

Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
Bowen Council Chambers, 67 Herbert Street, Bowen on
30 January 2019 commencing at **9:00am**

Councillors Present:

J Collins (Acting Mayor); J Clifford; R Petterson; P Ramage; D Clark and M Brunker

Council Officers Present:

B Davidson (Acting Chief Executive Officer); S Fernando (Chief Financial Officer); J Wright (Director Community & Environment); N McGaffin (Director Planning & Development); J Rugless (Director Corporate Services); A Hagy (Director Customer Experience); J Raiteri (Director Engineering Services); G Martin (Communications and Marketing Manager); P Fendley (Chief Staff Officer); M Douglas (OMCEO Administration Coordinator); T Jensen (Minute Taker - Legal and Governance Admin Officer)

Other Details:

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.02am

The meeting reconvened from morning tea at 10.23am

The meeting closed at 10.48am

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1. APOLOGIES	5
1.1 2019/01/30.01 Apologies	5
2. CONDOLENCES	5
2.1 2019/01/30.02 Condolences	5
4. CONFIRMATION OF MINUTES	5
4.1 2019/01/30.03 Confirmation of Minutes Report	5
6. PETITIONS.....	6
6.1 2019/01/30.04 Petitions – Wilson Beach Swimming Enclosure	6
9. QUESTIONS FROM PUBLIC GALLERY	7
10. OFFICE OF THE MAYOR AND CEO	9
10.1 2019/01/30.05 Financial Statements - Fy 18/19 - Period Ending 31 December 2018	9
12. PLANNING AND DEVELOPMENT SERVICES.....	9
12.1 2019/01/30.06 Facade Improvement Policy	9
12.2 2019/01/30.07 20180856 - Development Application for Development Permit for Material Change of Use - Resort Complex (Staged), Gloucester Avenue, Hydeaway Bay, M Dunn	10
12.3 2019/01/30.08 20181304 - Development Application for Material Change of Use - Low Impact Industry (Motor Vehicle Workshop); and Showroom - Redevelopment of the Proserpine Nissan Dealership - 1 & 5 Waite Street, Proserpine - Ardent Architects	19
12.4 2019/01/30.09 Reconfiguring a Lot Code	26
12.5 2019/01/30.10 Development Applications for Short Term Accommodation	26
12.6 2019/01/30.11 Applications for Extension of Currency Period of Development Permits	27
13. COMMUNITY AND ENVIRONMENT	28
13.1 2019/01/30.12 Town of Whitsunday Drainage, Bowen Water Hazard & Coastal Hazard Refinement Studies	28
13.2 2019/01/30.13 Sport & Recreation Club Grants - January 2019	28
13.3 2019/01/30.14 2019 Yamaha Variety Jet Trek Sponsorship Proposal	29
13.4 2019/01/30.15 Community & Environment - Monthly Report - December 2018	29
14. ENGINEERING SERVICES	29
14.1 2019/01/30.16 Local Government Grants and Subsidy Program 2019-2021	29
15. CUSTOMER EXPERIENCE	30
15.1 2019/01/30.17 Customer Experience Monthly Report - December 2018	30
16. GENERAL BUSINESS	30

16.1	2019/01/30.18	whitsunday pcyc update	30
16.2	2019/01/30.19	collinsville office & community centre update	31
16.3	2019/01/30.20	ARGYLE STREET & HOWARD STREET design	31
18.	PROCEDURAL MOTION	31
18.1	2019/01/30.21	Procedural Motion - Adjourn	31
18.2	2019/01/30.22	Procedural Motion - Reconvene	32
18.3	2019/01/30.23	Procedural Motion - Closure of Meeting	32
18.4	2019/01/30.24	Procedural Motion – Reopen of Meeting	33
17.1	CONFIDENTIAL MATTERS – OFFICE OF THE MAYOR AND CEO	33
17.1.1	2019/01/30.25	Business Activity Report - Shute Harbour December 2018	33
17.1.2	2019/01/30.26	Business Activity Report - Whitsunday Coast Airport December 2018 34	
17.2	CONFIDENTIAL MATTERS - CORPORATE SERVICES	34
17.2.1	2019/01/30.27	Sale Of Land - Lot 2 On Rp743420	34
17.5	CONFIDENTIAL MATTERS – ENGINEERING SERVICES	34
17.5.1	2019/01/30.28	Business Activities Monthly Report - December 2018 - Foxdale Quarry 34	
17.5.2	2019/01/30.29	Business Activities Monthly Report - December 2018 - Whitsunday Water	35
17.6	CONFIDENTIAL MATTERS – CUSTOMER EXPERIENCE	35
17.6.1	2019/01/30.30	Tender Evaluation - 500.2018.0124 - Provision of Maintenance Services - Whitsunday Lakes	35
17.6.2	2019/01/30.31	Business Activity Report - Waste Business Unit - November & December 2018	36

1. Apologies

1.1 2019/01/30.01 APOLOGIES

Moved by: M BRUNKER

Seconded by: P RAMAGE

Council receives an apology from Mayor Andrew Willcox.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**2. Condolences**

**2.1 2019/01/30.02 CONDOLENCES**

**Moved by: J CLIFFORD**

**Seconded by: M BRUNKER**

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

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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4. Confirmation of Minutes

4.1 2019/01/30.03 CONFIRMATION OF MINUTES REPORT

Moved by: J CLIFFORD

Seconded by: R PETERSON

Council confirms the Minutes of the Ordinary Meeting held on 12 December 2018; and the Minutes of Special Meeting held on the 14 December 2018.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**6. Petitions**

**6.1 2019/01/30.04 PETITIONS – WILSON BEACH SWIMMING ENCLOSURE**

**Moved by: M BRUNKER**

**Seconded by: P RAMAGE**

**Council receives the petition to save the Wilson Beach Swimming Enclosure.**

**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

Name: Andrew Marshall
Address: 2 Coral Esplanade, Cannonvale 4802

Re: Council Resolution 2014/11/26.57 which included "Formalise pedestrian right of way within the Airlie Beach precinct". Carried 6/1 Cr Clifford requesting to be recorded as against the motion.

