customer Experience); G Martin (Manager Communications & Marketing); D Mackay (Manager Development Assessment); B Davis (Legal Officer); M Douglas (Administration Officer)

Other Details:

The meeting commenced at 9.01am

The meeting adjourned for morning tea at 10.01am

The meeting reconvened from morning tea at 10.31am

The meeting adjourned for lunch at 12.52pm

The meeting reconvened from lunch at 1.32pm

The meeting closed at 2.09pm

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2. Condolences

2.1 2018/01/31.01 CONDOLENCES

Moved by: J CLIFFORD

Seconded by: D CLARK

Council observes 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

### 31 January 2018 - Ordinary Council Meeting

|                                        |                                                                                                                                                                                                                                                             |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Wednesday<br>13 <sup>th</sup> December | <ul style="list-style-type: none"><li>Whitsunday ROC December 2017 Board Meeting (Mackay)</li><li>GWCoM's Christmas Dinner</li></ul>                                                                                                                        |
| Thursday<br>14 <sup>th</sup> December  | <ul style="list-style-type: none"><li>LGAQ Tourism Roundtable in Brisbane</li></ul>                                                                                                                                                                         |
| Monday<br>18 <sup>th</sup> December    | <ul style="list-style-type: none"><li>Mayor's Christmas Giving Tree Appeal photos at Bowen and Cannonvale Libraries</li><li>Tourism Whitsundays December Board Meeting and Christmas Lunch</li><li>2017 - Cabinet Christmas Reception in Brisbane</li></ul> |
| Tuesday<br>19 <sup>th</sup> December   | <ul style="list-style-type: none"><li>Mayor's Christmas Giving Tree Appeal photos at Proserpine Library</li></ul>                                                                                                                                           |
| Wednesday<br>20 <sup>th</sup> December | <ul style="list-style-type: none"><li>Media conference at Shute Harbour</li><li>Bowen Office Christmas Lunch</li></ul>                                                                                                                                      |
| Thursday<br>25 <sup>th</sup> January   | <ul style="list-style-type: none"><li>Coral Sea Catalina Project Gala Dinner</li></ul>                                                                                                                                                                      |
| Friday<br>26 <sup>th</sup> January     | <ul style="list-style-type: none"><li>Australia Day awards ceremony in Collinsville, Bowen ceremony, which was held at Merinda, and ceremony at Proserpine RSL</li></ul>                                                                                    |
| Saturday<br>27 <sup>th</sup> January   | <ul style="list-style-type: none"><li>Whitsundays Clipper Race Carnival Rodeo by the Reef</li></ul>                                                                                                                                                         |
| Monday<br>29 <sup>th</sup> January     | <ul style="list-style-type: none"><li>Proserpine State High School Leadership induction</li><li>Meeting with ratepayer at Airlie Beach</li><li>Farewell event for the Whitsundays Clipper Race Carnival</li></ul>                                           |
| Tuesday<br>30 <sup>th</sup> January    | <ul style="list-style-type: none"><li>Whitsunday LDMG Meeting</li><li>Meeting with ratepayer at Proserpine</li></ul>                                                                                                                                        |

**4. Confirmation of Minutes**

**4.1 2018/01/31.02 CONFIRMATION OF MINUTES REPORT**

**Moved by: J COLLINS**

**Seconded by: R PETTERSON**

**Council confirms the Minutes of the Ordinary Meeting held on 13 December, 2017.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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7. Notice of Motion

7.1 2018/01/31.03 NOTICE OF MOTION - THE PETER PROJECT CHARITY BIKE RIDE

Moved by: P RAMAGE

Seconded by: J CLIFFORD

Council resolves to support Sarah Bon in “The Peter Project Charity Bike Ride” with a donation at a rate of \$20 per kilometre, noting the impact of suicide on the community and Council workforce, and the good work done by the Whitsunday Suicide Prevention Network organisation, to whom the funds will be directed.

MEETING DETAILS:

Cr Petterson declared a Conflict of Interest in accordance with Section 173 of the Local Government Act 2009 due to the matter that he is the Chair of the Suicide Prevention Committee and left the meeting room at 9.07am taking no part in the debate on this matter.

The motion was Carried 6/0

CARRIED

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***Cr Petterson returned to the meeting room at 9.08am***

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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

Mick Healy
17 Calista Court
Proserpine QLD 4800

Subject: Making Renwicks Road a safer road for all.

