

Minutes of the Ordinary Meeting to be held at
the Bowen PCYC Cnr Hays and Queen Street, Bowen
on Wednesday 25 July 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 Wright (Director Community & Environment); N McGaffin (Director Planning & Development); A Hagy (Director Customer Experience); J Rugless (Director Corporate Services); T Pettiford (Acting Director Engineering Services); P Shuttlewood (Acting Director Corporate Services); P Fendley (Chief Staff Officer); J Hennessey (Engagement & Marketing Coordinator); M Douglas (Administration Officer)

Other Details:

The meeting commenced at 9.00am

The meeting closed at 11.45am

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1. **Apologies**
- 1.1 **2018/07/25.01 APOLOGIES**

Moved by: A WILLCOX
Seconded by: J CLIFFORD

Council receives the apology from Deputy Mayor Collins for his absence.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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2. **Condolences**
- 2.1 **2018/07/25.02 CONDOLENCES**

**Moved by: P RAMAGE**  
**Seconded by: R PETERSON**

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

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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3.2 Mayoral Update

Wednesday 11 th July	<ul style="list-style-type: none"> Flew to Launceston, Tasmania following the Council meeting
Thursday 12 th July	<ul style="list-style-type: none"> Tour of Australian Maritime College facilities and a working lunch with Australian Maritime College representatives Dinner with Australian Maritime College representatives
Friday 13 th July	<ul style="list-style-type: none"> Flew back into the region
Saturday 14 th July	<ul style="list-style-type: none"> NAIDOC celebrations at Bowen Soundshell
Sunday 15 th July	<ul style="list-style-type: none"> NQCYC Marina official opening following cyclone repairs
Monday 16 th July	<ul style="list-style-type: none"> Meeting with Bowen Chamber of Commerce Meeting with representatives from ADF, in Bowen Guest speaker at Airlie Beach Rotary Club that evening
Tuesday 17 th July	<ul style="list-style-type: none"> Meeting with Skal Whitsundays in Cannonvale Meeting with 2018 COLORBOND steel Airlie Beach Triathlon Festival race director in Cannonvale Meeting with Senator Anthony Chisholm and Labour candidate for Dawson Belinda Hassen in Cannonvale That evening, met with Abbot Point CEO Dwayne Freeman
Friday 20 th July	<ul style="list-style-type: none"> Meeting with Bowen Independent reporter in Bowen Meeting with ratepayer in Bowen Photo shoot with elite athlete Ben Bon in Bowen
Saturday 21 th July	<ul style="list-style-type: none"> Opening of the Bowen Tennis Association's New Amenities Block in Bowen Attended QRL Country Week game between Mackay Cutters and Sunshine Coast Falcons at Denison Park
Monday 23 th July	<ul style="list-style-type: none"> Meeting with residents in Cannonvale MCF in Proserpine Tourism Whitsundays board meeting in Cannonvale
Tuesday 24 th July	<ul style="list-style-type: none"> Audit and Risk Committee meeting in Proserpine Meeting with potential developer in Airlie Beach 2018 Mayor's Charity Ball - Operational Meeting in Airlie Beach

4. Confirmation of Minutes

4.1 2018/07/25.03 CONFIRMATION OF MINUTES REPORT

Moved by: D CLARK

Seconded by: J CLIFFORD

Council confirms the Minutes of the Ordinary Meeting held on 11 July, 2018.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**7. Notice of Motion**

**7. 2018/07/25.04 NOTICE OF MOTION - CHOOSE COLLINSVILLE PROJECT**

**Moved by: P RAMAGE**

**Seconded by: R PETERSON**

**That Council resolves to undertake a beatification program for Collinville in the same vein as is to be undertaken at Bowen known as the Beautiful Bowen Project and Proserpine, known as the Prosperous Proserpine Project.**

**Further that planning, design and Community Consultation for the Choose Collinville Project be undertaken this financial year at an estimate of \$25 000 and the results of that planning and design be considered in the 2019 - 2020 budget and successful grants.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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9. Questions from Public Gallery

PUBLIC QUESTION TIME

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

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

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10. Office of the Mayor and CEO

10.1 2018/07/25.05 MONTHLY FINANCIAL REPORT - JUNE 2018

Moved by: J CLIFFORD

Seconded by: M BRUNKER

Council receives the Monthly Financial Report for the month of June 2018.

