



Whitsunday Regional Council  
**Minutes of the Ordinary Meeting** held at  
**Bowen Council Chambers, 67 Herbert Street, Bowen** on  
**24 April 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); J Raiteri (Director Engineering Services); S Fernando (Chief Financial Officer); J Rugless (Acting Director Corporate Services); J Wright (Director Community & Environment); N McGaffin (Director Planning & Development); A Hagy (Director Customer Experience); P Fendley (Chief Staff Officer); G Martin (Manager Communications & Marketing); D Mackay (Manager Development Assessment); P Shuttlewood (Executive Manager Procurement, Contracts & Assets); T Rose (Major Projects Manager Program Director); M Douglas (Administration Officer)

**Other Details:**

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.20am

The meeting reconvened from morning tea at 10.35am

The meeting closed at 11.20am

Whitsunday Regional Council  
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<b>2.</b>	<b>CONDOLENCES .....</b>	<b>5</b>
2.1	2018/04/24.01 Condolences.....	5
<b>3.1</b>	<b>MAYORAL MINUTE .....</b>	<b>5</b>
3.1.1	2018/04/24.02 Financial Support for Volunteer Cruise Ship Ambassadors.....	5
<b>3.2</b>	<b>MAYORAL UPDATE .....</b>	<b>6</b>
<b>4.</b>	<b>CONFIRMATION OF MINUTES.....</b>	<b>7</b>
4.1	2018/04/24.03 Confirmation of Minutes Report .....	7
<b>9.</b>	<b>QUESTIONS FROM PUBLIC GALLERY.....</b>	<b>7</b>
<b>10.</b>	<b>OFFICE OF THE MAYOR AND CEO.....</b>	<b>8</b>
10.1	2018/04/24.04 Monthly Financial Report - March 2018.....	8
10.2	2018/04/24.05 Media Relations Policy.....	8
10.3	2018/04/24.06 Social Media Policy.....	8
10.4	2018/04/24.07 Change of Council Meeting Date .....	9
10.5	2018/04/24.08 The Greening And Growing Bowen Program - Stage 2b Grant Application.....	9
10.6	2018/04/24.09 Natural Disaster Resilience Program Funding Applications.....	10
10.7	2018/04/24.10 Building Our Regions Round 4 Funding Applications.....	11
<b>11.</b>	<b>CORPORATE SERVICES .....</b>	<b>12</b>
11.1	2018/04/24.11 Concession on the 2017/18 Rates & Charges for Whitsunday Housing Company Ltd.....	12
11.2	2018/04/24.12 Corporate Services - Monthly Report - March 2018 .....	12
<b>12.</b>	<b>PLANNING AND DEVELOPMENT SERVICES .....</b>	<b>13</b>
12.1	2018/04/24.13 20180143 - Development Application For Development Permit For Material Change Of Use - Indoor Recreation Facility; Caretakers Residence And Ancillary Storage Facility - Whitsunday Gold Coffee C/- Wynne Planning .....	13
12.2	2018/04/24.14 20171292 - Development Permit for Preliminary Approval - Building Works; and Material Change of Use for Height Relaxation and Front Boundary Setback - 7 Rattray Avenue, Hydeaway Bay - 147RP747099 - Carlisle Family Pty Ltd C/- Wynne Planning.....	18
12.3	2018/04/24.15 20171233 - Development Application for Development Permit for Material change of Use - Dual Occupancy - 10 Airlie-View Private - H & Associates Pty Ltd.....	21
12.4	2018/04/24.16 Bowen Local Plan .....	21
12.5	2018/04/24.17 Local Government Infrastructure Plan.....	22
12.6	2018/04/24.18 Planning & Development Monthly Report - March 2018.....	22
<b>13.</b>	<b>COMMUNITY AND ENVIRONMENT .....</b>	<b>23</b>