Many trucks traverse this road eg. Crokers Fuel, Elgas, Humphries General, AWR Fertiliser trucks (1,000s of tonnes of fertiliser in and out of town), Farm HQ (same as AWR), scrap metal trucks, Whitsunday Transport trucks. We now have Steve Banks who has moved into Hinschen Street which means even more trucks on Renwicks Road. During the crush we have mill mud trucks running 24 hours a day, begas trucks, molasses trucks and many trucks that feed the industrial area. This includes B doubles, semis and cane haulout tractors etc. B doubles are now up to 26.5 metres long and four of these together, end to end, are longer than a football field. The last review by the Department of Transport and Main Roads (DTMR) was on the 29 January 2002 (16 years ago). In the meantime a new estate has been developed (Whitsunday Gardens) with approximately 120 new houses. Also school student numbers have increased. There are approximately 1,000 students at the high school, 450 at the primary school and over 400 at the Catholic school, plus day care.

We need to fix this road and make it as safe as possible. Here are some ideas.

- Fix the corner at Hinschen and Renwicks Road. Semis and B doubles cannot manoeuvre this corner without taking both lanes up. Hence there is no room for oncoming traffic to negotiate the corner. (See picture attached)
- The external drain should be put underground and the road widened as Renwicks Road is too narrow for parked cars and trucks. (See 2 pictures attached)

- Footpath on the south side between Dudley and Daybell Streets so that bikes, students and pedestrians don't have to cross this very busy heavy haulage road to get to school etc. There are no safe crossings at all on Renwicks Road except for when the lollypop lady is patrolling.
- Mobility chairs cannot use Renwicks Road as the curbing has not be ramped at Keith Johns Drive corner.
- There are over 2,000 students at schools along Renwicks Road. The day care is only metres away from Renwicks Road and the fumes from these vehicles are carcinogenic. We must stop these fumes and noise pollution. Renwicks Road should be paved to reduce road noise for the benefit of residents and schools.
- Someone could approach the Mill about using the northern exit straight onto the Bruce Highway instead of going from one side of town to the other. The mill trucks already use this entry and exit when they feel like it. Also we have a concrete plant exiting even closer to the bridge than this mill exit so there is no excuse for being able to use this northern exit for most mill trucks.

I have been after these safety concerns to be dealt with for over a four year period and nothing, and I mean nothing has been done except for the reduction of the speed limit from 60kph to 50kph. Speed is still a factor with the noise and fumes problem. I would like to know how far the planning of the new road south of Proserpine to the industrial area has progressed as I am sure this will solve all of the above problems.

ACTION MUST BE TAKEN. IT IS THE COUNCILS DUTY OF CARE TO MAINTAIN AND PROVIDE A SAFE ENVIRONMENT FOR ALL ROAD USERS. RENWICKS ROAD IS A VERY DANGEROUS ROAD THAT HAS NOT HAD ANY SAFETY ACTION BY THE COUNCIL IN THE PAST.

Thank you for your time

Regards

Mick Healy

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*Council's Chief Executive Officer, Barry Omundson read the public question on Mr Healy's behalf and advised him that a response would be provided in due course.*

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10. Office of the Mayor and CEO
10.1 2018/01/31.04 MONTHLY FINANCIAL REPORT - DECEMBER 2017

Moved by: J CLIFFORD
Seconded by: R PETERSON

Council receives the Monthly Financial Report for the month of December, 2017.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor and CEO  
10.2 2018/01/31.05 REVISED ENTERPRISE RISK MANAGEMENT FRAMEWORK

Moved by: R PETERSON  
Seconded by: J CLIFFORD

Council resolves to adopt the revised Enterprise Risk Framework.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor and CEO

10.3 2018/01/31.06 QUEENSLAND PRODUCTIVITY COMMISSION
RESPONSE TO NEUTRALITY COMPLAINT
WANGARATTA CARAVAN PARK

Moved by: J CLIFFORD

Seconded by: J COLLINS

Council resolves to:

- (a) receive the letter from the Queensland Productivity Commission that advises that the complaint investigation has been finalised;
- (b) make the report in the investigation available at the Council's public offices; and
- (c) monitor the expenses of Council's caravan park operations annually and make a decision on whether to apply the code if the expenses exceed the thresholds set by the Department responsible for Local Government.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor and CEO

10.4 2018/01/31.07 ACTING CHIEF EXECUTIVE OFFICER

Moved by: P RAMAGE

Seconded by: J COLLINS

Council resolves to note the appointment of Jason Raiteri, Director Engineering Services to Acting Chief Executive Officer for the inclusive period of 6 January, 2018 to 14 January, 2018.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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11. Corporate Services
11.1 2018/01/31.08 INFORMATION SECURITY POLICY -
AP_CORP_2018_02