More than four years have passed since that resolution. It is three years since the reply to my follow-up letter was answered in minutes dated 27-1-16. The last line was "The pedestrian right of way will be formalised as part of the construction process". (Copies attached)

There have been many complaints from pedestrians over the years about the lack of progress. On 10-12-18 I sent the email below to Cr Jan Clifford, but she has not replied.

When are we going to see the Traffic Management Report, to which you referred in the Whitsunday Times' article dated 28-6-18 on page 6?

Formal zebra crossings are not required - nor will they work. Pedestrians cross Main St and Airlie Esplanade where it suits them, and nothing will change that. If you try to regiment crossings, you will only annoy tourists and locals even more than currently.

Instead, make Main St and Airlie Esplanade a shared zone. Leave the existing "crossings" as they are now and put the above signs up at either end of the precinct. So necessary, so simple, so easy, so inexpensive, so best practice. So, why have we been waiting 4 years for the council resolution, to give pedestrians right of way, to be implemented?

A shared zone, with a reduced uniform speed limit, ensures that tourists, shoppers

and genuine delivery vans would benefit. It would encourage trucks and tradies to use Waterson Way, as was originally intended.

Do we have to wait for a serious accident, or can we see some progress in making our tourist precinct a safer and more enjoyable place?

I ask the Council:

- 1) When will the pedestrian right of way be formalised within the Airlie Beach precinct?
- 2) What is the Council's position on making Main St and Airlie Esplanade a shared zone?

Whitsunday Regional Council Response:

Mr Marshall has enquired as to when Council will "Formalise pedestrian right of way within the Airlie Beach precinct" and asked for Council's position on making Main Street and Airlie Esplanade a shared zone.

In his request, he has referenced Council resolution 2014/11/26.57 where Council confirmed a Preferred Option Plan for the Airlie Main Street area and commented on several specific elements including to "Formalise pedestrian right of way within the Airlie Beach precinct". Since the time of the initial resolution significant changes have been made to the Main Street area consistent with the plan, however, several details of the Preferred Option Plan were amended in the final design to meet required design standards.

In short, Council has already formalised the pedestrian right of way in the Airlie Main Street through the construction of the most recent upgrade works to the Main Street. As part of these works several crossing points were installed in the Main Street area, however at these crossings right of way is given to the vehicles not pedestrians.

In relation to the request of Mr Marshall to make the Main Street and Esplanade a shared zone, Council has previously investigated this option. However, it was found that the anticipated traffic delays through either making the street a shared zone or converting the existing crossing points to zebra crossings (both were investigated) would result in traffic backing up into the Starfish Roundabout. This congestion to the sole access route to Shute Harbour was identified as unacceptable to the Department of Transport & Main Roads and as such, these changes were not approved.

Council has been investigating other options to revitalise the Main Street area and has secured funding for the almost completed Foreshore Development. At the completion of this project it is expected that traffic patterns will again be changed. Once the new traffic patterns stabilise, Council will take a fresh look at both vehicle and pedestrian movements in the area and take steps to address concerns.

10. Office of the Mayor and CEO

**10.1 2019/01/30.05 FINANCIAL STATEMENTS - FY 18/19 - PERIOD
ENDING 31 DECEMBER 2018**

Moved by: J CLIFFORD

Seconded by: M BRUNKER

Council receives the financial statements for the period ending 31 December, 2018 of the 2018/19 financial year.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**12. Planning and Development Services**

**12.1 2019/01/30.06 FACADE IMPROVEMENT POLICY**

**Moved by: R PETERSON**

**Seconded by: P RAMAGE**

**Council resolves to adopt the Proserpine Façade Improvement Policy with an effective date of 1 February 2019.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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12. Planning and Development Services

12.2 2019/01/30.07 20180856 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - RESORT COMPLEX (STAGED), GLOUCESTER AVENUE, HYDEAWAY BAY, M DUNN

Moved by: J CLIFFORD

Seconded by: R PETERSON

Council resolves to approve the application for Development Permit for Material Change of Use - Resort Complex (Staged), made by M Dunn, on Lot 66 RP744455, Lot 20 SP271833 and Lot 19 SP271833, located at 6 Gloucester Avenue Hydeaway Bay, 2 Hydeaway Bay Drive Hydeaway Bay, 2-4 Gloucester Avenue Hydeaway Bay, subject to the conditions outlined in Attachment 1.

Attachment 1 - 20180856 | Conditions of Approval

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
Master Plan	Ignite	MP01	24/08/2018
Large Cabana Elevations	Ignite	N/A	16/08/2018
Cabana Large Plan	Ignite	N/A	04/06/2018
Small Cabana (Tree House) Elevations	Ignite	N/A	16/08/2018
Tree House Plan	Ignite	N/A	04/06/2018
Wellness Pavilion Elevations	Ignite	N/A	16/08/2018
Waste Enclosure	Ignite	N/A	16/08/2018
Existing Site Vegetation	John Harper Landscape Designs	LCP 02 Rev B	23/09/2018
Landscaping Master Plan	John Harper Landscape Designs	LCP 03 Rev B	23/09/2018
Photo Montage from Gloucester Avenue	John Harper Landscape Designs	LCP 04 Rev B	23/09/2018
Concept Notes	John Harper Landscape Designs	LCP 05 rev B	23/09/2018

Surface Water Assessment	Premise	MIS0301/R02 Rev: A	05/10/2018
Car Parking Assessment	Premise	MIS0301-L01- AC	03/10/2018
On-site Wastewater Management Report	Ground Environments	1808.1130	10/09/2017
Concept Proposed Irrigation Areas	Premise	MIS-0301- SK004 Rev 1	21/09/2018
Concept Earthworks Arrangement – Sheet 1	Premise	MIS-0301 SKC002 Rev 1	21/09/2018
Concept Earthworks Arrangement – Sheet 2	Premise	MIS-0301 SKC003 Rev 1	21/09/2018
Bushfire Hazard Assessment & Bushfire Management Plan	Blackash Bushfire Consulting	Version: V1.2 Final	18/09/2018
Acid Sulphate Soils Investigation	Ground Environments	1705.1000	10/09/2018
Indaba Ecological Assessment Report (including amended Figure 2).	Premise	1701786 Rev A	11/12/2017
Response to Information Request	Premise	MIS0301-L02- AC	05/10/2018