13.1	2018/04/24.19 Draft Erosion and Sediment Control Policy and Program - Community Consultation .....	23
13.2	2018/04/24.20 Draft Bushfire Management Policy and Plan - Community Consultation .....	23
13.3	2018/04/24.21 Sport & Recreation Club Grants - April 2018.....	24
13.4	2018/04/24.22 RADF - 2017/18 Funding Round 3 - February 2018.....	24
13.5	2018/04/24.23 Request for Support - 2018 Bowen Fishing Classic Wet Weekend	25
13.6	2018/04/24.24 Request for Council Fee Waivers - April 2018.....	25
13.7	2018/04/24.25 Financial Support for Elite Athletes - April 2018 .....	26
13.8	2018/04/24.26 Advisory - Whitsunday Schoolies Meeting Minutes - 19 February 2018 .....	26
13.9	2018/04/24.27 Community & Environment - Monthly Report - March 2018.....	27
<b>14.</b>	<b>ENGINEERING SERVICES .....</b>	<b>27</b>
14.1	2018/04/24.28 Engineering Services Monthly Report - March 2018 .....	27
<b>15.</b>	<b>CUSTOMER EXPERIENCE .....</b>	<b>28</b>
15.1	2018/04/24.29 Bowen Work Camp Engagement Committee - March 2018 .....	28
15.2	2018/04/24.30 Customer Experience Monthly Report - March 2018.....	28
16.1	2018/04/24.31 Letter of Support for the Proposed Skyway .....	28
16.2	2018/04/24.32 CCTV at Flagstaff Hill and Contribution to Bowen Zonta Club.....	29
16.3	2018/04/24.33 Recycling in the Whitsunday Region .....	29
<b>18.</b>	<b>PROCEDURAL MOTION.....</b>	<b>29</b>
18.1	2018/04/24.34 Procedural Motion - Adjourn .....	29
18.2	2018/04/24.35 Procedural Motion - Reconvene.....	30
18.3	2018/04/24.36 Procedural Motion - Closure of Meeting.....	30
18.4	2018/04/24.37 Procedural Motion - Reopen of Meeting.....	30
<b>17.1</b>	<b>CONFIDENTIAL MATTERS - OFFICE OF THE MAYOR AND CEO .....</b>	<b>31</b>
17.1.1	2018/04/24.38 Tender Evaluation - 500.2018 .0018 - Bowen Administration Building Renovations 2018 .....	31
17.1.2	2018/04/24.39 Lease - Bowen Aerodrome .....	31
17.1.3	2018/04/24.40 Business Activities Report - March 2018.....	32
17.1.4	2018/04/24.41 Tender Evaluation - 500.2018.0015 - Provision of Airport screening Services .....	32
<b>17.2</b>	<b>CONFIDENTIAL MATTERS - CORPORATE SERVICES .....</b>	<b>33</b>
17.2.1	2018/04/24.42 NBN Lease - Part Lot 32 Crown Plan DK92 Scottville.....	33
17.2.2	2018/04/24.43 Rates Relief Advisory Committee Meeting Minutes - 29 March 2018 33	
17.2.3	2018/04/24.44 Rates Relief Advisory Committee Recommendations - 29 March 2018.....	34
17.2.4	2018/04/24.45 Plant and Fleet Replacements - 500.2017.0050 & 500.2018.0003	34

**2. Condolences**  
**2.1 2018/04/24.01 CONDOLENCES**

**Moved by: P RAMAGE**

**Seconded by: J COLLINS**

**Council observes one (1) minutes silence for the recently deceased.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**3.1 Mayoral Minute**  
**3.1.1 2018/04/24.02 FINANCIAL SUPPORT FOR VOLUNTEER CRUISE SHIP AMBASSADORS**

**Moved by: A WILLCOX**

**Council resolves to provide financial support in the amount of \$5,500.00 to the Volunteer Cruise Ship Ambassadors to be used to purchase shirts, prints maps and for other incidentals to ensure their professional level of service to cruise ship passengers can be maintained.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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## 3.2 Mayoral Update

### 24<sup>th</sup> April 2018 – Ordinary Council Meeting

Since our last Council meeting on April 11

Thursday & Friday 12-13 <sup>th</sup> April	<ul style="list-style-type: none"> <li>• Internal meetings</li> </ul>
Saturday 14 <sup>th</sup> April	<ul style="list-style-type: none"> <li>• Accepted an invitation from LGAQ Peak Services and LGIA super to the North Queensland Cowboys Vs Canterbury Bulldogs home game in Townsville</li> </ul>
Monday 16 <sup>th</sup> April	<ul style="list-style-type: none"> <li>• Mayor's Anzac themed Cooking Video in Proserpine</li> <li>• Teleconference with Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) and Whitsunday Regional Council regarding Whitsunday Marine Centre of Excellence</li> <li>• Meeting with ratepayer in Airlie Beach</li> </ul>
Tuesday 17 <sup>th</sup> April	<ul style="list-style-type: none"> <li>• Whitsunday Local Disaster Management Group meeting in Bowen</li> <li>• Meeting with Royal Australian Navy personnel in Bowen</li> </ul>
Wednesday 18 <sup>th</sup> April	<ul style="list-style-type: none"> <li>• Briefing Session in Bowen</li> <li>• Meeting with senior Jetstar representatives in Bowen</li> </ul>
Thursday 19 <sup>th</sup> April	<ul style="list-style-type: none"> <li>• Filming video footage with RACQ CQ Rescue in Mackay</li> <li>• Greater Whitsunday Council of Mayors meeting in Mackay</li> </ul>
Friday & Saturday, 20-21 <sup>st</sup> April	<ul style="list-style-type: none"> <li>• Australian Superyacht Rendezvous at Gold Coast City Marina and Shipyard</li> </ul>
Sunday 22 <sup>nd</sup> April	<ul style="list-style-type: none"> <li>• Travelled back from the Gold Coast</li> </ul>
Monday 23 <sup>rd</sup> April	<ul style="list-style-type: none"> <li>• Meeting with Abell Point Marina, Marine Safety Queensland and Water Police in Proserpine</li> <li>• Meeting with Hamilton Island Enterprises in Proserpine</li> <li>• Meeting with Cruise Ship Ambassadors in Cannonvale</li> <li>• Tourism Whitsundays meeting in Cannonvale</li> <li>• Meeting with State Member for Whitsunday Jason Costigan and prospective investor in Cannonvale</li> </ul>