Moved by: R PETERSON

Seconded by: J CLIFFORD

Council resolves to authorise the approval of the Information Security Policy - AP_CORP_2018_02 by the Chief Executive Officer.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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11. Corporate Services
11.2 2018/01/31.09 CORPORATE SERVICES - MONTHLY REPORT -
NOVEMBER AND DECEMBER 2017

Moved by: J CLIFFORD

Seconded by: R PETERSON

Council receives the Corporate Services Monthly Report for November and December 2017.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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12. Planning and Development Services
12.1 2018/01/31.10 20080306 - REQUEST FOR EXTENSION OF
RELEVANT PERIOD - DEVELOPMENT PERMIT FOR
RECONFIGURATION OF A LOT - ONE LOT INTO
NINETY-SEVEN (97) LOTS, ARMADA CRESCENT
JUBILEE POCKET, THE SANCTUARY
DEVELOPMENTS (AUSTRALIA) PTY LTD

Moved by: D CLARK

Seconded by: P RAMAGE

Council resolves to approve the request for an extension of relevant period of the Development Permit for 20080306 until 26 November 2019.

MEETING DETAILS:

The motion was Carried 6/1

CARRIED

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12. Planning and Development Services

- 12.2 2018/01/31.11 20080638 - REQUEST FOR EXTENSION OF RELEVANT PERIOD - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT, ONE INTO FIFTEEN RESIDENTIAL LOTS, TWO PARKLAND LOTS & ONE BALANCE LOT - ARMITAGE AVENUE, MANDALAY - LOT 39 ON SP212228 - HILLPOLL PTY LTD - C/- VERIS

Moved by: D CLARK

Seconded by: M BRUNKER

Council resolve to approve the request for an extension of relevant period of the Development Permit for 20080638 until 15 December 2019.

**MEETING DETAILS:**

The motion was Carried 6/1

CARRIED

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12. Planning and Development Services

- 12.3 2018/01/31.12 20170444 - REQUEST FOR NEGOTIATED DECISION NOTICE - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT - ONE (1) LOT INTO TWO (2) LOTS, 54 RIDGE VIEW ROAD CANNONVALE. T D MANSFIELD - C/- RPS

Moved by: D CLARK

Seconded by: J COLLINS

Council resolves to refuse the Request for a Negotiated Decision Notice of the Development Permit for Reconfiguration of a Lot - One (1) Lot into Two (2) Lots lodged by RPS on behalf of T D Mansfield on land described as Lot 5 RP 733748 T: N1098/225, 54 Ridge View Road Cannonvale, on the following basis:

- Non-compliance with Overall Outcome 2 (f) of the Rural Residential Zone Code with no alternative solution provided;
- Non-compliance with PO3 of the Environmental Significance Overlay Code of the *Whitsunday Regional Planning Scheme 2017*;
- Non-compliance with AO1.1 of the Landslide Hazard Overlay Code of the *Whitsunday Regional Planning Scheme 2017*.

MEETING DETAILS:

The motion was Carried 7/0

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12. Planning and Development Services

- 12.4 2018/01/31.13 20170465 - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE RENEWABLE ENERGY FACILITY (SOLAR FARM) AND SUBSTATION & RECONFIGURING A LOT - ONE LOT INTO TWO - BOWEN SOLAR FARM - AFRICANDAR ROAD BOWEN - 800 SP: 201454

Moved by: M BRUNKER

Seconded by: J CLIFFORD

Council resolves to approve the application for Development Permit for Material Change of Use of Premises for a Renewable Energy Facility (Solar Farm) and Substation & Reconfiguring a Lot - One (1) Lot into Two (2) Lots, Subdivision by Lease (Greater than Ten (10) Years) and Access Easement, made by Bowen Solar Farm Pty Ltd, on Lot 800 SP 201454 T: LEASE I/SP232130 and located at Africandar Road 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:

| Plan/Document Name                | Prepared By                | Plan Number             | Dated      |
|-----------------------------------|----------------------------|-------------------------|------------|
| Approval Plan                     | ERM                        | 0387962b_IR_G003_R1.mxd | 13/10/2017 |
| Preliminary Plan of Subdivision   | ERM                        | 0387962b_IR_G004_R0.mxd | 13/10/2017 |
| Field Verified Vegetation Types   | ERM                        | 0387962b_IR_G001_R1.mxd | 13/10/2017 |
| Regulated Vegetation Map          | ERM                        | 0387962b_IR_G002_R1.mxd | 13/10/2017 |
| Traffic Engineering Advice Letter | Cambray Consulting Pty Ltd | N/A                     | 23/10/2017 |
| Ecological Assessment             | ERM                        | 0387962_03              | June 2017  |
| Solar Glare Assessment Report     | ERM                        | 0387962_02              | June 2017  |
| View Corridor Sections            | ERM                        | 0387962_C001_R0.cdr     | 28/11/2017 |