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

- Operational Works;
- Earthworks;
- Access and Parking; and
- Erosion Prevent and Sediment Control;
 - Plumbing and Drainage Works;
 - Building Works;

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

1.3 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written conditions 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.
- 1.6 A copy of this decision notice and stamped approved plans/drawings must be retained on site at all times. This decision notice must be read in conjunction with the stamped approved plans to ensure consistency in construction, establishment and maintenance of approved works.
- 1.7 The development is approved to be carried out in two (2) stages.
- 1.8 Lot 66 RP744455, Lot 20 SP271833, Lot 19 SP271833 are to be amalgamated prior to the issuing of any related development approvals.
- 1.9 Lot 65RP744455 is to be included in the Operational Works application as part of the bioretention basin is located on this lot.
- 2.0 CLEARING, LANDSCAPING AND FENCING
- 2.1 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.
- 2.2 All vegetative waste cleared as part of the development of the site is to be either:
 - a) stored neatly on site and shredded within sixty (60) days of clearing; or
 - b) removed off the site to an approved disposal location.
- 2.3 Landscaping for the applicable stage is to be provided generally in accordance with the approved landscaping plan LCP 03 Rev B.
- 2.4 The planting schedule must be in accordance with PSP SC6.4 (Landscaping).
- 2.5 A new fence, a minimum of 1.8 metres high, is to be provided along the road frontage with Gloucester Avenue and Lot 21 on SP271833, generally in accordance with the details in the approved landscaping plan LCP 05 Rev B. The proposed design and materials are to be submitted to Council with the lodgement of the first operational works application.
- 2.6 A chain wire animal control fence is to be provided along the property boundary with Lot 1 on AP13184.
- 2.7 To reduce the spread of weeds, all earthmoving equipment shall be free of soil and seed before being taken to the work site and again on completion of the project.
- 2.8 Any pruning works must be in accordance with AS 4373-1996 – Pruning of Amenity Tree.
- 3.0 BUILDING
- 3.1 Ventilation and mechanical plant must be located and designed so that prevailing breezes do not direct undesirable noise and odours towards nearby residential accommodation.
- 3.2 All air-conditioning units are not to be visible from the street or adjoining properties and are to be aesthetically screened.
- 3.3 Building and landscaping materials are not to be highly reflective, or likely to create glare, or slippery or otherwise hazardous conditions.
- 3.4 Buildings are to be finished with external building materials and colours to reduce scale and bulk.
- 3.5 The height of roofline for the Wellness Pavilion is not to exceed 8.5 metres above natural ground level.
- 4.0 LIGHTING

- 4.1 The level of illumination, at a distance of 1.5 metres outside any boundary of the site, resulting from direct, reflected, or other incidental light emanating from the site shall not exceed eight lux measured at any level upwards from ground level.
- 4.2 Lighting along, all internal access driveways and parking areas, is to be directed downwards so as to minimise any adverse effects of glare or direct light nuisance on all surrounding allotments, including allotments within, but must achieve a minimum level of illumination consistent with the safety of pedestrians and vehicles.
- 4.3 External lighting must be designed, baffled and/or directed inwardly so as to prevent any light spill on the adjoining foreshore and land described as Lot 1 on AP13184 to the satisfaction of Council.
- 5.0 EARTHWORKS
 - 5.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Earthworks. Any application for Operational Works (Earthworks) must be accompanied by engineering design drawings demonstrating compliance with the recommendations with any Geotechnical and Civil site report for the site. All filling is to be placed, trimmed and compacted as a minimum to standards identified in AS 3798. Compaction test results are to be submitted to Council for its records.
 - 5.2 Prior to commencement of use on the site, the applicant must lodge with Council, a engineer's certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that the works have been constructed in accordance with the requirements of Council's Development Manual, Australian Standards and this Decision Notice.
- 6.0 WATER INFRASTRUCTURE
 - 6.1 Design and construct a potable water supply to the proposed development 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.
- 7.0 ON SITE EFFLUENT DISPOSAL
 - 7.1 The applicant is to provide at Plumbing application stage, a detailed, site specific wastewater treatment and disposal report that complies with the conditions of the ERA63 license and the requirements of the Qld Plumbing and Wastewater Code
 - 7.2 Sewerage infrastructure must be constructed to comply with S6 "Sewer Reticulation" of Council's Development Manual, Council's Standard Drawings and Water Services Association of Australia Sewerage Code of Australia. Where a discrepancy or conflict exists between Council's Development Manual and the Sewerage Code, the requirements of Council's Development Manual will prevail.
 - 7.3 Prior to commencement of use, the applicant must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that all Sewer Infrastructure works have been designed and constructed according to the conditions of this Decision Notice, Qld Plumbing and Wastewater Code and any requirements of the ERA63 license.
- 8.0 ACCESS AND PARKING
 - 8.1 A minimum of twenty-two (22) car parking spaces must be provided on site prior to commencement of the use, with thirteen (13) provided prior to the commencement of Stage 1.
 - 8.2 An 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.