**4. Confirmation of Minutes**

**4.1 2018/04/24.03 CONFIRMATION OF MINUTES REPORT**

**Moved by: D CLARK**

**Seconded by: R PETERSON**

**Council confirms the Minutes of the Ordinary Meeting held on 11 April 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**9. Questions from Public Gallery**

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**PUBLIC QUESTION TIME**

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

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

10. Office of the Mayor and CEO  
10.1 2018/04/24.04 MONTHLY FINANCIAL REPORT - MARCH 2018

Moved by: J CLIFFORD  
Seconded by: D CLARK

Council receives the Monthly Financial Report for March 2018.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor and CEO  
10.2 2018/04/24.05 MEDIA RELATIONS POLICY

Moved by: J COLLINS  
Seconded by: R PETERSON

Council resolves to adopt the Media Relations Policy, revoking the Media Relations Policy adopted 8 February 2017.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor and CEO  
10.3 2018/04/24.06 SOCIAL MEDIA POLICY

Moved by: R PETERSON  
Seconded by: J COLLINS

Council resolves to adopt the Social Media Policy, revoking the Social Media Policy adopted 8 February 2017.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**10. Office of the Mayor and CEO**  
**10.4 2018/04/24.07 CHANGE OF COUNCIL MEETING DATE**

**Moved by: J CLIFFORD**  
**Seconded by: D CLARK**

**Council resolves to change the date of the Ordinary Council Meeting scheduled to be held on Wednesday 30 May 2018, to Tuesday 29 May 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**10. Office of the Mayor and CEO**  
**10.5 2018/04/24.08 THE GREENING AND GROWING BOWEN PROGRAM - STAGE 2B GRANT APPLICATION**

**Moved by: D CLARK**  
**Seconded by: J CLIFFORD**

**Council resolves to:**

- a) support the grant application of \$10,000,000 to the Regional Growth Fund for Greening and Growing Bowen (Stage2B); and**
- b) approve the proposed co-contribution of \$15,407,852 by Council to the project, should funding support be successful.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor and CEO  
10.6 2018/04/24.09 NATURAL DISASTER RESILIENCE PROGRAM  
FUNDING APPLICATIONS

Moved by: D CLARK  
Seconded by: R PETERSON

Council resolves to:

- 1) Support the submission of funding applications to the Natural Disaster Resilience Program funding stream seeking:
  - a) \$1.7M for the Don River Sand Removal Project;
  - b) \$641,900 for the Whitsunday Water Emergency Power Supply and Access Project;
  - c) \$895,000 for the Front Beach Seawall Rectification Project; and
  - d) \$125,000 for the Airlie PCYC Refuge Centre Project.
- 2) Approve the proposed Council co-contributions to the projects, should the funding applications be successful:
  - a) \$300,000 for the Don River Sand Removal Project;
  - b) \$195,600 for the Whitsunday Water Emergency Power Supply and Access Project;
  - c) \$150,000 for the Front Beach Seawall Rectification Project; and
  - d) \$25,000 for the Airlie PCYC Refuge Centre Project.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor and CEO

10.7 2018/04/24.10 BUILDING OUR REGIONS ROUND 4 FUNDING APPLICATIONS

Moved by: J CLIFFORD

Seconded by: J COLLINS

Council resolves to:

- 1) Endorse the submission of Expressions of Interest (Stage 1) under the Building Our Regions Round 4 funding stream for:
  - a) \$1.5M for the Whitsunday Marine Centre of Excellence Education Facility;
  - b) \$1.5M for the Lake Proserpine Development;
  - c) \$1.5M for the Flagstaff Hill Interpretive Centre Redevelopment; and
  - d) \$500,000 for the Industrial Precinct at Collinsville.
- 2) Acknowledge that formal funding applications, business cases and Council co-contribution will be required for any submissions that are shortlisted to Stage 2 of the Building Our Regions Round 4 funding stream.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**11. Corporate Services**

**11.1 2018/04/24.11 CONCESSION ON THE 2017/18 RATES & CHARGES FOR WHITSUNDAY HOUSING COMPANY LTD.**

**Moved by: D CLARK**

**Seconded by: R PETERSON**

**Council resolves to approve a concession of \$30,817.25 on the 2017/18 Rates & Charges for the Whitsunday Housing Company Ltd as per Council's Policy for Affordable Housing providers.**