- 1.2 The applicant is to comply with the Department of Infrastructure, Local Government and Planning's conditions as outlined in the Department's correspondence dated 13 November 2017.
- 1.3 The applicant is to comply with Ergon Energy's conditions as outlined in Ergon Energy's correspondence dated 21 September 2017.
- 1.4 The following further development permits are required prior to commencement of work on site or commencement of the use:
  - Operational Works:
    - Earthworks;
    - Erosion Prevention and Sediment Control; and
    - Access and Parking
  - Plumbing and Drainage Works;
  - Building Works;

In relation to any buildings, Plumbing and Drainage Works Development Permits must be obtained prior to the issue of a Building Works Development Permit.

- 1.5 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.
- 1.6 All conditions of this approval must be complied with in full to Council's satisfaction prior to the commencement of the use.
- 1.7 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals have been complied with at the time of sealing the survey plan or commencement of the use, whichever is the sooner.
- 1.8 A copy of this decision notice and stamped approved plans/drawings must be retained on site at all times. This decision notice must be read in conjunction with the stamped approved plans to ensure consistency in construction, establishment and maintenance of approved works.

## **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 The existing site vegetation not within the proposed solar panel areas, associated onsite accesses, operational areas and bushfire break areas must be retained to provide screening of the development. Approved vegetated screening must be installed so the solar panels are not visible from Africandar Road.
- 2.4 No works, including vegetation disturbance, shall be undertaken within 25 metre buffer of the low order waterway located within the western corner of the project area.
- 2.5 Prior to the use of the operational access from Africandar Road timber screen fencing 1.8 meters high must be erected on both sides of the site access way connecting to Africandar Road, for the length of the site boundary of 154 Africandar Road (approximately 80 meters).

## **3.0 LIGHTING**

3.1 Any internal lighting must be directed downwards so as to minimise any adverse effects of glare or direct light nuisance on all surrounding allotments.

3.2 All non-essential lighting systems are to be sensor activated.

#### **4.0 EARTHWORKS**

4.1 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 to standards identified in AS 3789 as a minimum. Compaction test results are to be submitted to Council for its records prior to commencement of the use.

4.2 Prior to commencement of use on the site, or signing of the Plan of Survey, whichever is sooner the applicant must lodge with Council, an RPEQ's addressed to Council, certifying that the works have been constructed according to the approved drawings.

#### **5.0 WATER INFRASTRUCTURE**

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

#### **6.0 ON-SITE EFFLUENT DISPOSAL**

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

#### **7.0 ACCESS AND PARKING**

7.1 Prior to the signing of the Plan of Survey, access to the proposed electrical substation Lot must be provided by means of an access easement over Lot 800 SP201454 in favour of the proposed Lot.

7.2 The external access from the pavement of the Bruce Highway to the property boundary must be constructed to comply with the dimensions, gradients and specifications as indicated in Department of Transport and Main Roads conditions and standard drawings prior to commencement of the use.

7.3 The external access from the pavement of Africandar Road to the property boundary must be constructed to comply with the dimensions, gradients and specifications as indicated on Council's Standard Drawing R0053 prior to the commencement of the use.

7.4 Prior to commencement of use on the site, the applicant must lodge with Council, an RPEQ design and construction certification addressed to Council, certifying that external access, internal access, onsite parking and manoeuvring areas have been designed and constructed according to the conditions of this Decision Notice and achieves compliance with Whitsunday Regional Council Planning Scheme, AS2890 and AS 1428.

7.5 The proposed access road connecting to Africandar Road, is not to be used for construction traffic and is to be limited to operational traffic following completion of the proposal. This road must be constructed to a sealed standard from Africandar Road for the length of Lot 34 SP201454, prior to the commencement of the use.



- 7.6 A Development Permit for Operational Works (Access) must be obtained prior to commencement of work on site. Any application for Operational Works (Access) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council's Development Manual and this Decision Notice.
- 7.7 Accesses must be located so as to achieve Safe Intersection Sight Distance in accordance with Section 3 of Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections.