- 8.3 All internal accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas are to be provided generally as indicated on Master Plan MP01 – 24/08/2018 and must be designed to comply with Council’s Development Manual and AS2890 and AS1428.
- 8.4 Prior to commencement of use on the site, the applicant must lodge with Council a civil engineer’s design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that External Access, Internal Access, onsite parking and manoeuvring areas have been designed and constructed according to the conditions of this Decision Notice and achieves compliance with Whitsunday Regional Council Planning Scheme, Council’s Development Manual, AS2890 and AS 1428.
- 9.0 STORMWATER AND FLOODING
- 9.1 All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual current at the time of development and Council’s Development Manual (or equivalent replacement document current at the time of development).
- 9.2 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including Q100.
- 9.3 Prior to commencement of use on the site, the applicant must lodge with Council, a civil engineer’s design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that the Stormwater Drainage works have been constructed in accordance with the requirements of Queensland Urban Drainage Manual current at the time of development, Council’s Development Manual (current at the time of development) and this Decision Notice and will not cause adverse effects to adjoining or downstream properties or infrastructure.
- 9.4 No debris associated with the works authorised by this Permit shall be pushed into, or through, the drainage lines (or watercourses) unless approved by Council.
- 10.0 ELECTRICITY AND TELECOMMUNICATIONS
- 10.1 Provide electricity connection to the proposed development to the requirements of the relevant authority. The application must submit to Council, either:
- a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the newly created lots; or
 - b) a certificate of supply that the applicant has entered into an agreement with the authorized electricity supplier, Ergon, to provide electricity services to the newly created lots, payment has been received and the connection will be completed at a date in the future.
- If low-voltage electricity supply is unavailable to the newly created development, then the applicant must provide a certificate of supply of the proposed electricity connection date to all future property owners prior to entering into a contract of sale for the newly created development prior to commencement of the use.
- 10.2 Provide telecommunications to the proposed development. If landline telecommunications are not proposed, it must be demonstrated to Council that consistent reception (3 bars) is available on both Optus and Telstra mobile networks (3G or 4G).
- 11.0 BUSHFIRE PROTECTION PLAN
- 11.1 Prior to commencement of the use, the applicant must lodge with Council, certification that the recommendations contained with Bushfire Hazard Assessment & Bushfire Management Plan Version: V1.2 Final have been achieved.
- 12.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP)

- 12.1 Prior to commencement of any work on the site, the applicant must submit to Council for approval, an application for a Development Permit for Operational Works.
- 12.2 The application must include a site-based Erosion Prevention and Sediment Control Plan prepared in accordance with Council's Development Manual (current at the time of the development), and the Best Practice Erosion & Sediment Control – November 2008 (IECA White Book).
- 12.3 The recommendations 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).
- 12.4 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.
- 12.5 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.
- 12.6 During the earthworks and construction stages:
 - a) All trucks hauling soil, or fill/excavated material must have their loads secure and covered;
 - b) Any spillage that falls from the trucks or their wheels must be collected and removed from the site and streets along which the trucks travel, on a daily basis; and
 - c) Prior to vehicles existing the site, measures must be taken to remove soil from the wheels of the vehicles to prevent soil and mud being deposited on public roads.
- 13.0 ENVIRONMENTAL health
- 13.1 The operation of swimming pools must comply with Queensland Health's Swimming and Spa Pool Water Quality and Operational Guidelines (2004).
- 13.2 Application must be made to Council's Environmental Health Branch to establish and conduct a food business in accordance with the requirements of the Food Act 2006.
- 13.3 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.
- 13.4 The proprietor must apply for and hold an approved plan prior to commencing fit out of any area intended for the storage, preparation handling, packing and/or service of food.
- 13.5 The proprietor must hold a current Food Licence with respect to any food handling activities conducted at the premises, prior to the commencement of use.
- 13.6 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.

14.0 CATCHMENT AND LAND MANAGEMENT

14.1 Clearing of the site and management of ecological values is to be consistent with the recommendations included in the Ecological Assessment and Response to Information Request prepared by Premise.

14.2 A single access point and associated designated pathway is permitted between the property and the foreshore to prevent disturbance of the dune and foreshore areas to the satisfaction of Council.

14.3 Before any works starts:

- a) A qualified arborist is to mark out and install a temporary barrier to define the vegetation protection areas in accordance with AS 4970, Protection of trees on development sites;
- b) Include the recommendations of the Ecological Assessment and the information request response dated Ecological Assessment and the recommendation provided in the information request response dated 9 of November 2018 listed in the Decision Notice;
- c) The tree protection zone must be fenced and include appropriate signage.

14.4 During construction works:

- a) the areas within the fenced off tree protection zones must not be used for any other purpose, including storage of soil or building materials or machinery, except as provided for in this permit;
- b) all contractors and subcontractors engaged to undertake construction work on the site must have included in their contract a reference to the retention of trees and these planning permit requirements for their protection;
- c) signs to the same effect must be displayed at all times on the tree protection zone fences;
- d) Include the recommendations of the Ecological Assessment and Response to Information Request prepared by Premise.

14.5 The applicant shall submit, with the first Operational Works application, a management plan that demonstrates that buildings and structures within the erosion prone area can be adequately protected to the satisfaction of Council. Alternatively, new buildings and structures within the erosion prone area are to be removed.

14.6 The applicant shall submit, with the first Operational Works application, a Stormwater Quality Management Plan (SQMP) that:

- a) is prepared in accordance with the recommendations and requirements outlined in the Whitsunday Regional Council Stormwater Quality Guideline;

- b) Includes a description of the proposed development including land use, scale, dimensions, densities, site coverage (percent impervious), typical section and lawful point of discharge;
 - c) The media filter size must be a minimum of 1.5% of the catchment. Alternatively, the effectiveness of the treatment train must be demonstrated;
 - d) The bioretention basin system and associated infrastructure are to be designed in accordance with Council's Development Manual (current at the time) and Bioretention Technical Guidelines by Water by design (current at the time), as relevant;
 - e) The bioretention system is to include a sediment basin;
 - f) Indicates how the refurbished reticulated creek is to permanently flow, should that be proposed;
 - g) Ensure that there is no introduction of salt water into freshwater environments;
 - h) limits the peak 1-year ARI event discharge within the receiving waterway to the pre-development peak 1-year ARI discharge for the bioretention system;
 - i) clearly identify the location of the stormwater outlet within the applicant's property;
 - j) Demonstrate how the development will avoid erosion and scour in the receiving waters;
 - k) Indicate how the bioretention basin and associated infrastructure will be maintained;
 - l) Details of the hydrology, including flows, velocities, etc. of the proposed refurbished reticulated creek and dams to ensure that the plants and filter media are able to establish in the long term and not damaged by heavy rainfall;
 - m) includes a suitably qualified person certification (see Section 1.4 of the Whitsunday Regional Council Stormwater Quality Guideline).
- 14.7 Any bioretention or sediment basins and associated infrastructure installed as part of this approval must be designed, constructed and maintained in accordance with the Whitsunday Regional Council Stormwater Quality Guideline.
- 14.8 Acid sulphate soils are not to be disturbed during the works unless an Acid Sulfate Soils Management Plan that complies with Planning Policy SC6.2.4: Acid sulfate soils management plan, is submitted and approved by Council.
- 15.0 OPERATING PROCEDURES
- 15.1 The use of the premises is limited only to guests of the Resort.
- 16.0 MISCELLANEOUS
- 16.1 If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.
- 16.2 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 16.3 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The onsite supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 16.4 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 Gloucester Avenue or adjoining land unless written permission from the owner of that land and Council is provided.