**MEETING DETAILS:**

*Cr J Clifford declared a conflict of interest, in accordance with s173 of the Local Government Act, as the Chair of the Whitsunday Housing Company; and left the room at 9.18am taking no part in the debate.*

The motion was Carried 6/0

**CARRIED**

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*Cr J Clifford returned to the meeting at 9.20am*

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**11. Corporate Services**

**11.2 2018/04/24.12 CORPORATE SERVICES - MONTHLY REPORT - MARCH 2018**

**Moved by: R PETERSON**

**Seconded by: D CLARK**

**Council receives the Corporate Services Monthly Report for March 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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## 12. Planning and Development Services

- 12.1 2018/04/24.13 20180143 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - INDOOR RECREATION FACILITY; CARETAKERS RESIDENCE AND ANCILLARY STORAGE FACILITY - WHITSUNDAY GOLD COFFEE C/- WYNNE PLANNING

Moved by: J CLIFFORD

Seconded by: J COLLINS

### Council resolves to:

- a) approve the application for Development Permit for Material Change of Use - Indoor Recreation Facility; Caretakers Residence and Ancillary Storage Facility, made by Whitsunday Gold Coffee Plantations C/- Wynne Planning & Development, on L: 2 RP: 746319 and located at Bruce Highway Hamilton Plains, 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      |
|------------------------------------------|--------------------------|-------------|------------|
| Whitsunday Gold Coffee – Overview        | Residential Developments | N/A         | 17/01/2018 |
| Whitsunday Gold Coffee – Site Plan       | Residential Developments | N/A         | 17/01/2018 |
| Whitsunday Gold Coffee – Elevation 1     | Residential Developments | N/A         | 17/01/2018 |
| Whitsunday Gold Coffee – Elevation 2     | Residential Developments | N/A         | 17/01/2018 |
| Whitsunday Gold Coffee – Revised Kitchen | Residential Developments | N/A         | 17/01/2018 |

- 1.2 The applicant is to comply with the Department of conditions as outlined in the Department's correspondence dated 9 March 2018.

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

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

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

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

## **3.0 BUILDING**

- 3.1 Building and landscaping materials are not to be highly reflective, or likely to create glare, or slippery or otherwise hazardous conditions.

## **4.0 WATER INFRASTRUCTURE**

- 4.1 The development must be connected to Council's water network prior to commencement of the use.

## **5.0 SEWERAGE INFRASTRUCTURE**

- 5.1 The development must be connected to Council's sewerage network prior to commencement of the use.

## **6.0 ACCESS AND PARKING**

- 6.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to car parking and internal access.
- 6.2 Any application for Operational Works (Access and Parking) must be accompanied by detailed engineering drawings of the proposed internal access driveways, parking bays and manoeuvring areas, demonstrating compliance with Council's Whitsunday Shire Council Development Manual (or equivalent replacement document current at the time of development), Australian Standard AS2890 and this Decision Notice.
- 6.3 A minimum of 43 car parking space must be provided of which 26 must be constructed to a sealed standard on site prior to commencement of the use.
- 6.4 The internal accesses driveway, parking bays (26 car parking spaces) and manoeuvring areas must be constructed to a sealed standard prior to commencement of the use.
- 6.5 The internal accesses driveway, parking bays and manoeuvring areas must be designed and constructed so as to comply with the criteria described in AS2890
- 6.6 Prior to commencement of use on the site, the owner must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that 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 Planning Scheme, Councils Development Manual, AS2890 and AS 1428.

## **7.0 STORMWATER AND FLOODING**

- 7.1 All developed flows from the site must drain to a Legal Point of discharge.
- 7.2 All habitable Floor levels must be constructed to a level not less than 300mm above the Q100 defined flood level and/or storm tide event level for the developed site as indicated on Trevor Glasson Consulting Services Q100 Flood level dated 21 February 2018.
- 7.3 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 ENVIRONMENTAL MANAGEMENT PLAN (EMP)**

- 8.1 Prior to commencement of any work on the site, the applicant must submit to Council for approval, an Erosion Prevention and Sediment Control Plan for the site.
- 8.2 The plan must be prepared in accordance with Council's Whitsunday Shire Council Development Manual (or equivalent replacement document current at the time of the development), the Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction Sites, June 1996 by The Institution of Engineers, Australia and the EPA Best Practice Urban Stormwater Management – Erosion and Sediment Control Guideline.
- 8.3 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).
- 8.4 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 8.5 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.