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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10. Office of the Mayor and CEO

10.2 2018/07/25.06 NORTHERN ALLIANCE OF COUNCILS CONFERENCE
2018

Moved by: M BRUNKER

Seconded by: D CLARK

Council resolves to nominate Cr Petterson to attend the Northern Alliance of Councils Conference in Ingham from 21 to 23 August 2018 in place of Cr Peter Ramage who was nominated at the Council Meeting of 13 June 2018.

Furthermore, Council resolves to indicate its interest in hosting a Northern Alliance of Council conference at a future date.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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10. Office of the Mayor and CEO

10.3 2018/07/25.07 2018 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S  
ASSOCIATION (QLD) BRANCH CONFERENCE

Moved by: R PETTERSON

Seconded by: P RAMAGE

Council resolves to nominate Councillor Clifford to attend the Australian Local Government Women's Association (Qld) Branch Conference in Ingham from 5 to 7 September 2018.

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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11. Corporate Services

11.1 2018/07/25.08 CONSULTATION - ANNUAL VALUATION EFFECTIVE 30 JUNE 2019

Moved by: J CLIFFORD

Seconded by: M BRUNKER

Council resolves to object to the annual valuation of the Whitsunday Regional Council area by the Valuer-General, effective from 30 June 2019 as a valuation may result in an inequitable and undue burden for areas that are still recovering from Tropical Cyclone Debbie.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**11. Corporate Services**

**11.2 2018/07/25.09 LIBRARY - INTERNET & WIFI ACCESS AND 2018/2019 FEES & CHARGES**

**Moved by: J CLIFFORD**

**Seconded by: R PETTERSON**

**Council resolves to:**

- a. Cease charging for access to public computers in all Whitsunday Regional Council Libraries as of 1 August 2018, and**
- b. Cease charging for access to Wi-Fi services in all Whitsunday Regional Council Libraries as of 1 August 2018, and**
- c. Investigate and implement a systematic solution to the management of time limits on public PC access for all patrons, and**
- d. Replace existing Council managed Wi-Fi technology with public managed Wi-Fi services in all libraries, and**
- e. Introduce Wi-Fi services at the Collinsville library also using the managed Wi-Fi service.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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11. Corporate Services

11.3 2018/07/25.10 CORPORATE SERVICES - MONTHLY REPORT - JUNE 2018

Moved by: J CLIFFORD

Seconded by: D CLARK

Council receives the Corporate Services Monthly Report for June 2018.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**12. Planning and Development Services**

**12.1 2018/07/25.11 20180054 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - AIRSERVICES - BOWEN AERODROME, 18793 BRUCE HIGHWAY, BOWEN - AIRLIE BEACH SKYDIVERS C/- VISION SURVEYS (QLD) PTY LTD**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council resolves to approve the application for Development Application for Development Permit - Material Change of Use (Air Services), made by Airlie Beach Skydivers, on Lot 237 on HR1027 and located at Bowen Aerodrome, 18793 Bruce Highway Bowen, subject to the following conditions, all to be completed to Council's satisfaction within six months:**

**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          | Vision Surveys | 17661-PP-01 rev B | 01/05/2018 |
| Shed plan          | Trusty Sheds   | 175358            | 08/11/2017 |

1.2 The applicant is to comply with the Department of State Development, Manufacturing, Infrastructure and Planning conditions as outlined in correspondence dated 2 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;
  - Stormwater Drainage; and
  - Erosion and sediment control.
- 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 prior to commencement of the use.

## **2.0 BUILDING**

- 2.1 Ventilation and mechanical plant must be located and designed so that prevailing breezes do not direct undesirable noise and odours towards any nearby residential accommodation.
- 2.2 Building and landscaping materials are not to be highly reflective, or likely to create glare, or slippery or otherwise hazardous conditions.
- 2.3 Buildings are to be finished with external building materials and colours to reduce scale and bulk.