16.5 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean-up of any litter or waste that is a result of the subject development.

17.0 ADVISORY NOTES

17.1 Hours of work

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

17.2 Dust Control

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

17.3 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.

17.4 Noise During Construction and Noise in General

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

17.5 General Safety of Public During Construction

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

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

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

17.6 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 6/0

CARRIED

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## 12. Planning and Development Services

- 12.3 2019/01/30.08 20181304 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - LOW IMPACT INDUSTRY (MOTOR VEHICLE WORKSHOP); AND SHOWROOM - REDEVELOPMENT OF THE PROSERPINE NISSAN DEALERSHIP - 1 & 5 WAITE STREET, PROSERPINE - ARDENT ARCHITECTS

Moved by: D CLARK

Seconded by: M BRUNKER

Council resolves to approve the application for Development Permit for Material Change of Use - Low Impact Industry (motor vehicle workshop); and Showroom - Redevelopment of the Proserpine Nissan dealership, made by Ardent Architects, on Lot 24 on RP724874 and Lot 25 on RP724874 and located at 1 Waite Street Proserpine and 5 Waite Street Proserpine, subject to the conditions outlined in Attachment 1.

### Attachment 1 - 20181304 | Conditions of Approval

#### 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          |
|---------------------------------------------------|--------------------------------------|--------------------------------|----------------|
| Existing site plan/demolition plan                | Ardent Architects                    | AA18017 201 rev 1              | 11.09.2018     |
| Existing and proposed site plan                   | Ardent Architects                    | AA18017 202 rev 1              | 11.09.2018     |
| Site Plan                                         | Ardent Architects                    | AA18017 203 rev 1              | 11.09.2018     |
| Ground Floor Plan                                 | Ardent Architects                    | AA18017 204 rev 1              | 11.09.2018     |
| Roof Plan                                         | Ardent Architects                    | AA18017 205 rev 1              | 11.09.2018     |
| Elevation 1                                       | Ardent Architects                    | AA180177 206 rev 1             | 11.09.2018     |
| Elevation 2                                       | Ardent Architects                    | AA18017 207 rev 1              | 11.09.2018     |
| Sections                                          | Ardent Architects                    | AA18017 208 rev 1              | 11.09.2018     |
| Traffic Management                                | Ardent Architects                    | AA18017 209 rev 1              | 11.09.2018     |
| Signage Details                                   | Ardent Architects                    | AA18017 210 rev 1              | 11.09.2018     |
| Plan of Contour & Detail Survey                   | Vision Surveys QLD Pty Ltd           | 18362-CD-01 sheet 1 of 1 rev A | 29.06.2018     |
| Traffic Impact Assessment                         | Paragon Consulting Engineers Pty Ltd | 1713-01 rev A                  | September 2018 |
| Preliminary Site Based Stormwater Management Plan | Paragon Consulting Engineers Pty Ltd | 1713-01 rev A                  | September 2018 |



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

- Operational Works:
  - Access and Parking
  - Roadworks
  - Stormwater drainage;
  - Water Infrastructure; and
  - Sewerage Infrastructure.
- Plumbing and Drainage Works;
- Building Works;
- Material Change of Use; and
- Reconfiguration of a Lot.

All Operational Works, 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 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals because of this development approval have been complied with at the time of sealing the survey plan or commencement of the use, whichever is the sooner.

1.5 Lots 24 and 25 on RP724874 are to be amalgamated prior to works commencing on site. A copy of the registration confirmation statement is to be provided to Council for its record.

## 2.0 CLEARING, LANDSCAPING AND FENCING

2.1 All vegetation waste cleared as part of the development of the site is to be either:

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

2.2 Erect fencing along the residential boundaries of the site. Proposed design and materials are to be submitted to and approved by Council.

## 3.0 BUILDING

3.1 Ventilation and mechanical plant must be located and designed so that prevailing breezes do not direct undesirable noise and odours towards nearby residential accommodation.

3.2 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 supply network, using the existing water service connection on Lot 24RP724874. The existing water service connection must be sized appropriately and upgraded if required. Any upgrading works must be completed by the developer at their full cost prior to commencement of the use.

## 5.0 SEWERAGE INFRASTRUCTURE

5.1 The development must be constructed clear of all existing gravity and/or rising sewer mains on the property and any adjoining properties.

5.2 The development must be connected to Council's sewerage reticulation network, using the existing sewer jump-up prior to commencement of the use.



- 5.3 All existing property drainage and sewer connections must be disconnected and sealed to the satisfaction of Council's Water & Sewer Services at the time of removal of the existing structure.
- 5.4 A Trade Waste Agreement must be obtained prior to connection to Council's sewerage reticulation network.

## 6.0 ACCESS AND PARKING

- 6.1 A Development Permit for Operational Works (External Access) must be obtained prior to commencement of work on site.
- 6.2 Any application for Operational Works (External Access) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Council's Development Manual (current at the time of development) and this Decision Notice.
- 6.3 The external access from the pavement of Mill and Waite streets to the property boundary must be constructed to comply with the dimensions, gradients and specifications as indicated on Council's Standard Drawing R0051 prior to commencement of the use.
- 6.4 The external access must include provision for all drainage from within the property and along the driveway surface to be collected and treated with an approved Stormwater Treatment Device at or inside the property boundary and discharged to the existing kerb and channel.
- 6.5 All accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas must be designed and constructed so as to comply with the criteria described in AS2890 and AS1428.
- 6.6 All internal accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas are to be provided generally as indicated on Vehicle Turning Movement Plan 1, 1713-01-SK02 and 2, 1713-01-SK03 and Proposed Site plan 1713-01-SK01 must be designed to comply with the Carriageway Widths and Traffic Generation criteria as detailed on Table D1.1 Street and Road Hierarchy of Councils Development Manual and constructed so as to comply with the criteria described in Councils Development Manual, AS2890 and AS1428.
- 6.6 A minimum of 14 customer car parking spaces are to be provided and maintained within the boundaries of the property as indicated on Proposed Site Layout Plan 1713-01-SK01 prior to commencement of the use

## 7.0 STORMWATER AND FLOODING

- 7.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Stormwater Drainage  
Any application for Operational Works (Stormwater) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual current at the time of development, Council's Development Manual (current at the time of development) and this Decision Notice.
- 7.2 The applicant must design and construct Roof and Allotment drainage system for the development so as to comply with the Queensland Urban Drainage Manual current at the time of development as a minimum. No uncontrolled discharge will be permitted within the developed site.
- 7.3 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).