## **9.0 OPERATING PROCEDURES**

- 9.1 In the event the business/operator receives a noise complaint the following procedure must be enacted:
  - (a) The business/operator shall record the following details of the complaint:
    - (i) Contact details of the complainant;
    - (ii) Time and date of the complaint;
    - (iii) Details and nature of the complaint;
    - (iv) The method which the complaint was lodged; and
    - (v) The action taken by the responsible person in relation to the complaint.
  - (b) If the issue cannot be resolved in house between the business/operator and the complainant within 5 days, the business/operator shall be responsible to commission an independent noise consultant which is endorsed by Council to conduct a noise assessment. The noise assessment must include:
    - (i) the nature or the potential harm/nuisance;
    - (ii) the sensitivity of the receiving environment;
    - (iii) the current state of technical knowledge of the activity;
    - (iv) appropriate noise standards; and
    - (v) the likelihood of successful application of different attenuation measures that may be taken.
  - (c) Upon receipt of the noise acoustic report the business/operator must undertake appropriate actions to resolve the complaint.
  - (d) The business/operator must then advise the complainant of actions taken to resolve the complaint.

## **10.0 ENVIRONMENTAL HEALTH**

- 10.1 Application must be made to Councils Environmental Health Branch to establish and conduct a food business in accordance with the requirements of the Food Act 2006.
- 10.2 Premises intended to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the Food Act 2006 and the Food Standards Code.

- 10.3 The proprietor must apply for and hold plan approval prior to commencing fit out of any area intended for the storage, preparation handling, packing and/or service of food.
- 10.4 The proprietor must hold a current Food Licence with respect to the food handling activities conducted at the premises, prior to the commencement of use.
- 10.5 All building waste must be contained on the site by the use of a skip or other reasonable means during construction to prevent release to a neighbouring property or road.
- 10.6 Provide and maintain an adequate number of standard general waste containers at the premises to contain general waste. Containers must be kept in good repair.
- 10.7 Store waste disposal containers in accordance with section 10F of the Environmental Protection Waste Management Regulations 2000. Waste containers must be stored in an area that has the following:
  - 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.

## **11.0 MISCELLANEOUS**

- 11.1 If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.
- 11.2 Provision and maintenance of a refuse collection areas to the requirements of the Council.
- 11.3 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.
- 11.4 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 on-site supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 11.5 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 on the Bruce Highway or adjoining land unless written permission from the owner of that land and Council is provided.
- 11.6 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.

## **12.0 ADVISORY NOTES**

### **12.1 Hours of work**

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays or Public Holidays.

### **12.2 Dust Control**

It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

### **12.3 Sedimentation Control**

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994 and Schedule 9 of the Environmental Protection Regulation 2008 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

#### 12.4 Noise During Construction and Noise in General

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

#### 12.5 General Safety of Public During Construction

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

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

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

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

**and;**

- b) apply the Economic Development Incentives Policy (EDIP) and provide a 50% discount to the applicable development contributions.**

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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## 12. Planning and Development Services

12.2 2018/04/24.14 20171292 - DEVELOPMENT PERMIT FOR PRELIMINARY APPROVAL - BUILDING WORKS; AND MATERIAL CHANGE OF USE FOR HEIGHT RELAXATION AND FRONT BOUNDARY SETBACK - 7 RATTRAY AVENUE, HYDEAWAY BAY - 147RP747099 - CARLISLE FAMILY PTY LTD C/- WYNNE PLANNING

Moved by: P RAMAGE

Seconded by: J COLLINS

Council resolves to approve the application for Development Permit for Preliminary Approval - Building Works; and Material Change of Use for Height Relaxation and Front Boundary Setback, made by Carlisle Family Pty Ltd Tte, on L: 147 RP: 747099 T: EMT U <N1390/155> and located at 7 Rattray Avenue Hydeaway Bay, 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
Site Plan	G.W. Goddard Assoc.	2017023-P03	17/07/2017
Floor Plan	G.W. Goddard Assoc.	2017023-P04	17/07/2017
Elevation 1	G.W. Goddard Assoc.	2017023-P05	17/07/2017
Elevation 2	G.W. Goddard Assoc.	2017023-P06	17/07/2017
Section	G.W. Goddard Assoc.	2017023-P07	17/07/2017
Cover	G.W. Goddard Assoc.	2017023-P01	17/07/2017
Renders	G.W. Goddard Assoc.	2017023-P02	17/07/2017

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

- Plumbing and Drainage Works; and
- Building Works.

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

1.3 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.

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

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

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

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

## **3.0 EARTHWORKS**

- 3.1 All site works must be designed by an experienced and qualified Geotechnical Engineer and undertaken in accordance with the recommendations of the Geotechnical Investigation and Slope Stability Assessment Report by SMEC dated November 2013.
- 3.2 All cut/fill batter slopes and any retaining structures must be designed in accordance with the recommendations of the Geotechnical Investigation and Slope Stability Assessment Report by SMEC dated November 2013 and are stable and will remain so over the long term.
- 3.3 Prior to commencement of use on the site, the owner must lodge with Council, a geotechnical engineer's certification (by an experienced and qualified geotechnical engineer). The certification must be addressed to Council and must certify that the works have been constructed according to the geotechnical engineer's recommendations of the Geotechnical Investigation and Slope Stability report by SMEC dated November 2013 and are stable and will remain so over the long term.

