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Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
Council Chambers, 83-85 Main Street, Proserpine on
10 November 2020 commencing at **9:00am**

Councillors Present:

Andrew Willcox (Mayor/Chair), Jan Clifford, Al Grundy, John Collins, Michelle Wright and Gary Simpson.

Apologies

Mike Brunker (Leave of absence granted at the 14th October 2020 Council Meeting)

Council Officers Present:

Rodney Ferguson (Chief Executive Officer); Julie Wright (Director Community Services); Neil McGaffin (Director Development Services); Matthew Fanning (Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); Norm Garsden (Manager Governance and Administration); Melanie Douglas (Governance and Councillor Support Officer/Minute Taker)

Other Details:

The meeting commenced at 9:00am

The meeting closed at 10.14am

Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
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10 November 2020 commencing at **9:00am**

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1. Apologies

No apologies were received for this meeting.

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## 2. Condolences

### 2.1 2020/11/10.01 CONDOLENCES

#### **SUMMARY**

Council has received advice of the passing of community members within the Whitsunday Region.

#### **RECOMMENDATION**

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

#### **RESOLUTION**

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

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

#### **MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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3. Declaration of Interest

3.1 DECLARATION OF INTEREST - CR WRIGHT

Cr Wright declared that she had a conflict of interest in item 15.3 regarding 2020 Sport & Recreation Club Grant - Bowen Swimming Club (as per section 150EQ) of the Local Government Act 2009), due to her husband holding an executive position on the Bowen Swimming Committee and will leave the meeting and take no part in the debate or vote on the matter.

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**3. Declaration of Interest**

**3.2 DECLARATION OF INTEREST - DIRECTOR COMMUNITY SERVICES**

*Julie Wright, Director of Community Services declared an interest in item 15.3 regarding 2020 Sport & Recreation Club Grant - Bowen Swimming Club due to her son holding an executive position on the Bowen Swimming Committee and will leave the meeting and take no part in the debate on the matter.*

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3. Declaration of Interest

3.3 2020/11/10.02 DECLARATION OF INTEREST - MAYOR WILLCOX

Mayor Willcox declared that a perceived conflict of interest in item 15.4 regarding Sport & Recreation Club Grants - October 2020 could exist (as per section 150EQ of the Local Government Act 2009), due to membership in the Bowen Pistol Club but he had considered his position and was firmly of the opinion that he could participate in the debate and vote on this matter in the public interest.

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That Council agree that it is in the public interest that Mayor Willcox participates and votes on item 15.4 because no direct or indirect benefit or loss is accrued to Mayor Willcox; he can provide valuable insight to the impact of Council's Club Grant and its benefit to the community, and therefore it is reasonable that the final decision will be made in the public interest.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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## 4.1 Mayoral Minute

No Agenda items for this section.

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4.2 Mayoral Update

Wednesday 28 October	• Council Meeting, in Proserpine
Thursday 29 October	• Announcement by Federal Member for Dawson George Christensen to replace Proserpine War Memorial at new Proserpine Entertainment Centre • Attended Tourism Whitsundays' AGM, in Airlie Beach • Attended Tourism Whitsundays' monthly meeting, in Cannonvale • That evening, attended Tourism Whitsundays' Networking function, at Whitsunday Sailing Club
Friday 30 October	• Meeting with Paul Rasmussen from Energy Estate, in Bowen • Meeting with Bowen Chamber of Commerce Chairman Bruce Hedditch, in Bowen • Launch of First 5 Forever Library Station at Bowen PCYC a collaboration with Whitsunday Regional Libraries and Bowen PCYC • Catch up with CEO, in Bowen
Monday 2 November	• Attended Northern Alliance of Councils meeting, in Townsville • Teleconference with Director-General, Department of Premier and Cabinet and Local Government Mayors
Tuesday 3 November	• Attended Melbourne Cup celebrations, in Collinsville
Wednesday 4 November	• Briefing Session, in Proserpine • Meeting with Bowen Collinsville Enterprise, in Bowen
Thursday 5 November	• Filming for completed boardwalk at Cannonvale Lakes with Cr Grundy • Various meetings with ratepayers, in Cannonvale • Meeting with Department of State Development, Tourism & Innovation Adam Chanter and Amanda Lavarack, in Cannonvale
Friday 6 November	• Module 1 - Disaster Funding Arrangements facilitated by Queensland Reconstruction Authority, in Proserpine • Catch up with CEO, in Bowen • Onsite meeting at Merinda
Monday 9 November	• Toured Proserpine with Councillors and Directors visiting Council assets and places of interest • Teleconference with Director-General, Department of Premier and Cabinet and Local Government Mayors • That evening, had Bowen Collinsville Enterprise meeting via Zoom