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.

- 7.4 Stormwater for the development must include gross pollutant traps, or other appropriate water quality measures, within the system adequate to ensure stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.

## 8.0 ROADWORKS

- 8.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to External Roadworks.

Any application for Operational Works (External Roadworks) must be accompanied by detailed engineering drawings demonstrating compliance with Council's Whitsunday Planning Scheme and Council Development Manual (current at the time of development), and this Decision Notice.

- 8.2 Kerb and Channel, including pavement widening to the edge of the existing seal must be designed and constructed for the full frontage of the development in accordance with Council's Whitsunday Regional Council Development Manual prior to the commencement of the use. The minimum, final design width of the road must comply with the widths specified in the Whitsunday Regional Council Development Manual.
- 8.3 A 1.5 metre-wide concrete, or approved alternative finish, footpath, including tactile indicators in accordance with AS1428 must be provided for the full frontage of the proposed development on Mill and Waite Streets, Proserpine prior to the commencement of the use. The footpath must merge into the existing footpath on both sides of the site. The construction of the path should allow water to shed and will not cause any adverse effects (Ponding) to adjoining or downstream properties or infrastructure.
- 8.4 At completion of construction and prior to the commencement of the use, the Supervising Engineer must provide certification to Council that all construction complies with this Decision Notice and Council's Development Manual.

## 9.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP)

- 9.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site.
- 9.2 Erosion prevention and sediment control measures must be established so as to comply with the requirements of the Whitsunday Regional Council Development Manual and the Best Practice Erosion & Sediment Control – November 2008 (IECA White Book) and the requirements of the Environmental Protection Act.
- 9.3 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).
- 9.4 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.
- 9.5 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.

- 9.6 The applicant must ensure that when undertaking any on-site or external works, including any filling and extraction, appropriate dust control measures are implemented in accordance with the Environmental Protection Act 1994 and complies with the relevant air quality objectives defined in the Environmental Protection (Air) Policy 2008.

## 10.0 ENVIRONMENTAL HEALTH

### 10.1 Noise (Building Works)

- a. Noise levels emanating from the premises must not exceed those required by the *Environmental Protection Act 1994* section 440R. A builder or building contractor must not make audible noise from building work:
- (a) on a Sunday or Public Holiday, at any time; or
  - (b) on a Saturday or business day, before 6:30am for after 6:30pm.

### 10.2 Noise (Other)

- a. Any noise emanating from regulated devices, must be in accordance with Section 440S of the *Environmental Protection Act 1994*:  
A person must not operate a regulated device in a way that makes an audible noise—
- (a) on a business day or Saturday, before 7.00a.m. or after 7.00p.m; or
  - (b) on any other day, before 8.00a.m. or after 7.00p.m
- b. At all times, any noise emanating from the site must be in accordance with acoustic quality objectives for sensitive receptors as per Section 8 of *Environmental Protection (Noise) Policy 2008* and the General Environmental Duty Code of Practice for motor vehicle workshop operations.

### 10.3 Air

- a. Prior to building works, indicate the location of the mechanical air system on the proposed site plan to the satisfaction of the Responsible Authority.
- b. Prior to commencement of use, the mechanical air system must be installed in accordance with the submitted plan as per condition above to the satisfaction of the Responsible Authority.
- c. At all times, fumes and other emissions, such as smoke, particles emanating from any works, is to be confined on site and all reasonable steps must be taken to prevent the release of those fumes and emissions beyond the boundaries of the properties.
- d. At all times, air quality objectives must be attained in accordance with Section 8 of the *Environmental Protection (Air) Policy 2008* and the General Environmental Duty Code of Practice for motor vehicle workshop operations.

### 10.4 Odour

- a. At all times, odours must not cause an environmental nuisance as per Section 440 of the *Environmental Protection Act 1994* and must be contained within the property boundaries.

### 10.5 Light

- b. Prior to commencement of use, outdoor lighting must be installed in accordance with the current edition of Australian Standard 4282 – Control the obtrusive effects of outdoor lighting to the satisfaction of the Responsible Authority.
- c. All lighting devices must be positioned on the premises and shielded in a manner that will not cause environmental nuisance as per Section 440 of the *Environmental Protection Act 1994*.

### 10.6 Land and Water

- d. Any building works must ensure that stock piles of soil and sediment are contained, and appropriate erosion and sediment control measures are installed to prevent contamination of waterways to the satisfaction of the Responsible Authority.
- e. During building works, all sediment control devices are to be inspected by the operator/owner 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 or further implementation of additional control devices should be conducted immediately.
- f. Prior to commencement of use, the interceptor tank must be connected to nominated wash bays to the satisfaction of the Responsible Authority.
- g. At all times, all water contaminants must be monitored by the operator/owner and kept within the site boundary.
- h. At all times, water contaminants must not be flushed, moved or left to accumulate in a location that could reasonably be expected to wash into waters, roadside gutters, or stormwater drainage in accordance to section 440ZG of the *Environmental Protection Act 1994* and the General Environmental Duty Code of Practice for motor vehicle workshop operations.
- i. At all times, chemical spill kits must be available and appropriately maintained onsite.

#### 10.7 Chemical Storage

- j. 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 net capacity of 120% of the largest container stored within it. The minimum holding capacity must be maintained at all times in accordance with Australian Standard AS 1940:1993: *The Storage and Handling of Flammable and Combustible Liquids* and Australian Standard AS 4452:1997: *The Storage and Handling of Toxic Substances*.