## **4.0 WATER INFRASTRUCTURE**

- 4.1 Design and construct a potable water supply to Lot 147 RP747099 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 Design and construct an on-site sewerage treatment system to Lot 147 RP747099 in accordance with the Wastewater Management Report by Ground Environments Pty Ltd dated 17 October 2013 at future building application stage.

## **6.0 STORMWATER AND FLOODING**

- 6.1 All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual current at the time of development and Council's Development Manual.
- 6.2 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for events up to and including Q100.

## **7.0 GEOTECHNICAL**

- 7.1 All site works must be designed by an experienced and qualified Geotechnical Engineer and undertaken in accordance with the recommendations of the Geotechnical Investigation and Stability Assessment by SMEC dated December 2016.
- 7.2 All cut/fill batter slopes and any retaining structures must be designed in accordance with the recommendations of the Geotechnical Investigation and Stability Assessment by SMEC dated November 2013 and are stable and will remain so over the long term.

7.3 Prior to commencement of use on the site, the owner must lodge with Council, an engineer's certification (by an experienced and qualified RPEQ engineer). The certification must be addressed to Council and must certify that the works have been constructed according to the geotechnical engineer's recommendations of the Geotechnical Investigation and Stability Assessment by SMEC dated November 2013 and are stable and will remain so over the long term.

**8.0 ADVISORY NOTES**

**8.1 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.

**8.2 Dust Control**

It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

**8.3 Sedimentation Control**

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994 and Schedule 9 of the Environmental Protection Regulation 2008 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

**8.4 Noise During Construction and Noise in General**

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

**8.5 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.

Enquiries relating to the aforementioned conditions should be directed to the Planning and Development Department who will direct the enquiry to the relevant officer.

**MEETING DETAILS:**

The motion was Carried 5/2

**CARRIED**

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**12. Planning and Development Services**

**12.3 2018/04/24.15 20171233 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - DUAL OCCUPANCY - 10 AIRLIE-VIEW PRIVATE - H & ASSOCIATES PTY LTD**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council resolves to refuse the application for Development Permit for Material change of Use - Dual Occupancy, made by H & Associates Pty Ltd, on L: 22 SP: 176321 CTS: EMT BV and located at 10 Airlie View-Private Airlie Beach, for the following reasons:**

- **The proposal is an inconsistent use with the Low Density Residential Zone.**
- **The Lot size of the premises is inconsistent with the Acceptable Solutions of the Dual Occupancy Code and no Performance Criteria has been addressed.**
- **The building height of the proposed Dual Occupancy is above the allowable 10.0m which is a non-compliance with the Low Density Residential Zone Code and the Dual Occupancy Code.**
- **The applicant has not demonstrated the need for additional Dual Occupancy development within the Airlie Beach area.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Development Services**

**12.4 2018/04/24.16 BOWEN LOCAL PLAN**

**Moved by: D CLARK**

**Seconded by: J CLIFFORD**

**Council resolves to refer the Bowen local plan for inclusion in the first amendment to the Whitsunday Regional Council Planning Scheme which will include future public consultation.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Development Services**

**12.5 2018/04/24.17 LOCAL GOVERNMENT INFRASTRUCTURE PLAN**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

**Council resolves to:**

- a) Receive the Local Government Infrastructure Plan Submission Analysis Report 2018;**
- b) Respond in writing to each of the submitters;**
- c) Provide the Submission Analysis Report, amended Local Government Infrastructure Plan Version 1.6 and all necessary supporting documentation to the independent reviewer, Integran for review; and**
- d) Subsequent to the completion Integran's review, send the Submission Analysis Report, amended Local Government Infrastructure Plan Version 1.6 and all necessary supporting documentation to the Minister for final approval.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Development Services**

**12.6 2018/04/24.18 PLANNING & DEVELOPMENT MONTHLY REPORT - MARCH 2018**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council receives the Planning and Development Monthly Report for March 2018**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.1 2018/04/24.19 DRAFT EROSION AND SEDIMENT CONTROL POLICY AND PROGRAM - COMMUNITY CONSULTATION**

**Moved by: D CLARK**

**Seconded by: R PETERSON**

**Council resolves to:**

- a) approve Community Consultation of the Draft Erosion and Sediment Control Policy and Plan, for a duration of 30 days, and,**
- b) instruct staff to present the results of the Community Consultation on the Draft Erosion and Sediment Control Policy and Plan in a report back to Council.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.2 2018/04/24.20 DRAFT BUSHFIRE MANAGEMENT POLICY AND PLAN - COMMUNITY CONSULTATION**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council resolves to:**