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## **5. Confirmation of Previous Minutes**

### **5.1 2020/11/10.03 CONFIRMATION OF PREVIOUS MINUTES REPORT SUMMARY**

Council is required to confirm the minutes of the Ordinary Council Meeting Minutes held on 28 October 2020.

### **RECOMMENDATION**

**That Council confirms the Minutes of the Ordinary Meeting held on 28 October, 2020.**

### **RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR M WRIGHT**

That Council confirms the Minutes of the Ordinary Meeting held on 28 October, 2020.

### **MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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6. Business Arising

No agenda items for this section.

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## **7. Deputations**

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No agenda items for this section.

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8. Petitions

No agenda items for this section.

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## **9. Notice of Motion**

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No agenda items for this section.

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10. Questions on Notice

No agenda items for this section.

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## 11. Questions from Public Gallery

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No questions were submitted for this meeting.

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12. Office of the Mayor and CEO

No agenda items for this section.

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## 13. Corporate Services

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No agenda items for this section.

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14. Development Services

- | | | |
|------|---------------|--|
| 14.1 | 2020/11/10.04 | 20170864 - DEVELOPMENT PERMIT FOR OTHER
CHANGE APPLICATION - MATERIAL CHANGE OF
USE (FOOD & DRINK OUTLET (TEMPORARY USE),
TOURIST PARK & HOTEL - 6 PANDANUS DRIVE
CANNONVALE - CJHA PTY LTD AS TTE |
|------|---------------|--|

SUMMARY

Council is in receipt of a change application to a development permit. The application seeks to make amendments to the approved development by removing the function facility and short-term accommodation and replacing it with a revised hotel layout and tourist park. A temporary food and drink outlet is proposed for the duration of construction. The change application is recommended for approval, subject to reasonable and relevant conditions.

RECOMMENDATION

That Council approve the application for Other Change Application for Material Change of Use - Food & Drink Outlet (temporary use), Tourist Park & Hotel, made by CJHA Pty Ltd As TTE, on L: 104 SP: 208361 and located at 6 Pandanus Drive Cannonvale, subject to the conditions outlined in Attachment 1.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR J COLLINS

That Council approve the application for Other Change Application for Material Change of Use - Food & Drink Outlet (temporary use), Tourist Park & Hotel, made by CJHA Pty Ltd As TTE, on L: 104 SP: 208361 and located at 6 Pandanus Drive Cannonvale, subject to the conditions outlined in Attachment 1.

Attachment 1 - 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
Proposed Site Plan	Blueprint Architects	DA-1.00 Rev B	26/08/2020
Proposed Site Plan Aspect 02 & 03	Blueprint Architects	DA 1.01 Rev A	04/06/2020
Proposed Site Plan Aspect 02	Blueprint Architects	DA 1.02 Rev A	04/06/2020
Proposed Site Plan Aspect 03	Blueprint Architects	DA 1.03 Rev B	06/08/2020
Proposed Reception Floor Plan Aspect 02	Blueprint Architects	DA 1.04 Rev A	04/06/2020
Proposed Reception Roof Plan Aspect 02	Blueprint Architects	DA 1.05 Rev A	04/06/2020
Proposed 3 Bed Bungalow Aspect 02	Blueprint Architects	DA 1.06 Rev A	04/06/2020
Proposed 1 Bed Bungalow Aspect 02	Blueprint Architects	DA 1.07 Rev A	04/06/2020
Proposed Ground Floor Plan Aspect 03	Blueprint Architects	DA 1.08 Rev B	26/08/2020
Proposed First Floor Plan Aspect 03	Blueprint Architects	DA 1.09 Rev B	26/08/2020
Proposed Roof Plan Aspect 03	Blueprint Architects	DA 1.10 Rev B	26/08/2020
Proposed Ground Floor Area Plan	Blueprint Architects	DA 1.11 Rev B	26/08/2020
Proposed First Floor Area Plan	Blueprint Architects	DA 1.12 Rev B	26/08/2020
Proposed GFA Area Plans	Blueprint Architects	DA 1.13 Rev B	26/08/2020
Proposed Elevations Aspect 02	Blueprint Architects	DA 2.01 Rev A	04/06/2020
Proposed Elevations Aspect 02	Blueprint Architects	DA 2.02 Rev A	04/06/2020