#### 10.8 Waste Management

- k. During construction/building works, all building waste must be contained on site by the use of a skip or other reasonable means to prevent the release of litter to a neighbouring property or road in compliance with section 103(1) of the *Waste Reduction and Recycling Act 2011*.
- a. 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.
- b. 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:
  - 10.b.1 An imperviously paved floor;
  - 10.b.2 Suitably drained to the satisfaction of Council;
  - 10.b.3 A suitable hose cock in the vicinity of such paved area; and
  - 10.b.4 A suitable form of enclosure to prevent vermin entry to the waste container area.

#### Advisory note

#### DANGEROUS GOODS STORAGE

- a. The operator must contact Work Health and Safety Queensland and ensure compliance with the *Work Health and Safety Act 2011* and AS 1940-2004, *The Storage and Handling of Flammable and Combustible Liquids*.

Public Health

- a. Any structure, substance or other thing that is, or is likely to become, a breeding ground or source of food for designated pest; or harbours or is likely to become something that harbours designated pests must be prevented and controlled in accordance to section 17, 23 and 25 of the *Public Health Regulation 2018*.

## 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 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.
- 11.4 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 Mill or Waite Streets or adjoining land unless written permission from the owner of that land and Council is provided.
- 11.5 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.

## 12.0 ADVISORY NOTES

### 12.1 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 beyond the boundaries of the property during all stages of the development including earthworks and construction.

### 12.2 Sedimentation Control

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

### 12.3 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.

- 12.4 Enquiries relating to the 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 6/0

**CARRIED**

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- 12. Planning and Development Services**
12.4 2019/01/30.09 RECONFIGURING A LOT CODE

Moved by: M BRUNKER
Seconded by: R PETERSON

Council resolves to amend the Reconfiguring a Lot code and include in the Whitsunday Planning Scheme 2017 major amendment package, with following changes:

- a) new requirements for creation of rear lots;**
- b) lowering the levels of assessment within Communities Facilities Zone, Environmental Management and conservation Zone, Recreation and Open Space Zone;**
- c) lowering the levels of assessment for boundary realignments and access easements; and**
- d) any associated administrative amendments.**

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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- 12. Planning and Development Services**  
**12.5 2019/01/30.10 DEVELOPMENT APPLICATIONS FOR SHORT TERM ACCOMMODATION**

**Moved by: J CLIFFORD**  
**Seconded by: R PETERSON**

**Council resolves that Code Assessable applications for Short Term Accommodation and Impact Assessable applications which do not attract public submissions be approved under delegation, provided that they meet the requirements of the Checklist and relevant codes.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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12. Planning and Development Services

12.6 2019/01/30.11 APPLICATIONS FOR EXTENSION OF CURRENCY PERIOD OF DEVELOPMENT PERMITS

Moved by: J CLIFFORD

Seconded by: M BRUNKER

Council resolves to adopt a policy position in relation to applications for extension of the currency period of Development Permits as follows:

- 1. Current approvals which have been extended up to 6 years or more, be granted no further extensions.**
- 2. All other current approvals be given an extension up to 6 years total currency period.**
- 3. Reconfiguring a Lot and Operational Works applications be granted an extension to coincide with the relevant MCU expiry date or currency period prescribed in the *Planning Act, 2016***
- 4. Authority to approve the above applications is delegated to the Chief Executive Officer.**
- 5. No other applications for extensions of time will be approved.**
- 6. Council notify applicants 12 months prior to expiration of the permit.**

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**13. Community and Environment**

**13.1 2019/01/30.12 TOWN OF WHITSUNDAY DRAINAGE, BOWEN WATER HAZARD & COASTAL HAZARD REFINEMENT STUDIES**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council resolves to formally receive the Town of Whitsunday Drainage, Bowen Water Hazard and Coastal Hazard Refinement Studies.**

**Furthermore, Council utilise the;**

- a) Town of Whitsunday Drainage Study & Bowen Water Hazard Study 2018 flood model outputs and 2100 storm surge & coastal erosions model outputs; and**
- b) Coastal Hazard Mapping Refinement Study including 2100 storm surge & Coastal Erosions model outputs.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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13. Community and Environment

13.2 2019/01/30.13 SPORT & RECREATION CLUB GRANTS - JANUARY 2019

Moved by: R PETERSON

Seconded by: P RAMAGE

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

- Whitsunday Australian Football Club Inc. (Whitsunday Sea Eagles) - Band 2 - \$3,000.00;**
- Whitsunday Kyokushin Karate Proserpine - Band 3 - \$1,500.00.**

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**13. Community and Environment**

**13.3 2019/01/30.14 2019 YAMAHA VARIETY JET TREK SPONSORSHIP PROPOSAL**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council resolves to enter into a sponsorship arrangement with Variety the Children's Charity of \$5,000 in support of the Jet Trek fundraising event.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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13. Community and Environment

13.4 2019/01/30.15 COMMUNITY & ENVIRONMENT - MONTHLY REPORT - DECEMBER 2018

Moved by: J CLIFFORD

Seconded by: D CLARK

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

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**14. Engineering Services**

**14.1 2019/01/30.16 LOCAL GOVERNMENT GRANTS AND SUBSIDY PROGRAM 2019-2021**

**Moved by: P RAMAGE**

**Seconded by: J CLIFFORD**

**Council resolve to:**

- a) support the funding application of \$524,000 for the Cannonvale Water Network Augmentation Project, under the Local Government Grants and Subsidies Program 2019-2021; and**
- b) approve the proposed co-contribution of \$350,000, in the event that the funding application is successful.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**



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15. Customer Experience

15.1 2019/01/30.17 CUSTOMER EXPERIENCE MONTHLY REPORT - DECEMBER 2018

Moved by: J CLIFFORD

Seconded by: R PETERSON

Council receives the Customer Experience Monthly Report for December 2018.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**16. General Business**

**16.1 2019/01/30.18 WHITSUNDAY PCYC UPDATE**

**Moved by: J CLIFFORD**

**Seconded by: M BRUNKER**

**Council resolves that a report be brought back to the next available briefing session regarding an update on the Whitsunday PCYC.**

**MEETING DETAILS:**

Cr Ron Petterson declared a **Material Personal Interest** in accordance with section 175b(1)(f) of the *Local Government Act 2009* and left the meeting at 9.46am taking no part in the discussion or decision making of this matter.