- a) approve the Community Consultation of the Draft Bushfire Management Policy and Plan, for a duration of 30 days, and,**
- b) instruct staff to present the results of the Community Consultation of the Draft Bushfire Management Policy and Plan in a report back to Council.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.3 2018/04/24.21 SPORT & RECREATION CLUB GRANTS - APRIL 2018**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council resolves to approve the payment of a Sport & Recreation Club Grant to the following clubs:**

- **Proserpine Junior Cricket Association - \$3,000.00**
- **Whitsunday Sporting Car Club Inc - \$1,500.00**
- **Proserpine Hack & Pony Club Inc - \$1000.00.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.4 2018/04/24.22 RADF - 2017/18 FUNDING ROUND 3 - FEBRUARY 2018**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

**Council resolves to approve grants (subject to conditions) to applicants, recommended to Council by the Regional Arts Development Fund (RADF) Local Committee, as follows:**

- **Bowen Potters Group \$3,750**
- **Proserpine State High School \$2,500**
- **St Catherine's Catholic College \$2,500**
- **Kitchen & Kin \$5,000**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

13.5      2018/04/24.23      **REQUEST FOR SUPPORT - 2018 BOWEN FISHING CLASSIC WET WEEKEND**

Moved by:              D CLARK  
Seconded by:          J CLIFFORD

Council resolves to:

- a) approve in kind support to the value of \$2,000, and,
- b) note the waiving of fees for the Bowen Fishing Classic Wet Weekend to be held on the 22-23 September 2018.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13.      **Community and Environment**

13.6      2018/04/24.24      **REQUEST FOR COUNCIL FEE WAIVERS - APRIL 2018**

Moved by:              M BRUNKER  
Seconded by:          J CLIFFORD

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

- Tour De Cure
- Whitsunday Counselling & Support Inc.

**MEETING DETAILS:**

*Cr R Petterson declared a conflict of interest, in accordance with s173 of the Local Government Act, as the Chairman of Whitsunday Counselling and Support Inc.; and left the room at 9.45am taking no part in the debate.*

The motion was Carried 6/0

**CARRIED**

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*Cr R Petterson returned to the meeting at 9.46am*

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**13. Community and Environment**

**13.7 2018/04/24.25 FINANCIAL SUPPORT FOR ELITE ATHLETES - APRIL 2018**

**Moved by: R PETERSON**

**Seconded by: M BRUNKER**

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

- **Hamish Swain.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.8 2018/04/24.26 ADVISORY - WHITSUNDAY SCHOOLIES MEETING MINUTES - 19 FEBRUARY 2018**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**Council receives the Whitsunday Schoolies Advisory Executive Meeting Minutes held on 19 February 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.9 2018/04/24.27 COMMUNITY & ENVIRONMENT - MONTHLY REPORT - MARCH 2018**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**Council receives the Community & Environment Monthly Report for March 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**14. Engineering Services**

**14.1 2018/04/24.28 ENGINEERING SERVICES MONTHLY REPORT - MARCH 2018**

**Moved by: D CLARK**

**Seconded by: J COLLINS**

**Council receives the Engineering Services Monthly Report for the month of March 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**15. Customer Experience**

**15.1 2018/04/24.29 BOWEN WORK CAMP ENGAGEMENT COMMITTEE - MARCH 2018**

**Moved by: M BRUNKER**

**Seconded by: R PETERSON**

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

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**15. Customer Experience**

**15.2 2018/04/24.30 CUSTOMER EXPERIENCE MONTHLY REPORT - MARCH 2018**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council receives the Customer Experience Monthly Report for March 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**16. General Business**

**16.1 2018/04/24.31 LETTER OF SUPPORT FOR THE PROPOSED SKYWAY**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**That Council provides a letter of support to Jimmy Crow Limited with respect to the proposed Skyway.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**16. General Business**

**16.2 2018/04/24.32 CCTV AT FLAGSTAFF HILL AND CONTRIBUTION TO BOWEN ZONTA CLUB**

**Moved by: M BRUNKER**

**Seconded by: D CLARK**

**Council resolves for budget consideration CCTV at Flagstaff Hill, Bowen and a contribution of up to \$500.00 to the Zonta Club of Bowen.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**16. General Business**

**16.3 2018/04/24.33 RECYCLING IN THE WHITSUNDAY REGION**

**Moved by: M BRUNKER**

**Seconded by: J CLIFFORD**

**Council resolves to instruct the CEO to reconfirm that recyclables are in fact being recycled and not taken to landfill.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**18. Procedural Motion**

**18.1 2018/04/24.34 PROCEDURAL MOTION - ADJOURN**

**Moved by: J CLIFFORD**

**Seconded by: P RAMAGE**

**Council resolved to adjourn the meeting for the purpose of morning tea at 10.20am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**18. Procedural Motion**