## **3.0 WATER INFRASTRUCTURE**

- 3.1 The lease area must be connected to Council's water supply network prior to the commencement of the use.
- 3.2 The proposed hanger within the development must be provided with a sub-meter in accordance with Council's policy for sub-metering prior to occupation of the building.
- 3.3 All water Infrastructure must be designed and constructed in accordance with Council's Development Manual (current at the time of development), prior to commencement of the use.

## **4.0 SEWER INFRASTRUCTURE**

- 4.1 The lease area must be connected to Council's sewer supply network prior to the commencement of the use.
- 4.2 A Development Permit for Operational Works (Sewer Infrastructure) must be obtained prior to the commencement of work on site.
- 4.3 Any application for Operational Works (Sewer Infrastructure) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council's Development Manual (current at the time of development) and this Decision Notice.

## **5.0 ACCESS AND PARKING**

- 5.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to On-Site Carparking. The applicant must submit to Council written authorisation from the Chief Executive Officer to locate the On-Site Carparking outside of the lease area, otherwise an extended lease area must be approved by Council.
- 5.2 Any application for Operational Works (Access and Parking) must be accompanied by detailed engineering drawings demonstrating compliance with Council's Development Manual (current at the time of development), Australian Standard AS2890, AS1428 and this Decision Notice.
- 5.3 All accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas must be designed and constructed to a gravel standard so as to comply with the criteria described in AS2890 and AS1428 (or any later revision of these standards).

- 5.4 A minimum of 10 car parking spaces, 1 Small Rigid Vehicle (SRV) parking space and 1 Disabled car park are to be provided and maintained within the boundaries of the property prior to commencement of the use. All accesses, parking bays and manoeuvring areas must be designed and constructed so as to comply with the criteria described in AS2890 and AS1428.

## **6.0 STORMWATER AND FLOODING**

- 6.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Stormwater Drainage. The applicant must submit to Council written authorisation from the Chief Executive Officer to locate stormwater/ rainwater infrastructure outside of the lease area.
- 6.2 Any application for Operational Works (Stormwater) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual current at the time of development, Councils Development Manual (current at the time of development) and this Decision Notice.
- 6.3 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 (current at the time of development).
- 6.4 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.

## **7.0 ELECTRICITY AND TELECOMMUNICATIONS**

- 7.1 Provide electricity and telecommunications connection to the proposed development to the requirements of the relevant authority. The application must submit to Council, either:
- (a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the development; or
  - (b) a certificate of supply that the applicant has entered into an agreement with the authorized electricity supplier, Ergon, to provide electricity services to the development, payment has been received and the connection will be completed at a date in the future.

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

- 8.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site.
- 8.2 Prior to commencement of any work on the site, the applicant must submit to Council for approval, a site-based Erosion Prevention and Sediment Control Plan for the site
- 8.3 The plan must be prepared in accordance with Council's Development Manual (current at the time of the development), the Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction Sites, June 1996 by The Institution of Engineers, Australia and the EPA Best Practice Urban Stormwater Management – Erosion and Sediment Control Guideline.
- 8.4 The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g. turfed, concreted).
- 8.5 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).
- 8.6 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.

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

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

## **10.0 ENVIRONMENTAL HEALTH CONDITIONS**

### 10.1 Noise during construction

- a. In accordance with the requirements of the Environmental Protection Act 1994, a builder or building contractor **must not make audible noise** from building work:
  - i. on a **Sunday or Public Holiday**, at any time; or
  - ii. on a Saturday or business day, before 6:30am for after 6:30pm.

### 10.2 Waste Management – Building Works

- a. 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.

### 10.3 Building Construction and Demolition Waste

- a. Building construction and demolition waste is to be disposed of only at an approved waste disposal facility. It is an offence to dispose of waste at other than an approved site.
- b. The burning of any construction or demolition waste is not permitted on site.