## **8.0 STORMWATER AND FLOODING**

- 8.1 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 Whitsunday Regional Council Development Manual (current at the time of development) prior to commencement of the use.
- 8.2 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.
- 8.3 Prior to commencement of use on the site, the applicant must lodge with Council, an RPEQ certification addressed to Council, certifying that all works will not cause adverse effects on adjoining or downstream properties or infrastructure and have been constructed in accordance with the requirements of Queensland Urban Drainage Manual current at the time of development, Council' Development Manual and this Decision Notice
- 8.4 Prior to the signing of the plan of survey the applicant the applicant must lodge with Council, an RPEQ certification addressed to Council, certifying that any substation is able to achieve flood immunity up to and including 0.5% AEP.
- 8.5 Prior to any work commencing on site the applicant must prepare a Stormwater Management Plan to be submitted to Council for review and approval.

## **9.0 ROADWORKS**

- 9.1 Prior to any work commencing on site the applicant must prepare a Traffic Management Plan to be submitted to Council for review and approval. The Traffic Management Plan must include:
- (a) provisions for effective traffic management on and off the site to provide a safe environment for all road users;
  - (b) provisions to minimize disruption and delays as a result of construction activities;
  - (c) provisions to minimize the impacts of dust and noise impacts on residential properties in Africandar Road, during the construction stage.
  - (d) the applicant must obtain from Council an up to date a Road Condition Assessment Report prior to the generation of any traffic.
  - (e) in the event that damage occurs on any Council road the cost to rectify to Council satisfaction will be borne by the applicant.
  - (f) all traffic must use the construction road gaining access to and from the Bruce Highway during the construction period and prior to the commencement of the use.

## **10.0 ELECTRICITY AND TELECOMMUNICATIONS**

- 10.1 The applicant is required to 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.

#### **11.0 BUSHFIRE PROTECTION PLAN**

11.1 The applicant is required to provide Council with a Bushfire Management Plan for approval prior to the commencement of any works on site. The applicant shall implement and maintain all associated bushfire protection measures as approved.

#### **12.0 EROSION PREVENTION AND SEDIMENT CONTROL**

12.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site. The plan must be prepared in accordance with Council's Development Manual (current at the time of the development), and the Best Practice Erosion & Control - November 2008 (IECA White Book).

12.2 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.

12.3 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.

#### **13.0 MAINTENANCE VALUATION**

13.1 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.

#### **14.0 ENVIRONMENTAL MANAGEMENT PLAN**

14.1 An Environmental Management Plan (EMP) must be approved prior to the commencement of site works and all recommendations of the EMP must be complied with to the requirements of Council. The EMP must address but not limited to the following issues:

- Water quality and drainage;
- Fauna management;
- Vegetation clearing;
- Top soil management;
- Interim drainage plan during construction;
- Construction program;
- Geotechnical issues;
- Weed control;

- Emergency vehicle access;
- Traffic management during construction;
- Noise and dust suppression; and
- Other issues as required.

14.2 Prior to the preparation of the EMP the applicant must obtain, from Council, a comprehensive list of issues to be addressed in the EMP.

#### **15.0 OPERATING PROCEDURES**

15.1 Any weed spraying conducted on site is not to occur on days when high winds are reasonably expected to cause spray drift onto adjoining properties.

15.2 Prior to any work commencing onsite the applicant is to provide to Council an Emergency Management Plan detailing operating procedures.

15.3 Prior to any work commencing on site the applicant must prepare a Site Based Rehabilitation Plan to be submitted to Council for review and approval.

15.5 Prior to any work commencing on site the applicant must prepare a Construction Management Plan to be submitted to Council for review and approval.

#### **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 Provision and maintenance of a refuse collection areas to the requirements of the Council.

16.3 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.

16.4 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The onsite supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.

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

16.6 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**

##### **17.1 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.

##### **17.2 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.

**17.4 Noise During Construction and Noise in General**

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

**17.5 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.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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18. Procedural Motion

18.1 2018/01/31.14 PROCEDURAL MOTION - ADJOURN

Moved by: J CLIFFORD

Seconded by: M BRUNKER

That the meeting be adjourned for the purpose of morning tea at 10.01am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**18. Procedural Motion**

**18.2 2018/01/31.15 PROCEDURAL MOTION - RECONVENE**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

**That the meeting be reconvened from morning tea at 10.31 am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Development Services

12.5 2018/01/31.16 20171211 - REFERRAL ENTITY RESPONSE - STATE DEVELOPMENT AREA APPLICATION FOR MATERIAL CHANGE OF USE FOR PORT FACILITIES (TERMINAL 1) IN THE ABBOT POINT STATE DEVELOPMENT AREA, ADANI ABBOT POINT TERMINAL PTY LTD