**18.2 2018/04/24.35 PROCEDURAL MOTION - RECONVENE**

**Moved by: J CLIFFORD**

**Seconded by: J COLLINS**

**Council resolved that the meeting be reconvened from morning tea at 10.35am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

**18. Procedural Motion**

**18.3 2018/04/24.36 PROCEDURAL MOTION - CLOSURE OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**That Council close the meeting to the public at 10.36am 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.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**18. Procedural Motion**

**18.4 2018/04/24.37 PROCEDURAL MOTION - REOPEN OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: P RAMAGE**

**Council resolved to reopen the meeting to the general public at 11.16am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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

**17.1.1 2018/04/24.38 TENDER EVALUATION - 500.2018 .0018 - BOWEN ADMINISTRATION BUILDING RENOVATIONS 2018**

**Moved by: D CLARK**

**Seconded by: J CLIFFORD**

**Council resolves to award contract 500.2018.0018 for the Bowen Administration Building Renovations 2018 to Lowcock Builders Pty Ltd for \$714,946.64 excluding GST.**

**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 2018/04/24.39 LEASE - BOWEN AERODROME**

**Moved by: J COLLINS**

**Seconded by: J CLIFFORD**

**Council resolves to apply the exemption under regulation 236(1)(vii) of the Local Government Regulations 2012 (Qld), for the disposal of a valuable non-current asset (being a lease of part of the Bowen Aerodrome land), on the basis that Council is satisfied that:**

- a. the land will be used as an airport or for related purposes;**
- b. it is in the public interest to dispose of the land without a tender or auction;  
and**
- c. the disposal is otherwise in accordance with sound contracting principles.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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- 17.1 Confidential Matters - Office of the Mayor and CEO  
17.1.3 2018/04/24.40 BUSINESS ACTIVITIES REPORT - MARCH 2018

Moved by: J CLIFFORD  
Seconded by: M BRUNKER

Council receives the Business Activities Report for the month of March 2018.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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- 17.1 Confidential Matters - Office of the Mayor and CEO  
17.1.4 2018/04/24.41 TENDER EVALUATION - 500.2018.0015 - PROVISION OF AIRPORT SCREENING SERVICES

Moved by: J CLIFFORD  
Seconded by: R PETERSON

Council resolves to award contract 500.2018.0015 for the Provision of Airport Screening Services to Trident Services Pty Ltd for \$2,894,540.26 excluding GST (total cost based on schedule of rates for the duration of the contract period of 3 years).

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.2 Confidential Matters - Corporate Services**

**17.2.1 2018/04/24.42 NBN LEASE - PART LOT 32 CROWN PLAN DK92  
SCOTTVILLE**

**Moved by: P RAMAGE**

**Seconded by: J COLLINS**

**Council resolves to award a lease for part of Lot 32 Crown Plan DK92 to NBN Co Ltd for a term of twenty (20) years for an annual lease fee of \$9,000 subject to the granting of Ministerial Exemption of section 64 *Land Act 1994*.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.2 Confidential Matters - Corporate Services**

**17.2.2 2018/04/24.43 RATES RELIEF ADVISORY COMMITTEE MEETING  
MINUTES - 29 MARCH 2018**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council receives the minutes from the Rates Relief Advisory Committee meeting held on 29 March 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17.2 Confidential Matters - Corporate Services  
17.2.3 2018/04/24.44 RATES RELIEF ADVISORY COMMITTEE  
RECOMMENDATIONS - 29 MARCH 2018

Moved by: J CLIFFORD  
Seconded by: R PETERSON

Council resolves to approve the recommendations of the committee.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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17.2 Confidential Matters - Corporate Services  
17.2.4 2018/04/24.45 PLANT AND FLEET REPLACEMENTS - 500.2017.0050  
& 500.2018.0003

Moved by: R PETERSON  
Seconded by: J CLIFFORD

Council resolves to award the following contracts:

- a) 500.2017.0050 - Supply and Delivery of One (1) Street Sweeper to Bucher Municipal Pty Ltd for \$257,216.45 (excluding GST) including trade-in of asset 31039 Hino Truck with McDonald Johnson Body; and
- b) 500.2018.0003 - Supply and Delivery of two (2) 2WD & one (1) 4WD twin cab utilities to Crossley Holden for \$82,366.58 (excluding GST) including trade-in of assets:
  - 10009 Mitsubishi Triton Single Cab Utility
  - 10011 Mitsubishi Triton Single Cab Utility
  - 11554 Ford Ranger Dual Cab Utility.

**MEETING DETAILS:**

The motion was Carried 6/1

CARRIED

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***The meeting closed at 11.20am***

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Confirmed as a true and correct recording this 9 May 2018

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**Cr Andrew Willcox  
MAYOR**