### 10.4 Air

- a. All practical measures must be taken to limit aerosols, fumes, odour, particles or smoke or other emissions beyond the boundary of the premises.
- b. Dust and other emissions, such as fumes, sediments, light, or odour from the building work is to be confined on site and all reasonable steps are to be taken to prevent a release to neighbouring properties.
- c. Airborne hazards including concrete dust or wood shavings during building work or demolition shall be contained on site.

### 10.5 Soil and Erosion Control Measures

- a. Ensure stock piles of soil and sediment are contained and appropriate sediment and erosion control measures are installed to prevent contamination of waterways.
- b. All sediment control devices are to be inspected and maintained prior to predicted rainfall events and daily closure of the site. Sediment control devices must also be

monitored during and directly after rainfall events and any maintenance of further implementation of additional control devices should be conducted immediately.

#### 10.6 Water Supply

- a. It is the owner's responsibility to ensure the water supply is potable, meets the Australian Drinking Water Guidelines and Australian Standard 3500.1 – Plumbing and Drainage Water Services.

#### 10.7 General Lighting

- a. All lighting devices must be positioned on the premises and shielded to the satisfaction of the Environmental Services Department so as not to cause glare or other nuisance to surrounding residents and motorists. Electrical lighting systems for roads and other outdoor areas, must comply with AS1158.3.1.1999, "Road Lighting".
- b. The applicant must submit to Council, prior to the commencement of the use of the premises, written documentation from the supplier/installer of the lighting certifying the lighting complies with AS 4282-1997 and AS1158.3.1.1999.
- c. Any lighting device is to be so positioned and shielded so as not to cause any glare or lighting nuisance outside the site boundary. Outdoor lighting must be in compliance with the current edition of Australian Standard 4282 – Control of the obtrusive effects of outdoor lighting.
- d. All lighting devices must be positioned on the premises and shielded to the satisfaction of the Chief Executive Officer so as not to cause glare or other nuisance to surrounding residents and motorists.

#### 10.8 Chemical Storage

- a. All liquid chemicals and fuel storage are to be located in a covered bunded area. The covered bunded area must be constructed of an impervious material with a minimum holding capacity of 110% of the largest container stored within it. The minimum holding capacity must be maintained at all times.

#### 10.9 Dangerous Goods/Flammable Liquids

- a. The operation must comply with the *Dangerous Goods Safety Management Act 2001*, the *Dangerous Goods Safety Management Regulation 2001* and *AS 1940-2004, The Storage and Handling of Flammable and Combustible Liquids*. The operator must apply for and obtain a flammable and combustible liquid licence from Council's Environmental Health Services prior to commencement of the use.

#### 10.10 Wastewater

- a. Wastewater must not be released to stormwater, ground water, water-bodies or directly to the ground unless all practicable measures have been undertaken to prevent or minimise the release of such wastes or contaminants.
- b. All fuels, oils, lubricants, paints, solvents and chemicals must be stored in an impervious, bunded and covered area. The net capacity of the bunded compound shall be no less than the capacity of the largest tank or package plus 25% of the storage capacity up to 10,000L together with 10% of the storage capacity above 10,000L.

#### 10.11 Solid Waste

- a. All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.
- b. No waste is to be buried or burned on site.
- c. Solid waste disposed to an industrial waste bin must be chemically stable, non-putrescible and inert.
- d. Containers or vessels used for the storage of oils, paints, solvents and/or other potential contaminants must be emptied prior to disposal to an industrial bin.

- e. Solid waste materials such as absorbent rags, paper, sawdust which have been soaked in chemicals must be bagged and disposed of to an industrial waste bin. Readily combustible materials sawdust must not be used to clean up volatile solvents or combustible liquids.

#### 10.12 Regulated Waste

- a. Regulated waste, including asbestos gaskets, waste oil, tyres and batteries, must be removed from the premises by a licensed regulated waste transporter. A copy of the waste tracking certificate must be retained by the waste generator.
- b. The following records must be made of regulated wastes removed from the premises:
  - the date, quantity and type of waste removed.
  - The operator and company name of the waste transporter which removed the waste;
  - The intended treatment/disposal destination of the waste.
- c. The applicant must notify Whitsunday Regional Council in the event that regulated waste associated with the activity is to be or has been disposed of in a manner, which is improper and unlawful.