Moved by: D CLARK

Seconded by: R PETERSON

Council resolves to provide a referral entity response for State Development Area Application for Material Change of Use for Port Facilities (Terminal 1), made by Adani Abbot Point Terminal Pty Ltd, on Lot 3 SP227557 and located at Abbot Point Road, Bowen, to the Coordinator General seeking the inclusion of the following conditions:

- The proponent consider entering into agreements with Council to facilitate a water supply network from Council's current infrastructure networks;**
- The proponent be advised that Council, in conjunction with North Queensland Bulk Port Corporation, have been undertaking projects to manage the impacts of pests (feral pigs) on the Caley Valley Wetland and within the Abbot Point Port SDA;**
- Council's expectation is for the construction workforce to be located within the existing accommodation within Bowen and Merinda.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Development Services**

**12.6 2018/01/31.17 2016 GROWTH PROJECTIONS COMPARISON TO ABS 2016 CENSUS DATA**

**Moved by: J CLIFFORD**

**Seconded by: M BRUNKER**

**Council resolves to receive the 2016 Growth Projections (Norling 2013) comparison to ABS 2016 Census Data.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Planning and Development Services

12.7 2018/01/31.18 PLANNING SCHEME 1ST AMENDMENT PACKAGE - PROPOSED ZONE AMENDMENTS - PART 1

Moved by: D CLARK

Seconded by: M BRUNKER

Council resolves to amend the zone of following lots:

Lot 1 RP727724	from Rural Zone to Medium Impact Industry Zone
Lot 7 SP144396	from Low Density Residential Zone to Major Centre Zone
Lot 959 SP194473	from Low Density Residential Zone to Local Centre Zone
Lot 2 SP265771	from Low Density Residential Zone to Community Facilities Zone
Lot 401 - 405 W9363; 19 RP905582; and 501 - 508 W9363	from Open Space Zone to Low Density Residential Zone
Lot 10 SP296624	from District Centre Zone to Low Density Residential Zone

and resolves to decline zone amendment requests for the following lots:

Lot 18 A8597	from Low Density Residential Zone to Mixed Use Zone
Lot 48 SP243724	from Industry Investigation Zone to Community Facilities Zone

Lot 3 RP716248	from Low Impact Industry Zone to Community Facilities Zone
Lot 20 SP157782	from Low Density Residential Zone to Low-Medium Density Residential Zone
Lot 19 SP124856 & Lots 1-5 SP121140	from Mixed Use Zone to Mixed Use in 28m (8 Storey) Building Height Precinct Zone
Lot 90 SP253581	from Rural Zone to Low Density Residential Zone
Lot 12 RP745336	from Rural Zone to Rural Residential Zone
Lot 1 RP705173	from Rural Zone to Neighbourhood Centre Zone
Lot 1 SP265771	from Low Impact Industry Zone to Low Density Residential Zone

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Planning and Development Services**

**12.8 2018/01/31.19 PLANNING & DEVELOPMENT MONTHLY REPORT - DECEMBER 2017**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**Council receives the Planning and Development Monthly Report for December 2017.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Community and Environment

13.1 2018/01/31.20 SPORT & RECREATION CLUB GRANTS - DECEMBER 2017 & JANUARY 2018

Moved by: D CLARK

Seconded by: R PETERSON

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

- a) Bowen Stand up Paddleboard Club Inc.**
- b) Whitsunday Regional Endurance Riders Association Inc.**
- c) Bowen Tennis Association Inc.**
- d) Whitsunday & Proserpine RC Models Inc.**
- e) Molongle Creek Boat Creek Club Inc.**
- f) Collinsville Golf Club Inc.**
- g) Bowen & Collinsville Lapidary Club Inc.**
- h) Collinsville Horse & Pony Club Inc.**
- i) Whitsunday Football Club Inc.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Community and Environment**

**13.2 2018/01/31.21 REQUEST FOR COUNCIL FEE WAIVERS - JANUARY 2018**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**Council resolves to approve the waiving of fees for the following recipients;**

- Bowen Parkrun**
- Clipper Race Carnival Consortium x 2**
- Whitsunday Community Gardens**
- Airlie Beach Parkrun.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**