In accordance with section 175c(2) of the Local Government Act Cr Petterson advised the following:

- The entity who could gain a benefit or suffer a loss is the Whitsunday PCYC.
- They may gain a benefit or suffer a loss due to Cr Petterson is the Chair of the organisation.
- The nature of the relationship is Cr Petterson being Chairman of the Whitsunday PCYC Meetings.

The motion was Carried 5/0

**CARRIED**

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Cr Ron Petterson returned to the meeting at 9.50am.

16. General Business

16.2 2019/01/30.19 COLLINSVILLE OFFICE & COMMUNITY CENTRE UPDATE

Moved by: P RAMAGE

Seconded by: J CLIFFORD

Council resolves that a report be brought back to the next available briefing session on the Collinsville Customer Service Office and Community Centre.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**16. General Business**

**16.3 2019/01/30.20 ARGYLE STREET & HOWARD STREET DESIGN**

**Moved by: M BRUNKER**

**Seconded by: D CLARK**

**Council resolves that a report be brought back to the next available briefing session the design of the kerb and channelling and sealing of Argyle Street and Howard Street.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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18. Procedural Motion

18.1 2019/01/30.21 PROCEDURAL MOTION - ADJOURN

Moved by: J CLIFFORD

Seconded by: M BRUNKER

That the meeting be adjourned for the purpose of morning tea at 10.02am.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**18. Procedural Motion**

**18.2 2019/01/30.22 PROCEDURAL MOTION - RECONVENE**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**That the meeting be reconvened from morning tea at 10.23am.**

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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18. Procedural Motion

18.3 2019/01/30.23 PROCEDURAL MOTION - CLOSURE OF MEETING

Moved by: R PETERSON

Seconded by: J CLIFFORD

Council closes the meeting to the public at 10.24am in accordance with Section 275 of the Local Government Regulations 2012, for the purpose of discussing employee or industrial matters, budget, rating concessions, contractual matters, legal proceedings, planning matters or other business likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

17.1.1 Business Activity Report - Shute Harbour December 2018

(c) the local government's budget

17.1.2 Business Activity Report - Whitsunday Coast Airport December 2018

(c) the local government's budget

17.2.1 Sale Of Land - Lot 2 On Rp743420

(e) contracts proposed to be made by it

17.4.1 Business Activities Monthly Report - December 2018 - Foxdale Quarry

(c) the local government's budget

17.4.2 Business Activities Monthly Report - December 2018 - Whitsunday Water

(c) the local government's budget

17.5.1 Tender Evaluation - 500.2018.0124 - Provision of Maintenance Services - Whitsunday Lakes

(e) contracts proposed to be made by it

17.5.2 Business Activity Report - Waste Business Unit - November & December 2018

(c) the local government's budget

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**18. Procedural Motion**

**18.4 2019/01/30.24 PROCEDURAL MOTION – REOPEN OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: P RAMAGE**

**That Council reopen the meeting to the general public at 10.45am.**

**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 2019/01/30.25 BUSINESS ACTIVITY REPORT - SHUTE HARBOUR
DECEMBER 2018**

Moved by: J CLIFFORD

Seconded by: D CLARK

Council receives the Shute Harbour Business Activity report for December 2018.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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- 17.1 Confidential Matters – Office of the Mayor and CEO  
17.1.2 2019/01/30.26 BUSINESS ACTIVITY REPORT - WHITSUNDAY COAST AIRPORT DECEMBER 2018

Moved by: R PETERSON  
Seconded by: J CLIFFORD

Council receives the Whitsunday Coast Airport Business Activity report for December 2018.

**MEETING DETAILS:**

The motion was Carried 6/0

CARRIED

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- 17.2 Confidential Matters - Corporate Services
17.2.1 2019/01/30.27 SALE OF LAND - LOT 2 ON RP743420

Moved by: J CLIFFORD
Seconded by: R PETERSON

Council resolves to award the contract 500.2018.0161 Sale of Land - Lot 2 on RP743420 to David Edge Marine Contracting Pty Ltd for \$250,000 (including GST).

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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- 17.5 Confidential Matters – Engineering Services  
17.5.1 2019/01/30.28 BUSINESS ACTIVITIES MONTHLY REPORT - DECEMBER 2018 - FOXDALE QUARRY

Moved by: D CLARK  
Seconded by: R PETERSON

Council receives the Business Activities report for Foxdale Quarry for December 2018.

**MEETING DETAILS:**

The motion was Carried 6/0

CARRIED

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17.5 Confidential Matters – Engineering Services

**17.5.2 2019/01/30.29 BUSINESS ACTIVITIES MONTHLY REPORT -
DECEMBER 2018 - WHITSUNDAY WATER**

Moved by: R PETERSON

Seconded by: D CLARK

Council receives the Business Activities report for Whitsunday Water for December 2018.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**17.6 Confidential Matters – Customer Experience**

**17.6.1 2019/01/30.30 TENDER EVALUATION - 500.2018.0124 - PROVISION  
OF MAINTENANCE SERVICES - WHITSUNDAY LAKES**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council resolves to award contract 500.2018.0124 - Provision of Maintenance Services - Whitsunday Lakes to The Trustee for R & O Brodhurst Family Trust T/As Down To Earth Whitsundays for the contract period of two (2) years for the amount of \$170,100.00 (excluding GST) and an additional \$85,050.00 (excluding GST) for the 12 month extension at the Council's discretion.**

**MEETING DETAILS:**

The motion was Carried 5/1

**CARRIED**

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17.6 Confidential Matters – Customer Experience

17.6.2 2019/01/30.31

**BUSINESS ACTIVITY REPORT - WASTE BUSINESS
UNIT - NOVEMBER & DECEMBER 2018**

Moved by: J CLIFFORD

Seconded by: D CLARK

Council receives the Waste Business Unit Activity Report for November and December 2018.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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*The meeting closed at 10.48am*

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Confirmed as a true and correct recording this 13 February 2019

**Cr John Collins
DEPUTY MAYOR**