### **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 shall be provided to the requirements of the Council.
- 11.3 Waste disposal bins stored outdoors must be screened from all public roads by solid fencing of a colour and material which will match the buildings on the site.
- 11.4 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 applicant.
- 11.5 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.
- 11.6 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 surrounding roadways or adjoining land unless written permission from the owner of that land and Council is provided.
- 11.7 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.
- 11.8 The operator is required to comply with all aerodrome operational procedures.

### **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.

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

### **MEETING DETAILS:**

The motion was Carried 5/1

**CARRIED**

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12. Planning and Development Services

12.2 2018/07/25.12 20130712 - REQUEST FOR EXTENSION OF CURRENCY PERIOD - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR A RECONFIGURATION OF A LOT - ONE (1) LOT INTO TWO (2) LOTS, 101 RAINFOREST CLOSE SUGARLOAF, DATVIL PTY LTD

Moved by: D CLARK

Seconded by: P RAMAGE

Council resolves to approve the request for an extension of currency period for Application number 20130712 - Development Permit for Reconfiguration of a Lot, to 23 July 2020.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**12. Planning and Development Services**

**12.3 2018/07/25.13 20120076 - REQUEST FOR EXTENSION OF CURRENCY PERIOD - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - STAGED EIGHTEEN (18) MULTIPLE DWELLING UNITS, 7-11 GEORGE STREET COLLINSVILLE, CRUSADER INVESTMENTS PTY LTD**

**Moved by: D CLARK**

**Seconded by: P RAMAGE**

**Council resolves to approve the request for an extension of currency period for Application number 20120076 - Development Permit for Material Change of Use, to 27 June 2020.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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12. Planning and Development Services

12.4 2018/07/25.14 20120589 - REQUEST FOR EXTENSION OF CURRENCY PERIOD - DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT (1 INTO 3), 13 CUNNINGHAM STREET COLLINSVILLE, CRUSADER INVESTMENTS PTY LTD

Moved by: P RAMAGE

Seconded by: D CLARK

Council resolves to approve the request for an extension of currency period for Application number 20120589 - Development Permit for Reconfiguration of a Lot, to 15 August 2020.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**12. Planning and Development Services**

**12.5 2018/07/25.15 20120019 - REQUEST FOR EXTENSION OF CURRENCY PERIOD - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - FOUR (4) MULTIPLE DWELLING UNITS, 17 WILLIAMS STREET BOWEN, B M SELLARS**

**Moved by: D CLARK**

**Seconded by: P RAMAGE**

**Council resolves to approve the request for an extension of currency period for Application number 20120019 - Development Permit for Material Change of Use, to 25 June 2020.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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12. Planning and Development Services

12.6 2018/07/25.16 20180171 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR TELECOMMUNICATION FACILITY - MILA DRIVE, WOODWARK - TELSTRA - C/- SERVICE STREAM MOBILE COMMUNICATIONS

Moved by: P RAMAGE

Seconded by: R PETERSON

Council did not support the Officer's recommendation and resolves to refuse the application for Development Permit for Material Change of Use - Telecommunications facility (monopole and associated equipment), made by Telstra Corporation Limited, located at Mila Drive, Woodwark for the following reasons:

- The distance to the closest dwelling does not comply with AO1.1 of the Telecommunications Facility Code;
- The visual impact of the tower is unduly obtrusive and negatively impacts on the scenic amenity of the locality; and
- The overwhelming community opposition to the development.

Furthermore, that Council encourage Telstra to place the Telecommunications facility in a known a Black Spot area within the Whitsunday region.