**13. Community and Environment**

**13.3 2018/01/31.22 FINANCIAL SUPPORT FOR ELITE ATHLETES -  
DECEMBER 2017 & JANUARY 2018**

**Moved by: D CLARK**

**Seconded by: R PETERSON**

**Council resolves to approve the payment of Financial Support for Elite Athlete to the following recipients:**

- **Callum McNee**
- **Levi Downs**
- **Isabella Bruce**
- **Jack Scharf**
- **Sam Belyea**
- **Ethan McClintock**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Community and Environment

**13.4 2018/01/31.23 DRAFT TRUSTEE LEASE - LOT 277 ON SP113325 -
PROSERPINE STATE HIGH SCHOOL**

Moved by: R PETERSON

Seconded by: J CLIFFORD

Council resolves to authorise the Chief Executive Officer to negotiate and execute Trustee Lease for Proserpine State High School for Lease C on Lot 277 on SP113325

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Community and Environment**

**13.5 2018/01/31.24 COMMUNITY & ENVIRONMENT - MONTHLY REPORT  
- DECEMBER 2017**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**Council receives the Community & Environment Monthly Report for December 2017.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Engineering Services

**14.1 2018/01/31.25 ENGINEERING SERVICES MONTHLY REPORT -
DECEMBER 2017**

Moved by: J CLIFFORD

Seconded by: D CLARK

Council receives the Engineering Services Monthly Report for the month of December 2017.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Customer Experience**

**15.1 2018/01/31.26 BOWEN WORK CAMP ENGAGEMENT COMMITTEE - JANUARY 2018**

**Moved by: M BRUNKER**

**Seconded by: R PETERSON**

**Council receives the minutes of the Bowen Work Camp Engagement Committee Meeting for January 2018**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Customer Experience

15.2 2018/01/31.27 CUSTOMER EXPERIENCE MONTHLY REPORT - NOVEMBER AND DECEMBER 2017

Moved by: J CLIFFORD

Seconded by: R PETERSON

Council receives the Customer Experience Monthly Report for November and December 2017.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**16. General Business**

**16.1 2018/01/31.28 REQUEST TO FINANCIAL OMBUDSMAN SERVICE**

**Moved by: J COLLINS**

**Seconded by: J CLIFFORD**

**Council resolves to authorise the Chief Executive Officer to write a letter to the Financial Ombudsman Service in support of the request by Mrs Woods of the Whitsunday Neighbourhood Centre that they visit our region for further meetings.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**



**16. General Business**

**16.2 2018/01/31.29 BUDGET CONSIDERATION 2018/19**

**Moved by: M BRUNKER  
Seconded by: D CLARK**

**Council resolves to consider as a part of its 2018/19 budgetary process a roundabout at Herbert Street and Soldiers Road, with associated pedestrian crossing and a culvert at Murray Avenue, Bowen.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. General Business

16.3 2018/01/31.30 INVITATION TO TELSTRA REPRESENTATIVE

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

Council resolves to authorise the Chief Executive Officer to write to Telstra to invite a senior representative to attend a Council Briefing Session for discussion regarding the removal of landlines in Council's remote areas specifically Mt Coolon.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**16. General Business**

**16.3 2018/01/31.31 REVIEW OF ALTERNATE PEST CONTROL**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council resolves to authorise the Chief Executive Officer to review and report to Council the effectiveness of alternative pesticides and pest control for vegetation in the region.**

**MEETING DETAILS:**

The motion was Carried 5/2

**CARRIED**

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18. Procedural Motion

18.3 2018/01/31.32 PROCEDURAL MOTION - CLOSURE OF MEETING

Moved by: D CLARK

Seconded by: P RAMAGE

That Council close the meeting to the public at 11.31am 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.

17.1.1 Business Activities Report - December 2017

(c) the local government's budget

17.2.2 Collinsville Independent Living Company

(a) the appointment, dismissal or discipline of employees

17.2.1 Rates and Sundry Debtors - December 2017

(f) starting or defending legal proceedings involving it

17.2.2 Collinsville War Memorial - Lot1 MPH13509 (1 Belmore Street Collinsville) - Transfer of Ownership

(e) contracts proposed to be made by it

17.2.3 Rates Relief Advisory Committee - Meeting Minutes 1 December 2017

(d) rating concessions

17.3.1 20070650 - Variation to Infrastructure Agreement - Oakbaye Pty Ltd

(c) the local government's budget

- (g) any action to be taken by the local government under the *Sustainable Planning Act 2009*, including deciding applications made to it under that Act
- (h) other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage

17.5.1 Request For Remission Of Excess Water Usage Charges

- (c) the local government's budget

17.6.1 Tender Evaluation - Construction Of The Proserpine Water Park

- (e) contracts proposed to be made by it

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**18. Procedural Motion**

**18.4 2018/01/31.32 PROCEDURAL MOTION - REOPEN OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**That Council reopen the meeting to the general public at 2.05PM.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