MEETING DETAILS:

The Officer's recommendation lapsed due to lack of a mover and seconder

The motion was put by Councillors. The motion was Carried 6/0

CARRIED

Council Officers Recommendation:

Council resolves to approve the application for Development Permit for Material Change of Use - Telecommunications facility (monopole and associated equipment), made by Telstra Corporation Limited, located at Mila Drive, Woodwark, 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 Access	Service Stream	Q114512 S1 Issue 2	11/06/2018
Site Layout	Service Stream	Q114512 S1-1 Issue 2	11/06/2018
North Elevation West	Service Stream	Q114512 S3 Issue 2	11/06/2018

Geotechnical Stability Assessment	Geotech Investigations	HT:jw: GI 3704-b	14/03/2018
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- 1.2 The applicant is to comply with the Department of State Development, Manufacturing, Infrastructure and Planning conditions as outlined in the Department's correspondence dated 18 April 2018.
- 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 release of the survey plan or 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.
- 1.6 The following further development permits are required prior to commencement of work on site or commencement of the use:

- Building Works.

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

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 The mast structure and any associated buildings are to be finished with muted tones to minimise the obtrusiveness of the mast against the vegetated backdrop and to prevent reflection and glare.

4.0 EARTHWORKS

- 4.1 All site works must be designed by an experienced and qualified Geotechnical Engineer and undertaken in accordance with the recommendations of the Geotechnical Stability Assessment report dated 14th March 2018 prepared by Geotech Investigations Pty Ltd.
- 4.2 Any cut/fill batter slopes are to be protected and retained in a visually acceptable manner prior to commencement of the use. Any retaining structures must be designed in accordance with the recommendations of the Geotechnical Stability Assessment Report dated 14th March 2018 prepared by Geotech Investigations Pty Ltd and supervised and certified during construction.
- 4.3 During and at the completion of the excavation and filling of the site the applicants Civil/Geotechnical Engineer shall supervise, and at the completion, certify that the work carried out on site has meet the design intent and provide evidence that the finished work will not cause adverse impact on adjoining property

5.0 STORMWATER AND FLOODING

- 5.1 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 (current at the time of development) prior to signing of the survey plans.

6.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP)

- 6.1 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.
- 6.2 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).
- 6.3 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 6.4 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.
- 6.5 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.

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 Stability Assessment report dated 14th March 2018 prepared by Geotech Investigations Pty Ltd.
- 7.2 Any cut/fill batter slopes are to be protected and retained in a visually acceptable manner prior to commencement of the use. Any retaining structures must be designed in accordance with the recommendations of the Geotechnical Stability Assessment Report dated 14th March 2018 prepared by Geotech Investigations Pty Ltd and supervised and certified during construction.
- 7.3 Upon completion of any Building Works and prior to Final Inspection Certificate, 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 by Geotech Investigations Pty Ltd Geotechnical Stability Assessment report dated 14th March 2018 and are stable and will remain so over the long term.
- 7.4 All work on site must be supervised by the Developer's Engineer who must ensure that all work is completed in accordance with the proposal and any Development Permit conditions. A certification to confirm compliance must be provided prior to the commencement of the use.

8.0 MISCELLANEOUS

- 8.1 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.

- 8.2 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 8.3 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The onsite supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 8.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Mila Drive or adjoining land unless written permission from the owner of that land and Council is provided.
- 8.5 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean-up of any litter or waste that is a result of the subject development.

9.0 ADVISORY NOTES

9.1 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.

9.2 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.

9.3 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.

9.4 Noise During Construction and Noise in General

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

9.5 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.

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

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**18. Procedural Motion**

**18.1 2018/07/25.17 PROCEDURAL MOTION - ADJOURNMENT**

**Moved by: M BRUNKER**

**Seconded by: J CLIFFORD**

**Council resolved to adjourn the meeting at 10.04am.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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18. Procedural Motion

18.2 2018/07/25.18 PROCEDURAL MOTION - RECONVENE THE MEETING

Moved by: J CLIFFORD

Seconded by: M BRUNKER

Council resolved to reconvene the meeting at 10.31am

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**12. Planning and Development Services**

**12.7 2018/07/25.19 PLANNING & DEVELOPMENT MONTHLY REPORT - JUNE 2018**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

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

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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13. Community and Environment

13.1 2018/07/25.20 POLICY REVIEW - BUSKING POLICY

Moved by: M BRUNKER

Seconded by: J CLIFFORD

Council resolves to:

- a) revoke the Busking Policy - Policy No: 055.00 - Adopted 24 August 2016, and**
- b) adopt the Busking Policy 2018-2021.**

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**13. Community and Environment**

**13.2 2018/07/25.21 DISPOSAL OF PROSERPINE ADMINISTRATION BUILDING CHAIR LIFT**

**Moved by: M BRUNKER**

**Seconded by: J CLIFFORD**

**Council resolves to dispose of the Proserpine Administration Building Chair Lift to the Proserpine - Whitsunday Masonic Lodge No. 251.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**



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13. Community and Environment

**13.3 2018/07/25.22 REQUEST FOR SPONSORSHIP - AIRLIE BEACH
FESTIVAL OF MUSIC 2018**

Moved by: M BRUNKER

Seconded by: D CLARK

Council resolves to refuse the request on the grounds that the proposed festival is not operated as a not for profit community event.

MEETING DETAILS:

Cr Clifford declared a perceived Conflict of Interest in accordance with Section 173 of the Local Government Act 2009 due to the matter that she has a personal relationship with the proponent of the Airlie Beach Music Festival and left the meeting room at 10.42am taking no part in the debate on this matter.

Cr Petterson declared a perceived Conflict of Interest in accordance with Section 173 of the Local Government Act 2009 due to the matter that the Airlie Beach Music Festival donated a three-day pass to the Whitsunday Suicide Convention Network for their recent fundraiser; Cr Petterson is the Chair of the Whitsunday Suicide Convention Network and chose not to leave the meeting room.

The motion was Carried 5/0

CARRIED

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Cr Clifford returned to the meeting room at 10.47am

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13. Community and Environment

13.4 2018/07/25.23 REQUEST FOR COUNCIL FEE WAIVERS - JUNE/JULY 2018

Moved by: J CLIFFORD

Seconded by: P RAMAGE

Council approves the waiving of fees for the following recipients;

- **Whitsunday Counselling & Support Inc. - Father's Day BBQ - \$383.00;**
- **Girudala Community Co-operative Society - NAIDOC Celebrations - \$383.00;**
- **Proserpine Indigenous Reference Group - Dingo Beach Family Day - \$383.00;**
- **Whitsunday Neighbourhood Centre - Planning Application Fee - \$973.00;**
- **Whitsunday Neighbourhood Centre - Building Application Fee - \$510.00;**
- **Bowen Swimming Club - Building Application Fee - \$510.00;**
- **Proserpine BMX Club - Building Application Fee - \$510.00.**

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 Whitsunday Counselling & Support Inc and left the meeting room at 10.48am taking no part in the debate on this matter.

Cr Clark declared a Conflict of Interest in accordance with Section 173 of the Local Government Act 2009 due to the matter that his Son in Law is the President of the Bowen Swimming Club and left the meeting room at 10.49am taking no part in the debate on this matter.

The motion was Carried 4/0

CARRIED

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Cr Petterson and Cr Clark returned to the meeting room at 10.51am

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13. Community and Environment

13.5 2018/07/25.24 REQUEST FOR ADDITIONAL FINANCIAL ASSISTANCE TO SUPPORT YOUTH ACTIVITIES COORDINATOR 2018-19

Moved by: P RAMAGE

Seconded by: D CLARK

Council resolves to provide financial assistance of \$4,000.00 to the Collinsville Community Association to assist in covering a funding shortfall for the Youth Activities Coordinator role.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**13. Community and Environment**

**13.6 2018/07/25.25 SPORT & RECREATION CLUB GRANT - JULY 2018**

**Moved by: J CLIFFORD**

**Seconded by: P RAMAGE**

**Council resolves to approve the payment of a Sport & Recreation Club Grant to Airlie Beach Bridge Club - \$1,000.00.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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13. Community and Environment

13.7 2018/07/25.26 COMMUNITY & ENVIRONMENT - MONTHLY REPORT - JUNE 2018

Moved by: R PETERSON

Seconded by: J CLIFFORD

Council receives the Community & Environment Monthly Report for June 2018.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED



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**14. Engineering Services**

**14.1 2018/07/25.27 ENGINEERING SERVICES - MONTHLY REPORT - JUNE 2018**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council receive the Engineering Services Monthly Report for the month of June 2018.**