**17.1 Confidential Matters - Office of the Mayor and CEO**

**17.1.1 2018/01/31.33 BUSINESS ACTIVITIES REPORT - DECEMBER 2017**

**Moved by: R PETERSON**

**Seconded by: D CLARK**

**Council receives the Business Activities Report for the month of December 2017.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17.1 Confidential Matters - Office of the Mayor and CEO

17.1.2 2018/01/31.34 COLLINSVILLE INDEPENDENT LIVING COMPANY

Moved by: P RAMAGE

Seconded by: J CLIFFORD

Whitsunday Regional Council as sole member and shareholder of the Collinsville Independent Living Company Pty Ltd resolves:

- a) To approve the employment of Manager Lorna Roseina Simpson;**
- b) That the Constitution of the Company be replaced in its entirety by Annexure "A" which is to be adopted as the Constitution of the Company; and**
- c) That Council approves the appointment of CEO Barry Omundson as the sole Director of Collinsville Independent Living Company Pty Ltd.**
- d) Endorse the resignation of Councillor Peter Ramage as Director of Collinsville Independent Living Company Pty Ltd.**
- e) Transfer the operation of the Collinsville Independent Living Company Pty Ltd into the Council organisation, under the responsibility of the Community & Environment Directorate.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**17.2 Confidential Matters - Corporate Services**

**17.2.1 2018/01/31.35 RATES AND SUNDRY DEBTORS - DECEMBER 2017**

**Moved by: J CLIFFORD**

**Seconded by: R PETTERSON**

**Council resolves to receive the December 2017 report detailing actions taken to collect outstanding debtors and rates.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17.2 Confidential Matters - Corporate Services

17.2.2 2018/01/31.36 COLLINSVILLE WAR MEMORIAL - LOT1 MPH13509 (1 BELMORE STREET COLLINSVILLE) - TRANSFER OF OWNERSHIP

Moved by: P RAMAGE

Seconded by: D CLARK

Council resolves to accept the transfer of ownership of Lot 1 MPH13509 1 Belmore Street, Collinsville from the Returned Services League of Australia (Queensland Branch) to Whitsunday Regional Council for \$1.00 in accordance Section 235 *Local Government Regulation 2012*.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**17.2 Confidential Matters - Corporate Services**

**17.2.3 2018/01/31.37 RATES RELIEF ADVISORY COMMITTEE - MEETING MINUTES 1 DECEMBER 2017**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council receives the minutes from the Rates Relief Advisory Committee meeting held on 1 December, 2017.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

**17.3 Confidential Matters - Planning and Development Services**

**17.3.1 2018/01/31.38 20070650 - VARIATION TO INFRASTRUCTURE AGREEMENT - OAKBAYE PTY LTD**

**Moved by: J COLLINS**

**Seconded by: R PETERSON**

**Council authorise the Chief Executive Officer to enter into a Deed of Variation to the existing Infrastructure Agreement with Oakbaye Pty Ltd.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**





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18. Procedural Motion

18.1 2018/01/31.39 PROCEDURAL MOTION - ADJOURN

Moved by: J CLIFFORD

Seconded by: M BRUNKER

That the meeting be adjourned for the purpose of lunch at 12.52pm.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**18. Procedural Motion**

**18.2 2018/01/31.40 PROCEDURAL MOTION - RECONVENE**

**Moved by: D CLARK**

**Seconded by: J CLIFFORD**

**That the meeting be reconvened from morning tea at 1.32pm.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17.5 Confidential Matters - Engineering Services

17.5.1 2018/01/31.41 REQUEST FOR REMISSION OF EXCESS WATER USAGE CHARGES

Moved by: M BRUNKER

Seconded by: P RAMAGE

Council resolves to not approve the remission of excessive water charges at 10 Baxter Avenue, Heronvale.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

17.6 Confidential Matters - Customer Experience

17.6.1 2018/01/31.42 TENDER EVALUATION - CONSTRUCTION OF THE PROSERPINE WATER PARK

Moved by: J COLLINS

Seconded by: P RAMAGE

Council resolves to award contract 500.2017.0087 to Taylor Builders Pty Ltd for the Construction of the Proserpine Water Park for \$1,731,674.55 excluding GST.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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*The meeting closed at 2.09pm*

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Confirmed as a true and correct recording this 14th February, 2018

**Cr Andrew Willcox
MAYOR**