**MEETING DETAILS:**

Cr Bruncker left the meeting room at 11.05am and returned at 11.07am

The motion was Carried 6/0

**CARRIED**

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15. Customer Experience

15.1 2018/07/25.28 ORGANISATIONAL CUSTOMER SERVICE REVIEW

Moved by: J CLIFFORD

Seconded by: D CLARK

Council receives the Customer Service Review Report and notes the improvements and achievements to date in the offering of Customer Service since the establishment of the Customer Experience Directorate.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**15. Customer Experience**

**15.2 2018/07/25.29 CUSTOMER EXPERIENCE MONTHLY REPORT - JUNE 2018**

**Moved by: D CLARK**

**Seconded by: J CLIFFORD**

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

**MEETING DETAILS:**



The motion was Carried 6/0

**CARRIED**

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16. General Business

16.1 2018/07/25.30 SUPPORT AND THANKS TO GREY NOMADS

Moved by: M BRUNKER

Seconded by: J CLIFFORD

Council resolves to host an entertainment evening in support and thanks of the Grey Nomads for their continued patronage for the region more specifically Bowen to be held midweek at the Bowen Soundshell before the end of August 2018.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**18. Procedural Motion**

**18.3 2018/07/25.31 PROCEDURAL MOTION - CLOSE OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: P RAMAGE**

**Council resolves to close the meeting to the public at 11.30am in accordance with Section 275 of the Local Government Regulations 2012, for the purpose of discussing employee or industrial matters, budget, rating concessions, contractual matters, legal proceedings, planning matters or other business likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.**

**Item 17.1.1 Business Activities Report - June 2018**

(c) the local government's budget

**Item 17.2.1 Plant & Fleet Replacement - 500.2018.0023**

(e) contracts proposed to be made by it

**Item 17.2.3 Bowen Administration Building Budget - Insurance Reserve**

(e) contracts proposed to be made by it

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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18. Procedural Motion

18.4 2018/07/25.32 PROCEDURAL MOTION - REOPEN OF MEETING

Moved by: J CLIFFORD

Seconded by: P RAMAGE

Council resolves to reopen the meeting to the general public at 11.43am.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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

**17.1.1 2018/07/25.33 BUSINESS ACTIVITIES REPORT - JUNE 2018**

**Moved by: J CLIFFORD**

**Seconded by: M BRUNKER**

**Council receives the Business Activities Report for the month of June, 2018.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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17.2 Confidential Matters - Corporate Services

17.2.1 2018/07/25.34 PLANT & FLEET REPLACEMENT - 500.2018.0023

Moved by: R PETERSON

Seconded by: P RAMAGE

Council resolves to award the contract for 500.2018.0023 - Supply and Delivery of One (1) Bitumen Patching Truck for \$386,950.00 (excluding GST) Local Buy Contract NPN 1.15 to Ausroad Systems Pty Ltd noting all compliant suppliers were invited to respond.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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17.2 Confidential Matters - Corporate Services

17.2.3 2018/07/25.35 BOWEN ADMINISTRATION BUILDING BUDGET -  
INSURANCE RESERVE

Moved by: D CLARK

Seconded by: P RAMAGE

Council resolve to transfer a total of One Million, One Hundred and Thirty Thousand, Nine Hundred and Forty-Six dollars (\$1,130,946) from the Insurance Reserve to Capital Work Order Number 5638 - Bowen Administration TC Debbie Insurance Works made up as follows:

- a) Six Hundred Thousand dollars (\$600,000) as identified in the capital budget for 18/19, adopted at the Special Meeting held on the 11<sup>th</sup> of July 2018.
- b) A further Five Hundred and Thirty Thousand, Nine Hundred and Forty-Six dollars (\$530,946) to fund the additional costs of the project.

**MEETING DETAILS:**

Cr Ramage left the meeting room at 11.36am and returned at 11.39am

The motion was Carried 6/0

**CARRIED**

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The meeting closed at 11.45am

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Confirmed as a true and correct recording this 8<sup>th</sup> August 2018

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**Cr Andrew Willcox  
MAYOR**