Proposed Aspect 03	Elevations	Blueprint Architects	DA 2.03 Rev B	26/08/2020
Proposed Aspect 03	Elevations	Blueprint Architects	DA 2.04 Rev B	26/08/2020
Proposed Reception Maintenance	Elevations and	Blueprint Architects	DA 2.05 Rev A	04/06/2020
Proposed Car Park Plan	Dimensioned	Blueprint Architects	DA1.14 Rev C	30/10/2020
Proposed Car Park Plan	Dimensioned	Blueprint Architects	DA1.15 Rev C	30/10/2020
Noise Impact Assessment		Palmer Acoustics	4252 v.4	03/06/2020
Landscape Intent		JFP Consultants	B4239-DA1-LC01.2 [B]	20/05/2020
Engineering Revision 2	Report	STP Consultants	STP19-1168	16/07/2020
STP Letter		STP Consultants	STP19-1168	16/07/2020
Geotechnical Investigation		Ground Environments	1702.1160 Rev 1	24/09/2017
Traffic Assessment		Premise	CJH0003-L02-BIJ	02/06/2020

1.2 The applicant is to comply with the Queensland Treasury's conditions as outlined in the Department's correspondence dated 28 August 2020.

1.3 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;
 - Stormwater drainage;
 - Water Infrastructure;
 - Sewerage Infrastructure; and
 - Erosion Prevention 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.

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

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

- 1.6 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of commencement of the use.
- 1.7 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.
- 1.8 The development is approved to be carried out in stages, as follows:
 - Stage 1 - Food & Drink Outlet (temporary use)
 - Stage 2 - Hotel/ Tourist Park*

* The Hotel must be operational prior to the commencement of the use of the Tourist Park.

2.0 CLEARING, LANDSCAPING AND FENCING

Stage 1 and 2

- 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.

Stage 2

- 2.3 Landscaping for the applicable stage is to be provided generally in accordance with the approved landscaping plan B4239-DA1-LC01.2 [B] and must be planted with semi-mature species.
- 2.4 The planting schedule must be in accordance with PSP SC6.4 (Landscaping).
- 2.5 Solid fencing, a minimum of two (2) metres high, is to be erected along the side and rear boundaries of the development prior to the commencement of stage 2. The proposed design and materials are to be submitted to Council with the lodgement of the first operational works application.
- 2.6 Temporary fencing is to be provided to restrict access to the balance of the development site.

3.0 BUILDING

Stage 1 and 2

- 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.

Stage 2

- 3.2 All air-conditioning units are to be screened from view from the street or adjoining properties.
- 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.

- 3.7 Noise attenuation measures are to be implemented in accordance with recommendations contained within the approved Noise Impact Assessment 4252 v.4.
- 3.8 Prior to commencement of the Hotel, the applicant must lodge with Council certification (by an experienced and qualified sound engineer) the noise emissions levels set within the Noise Impact Assessment 4252 v.4 are achieved.

4.0 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

Stage 2

- 4.1 The development, including all buildings, access ways, car parks, and driveways must be designed and managed to incorporate the principles and recommendations of the Crime Prevention through Environmental Design – Guidelines for Queensland. The design and management must include, but not be limited to, the following:
- a) Landscaping of all car parking areas and pedestrian and/or vehicular access ways must be suitable to enhance safety;
 - b) Landscaping should be sufficiently low so as not to block opportunities for surveillance and provide opportunities for concealment or sufficiently high to afford shade and comfort without limiting observation opportunities;
 - c) Pedestrian pathways between buildings and car parks must be generous in proportions with a minimum width of 1.2 metres, well-lit and provide continuous accessible paths of travel.
 - e) Access to parking areas to be via a surveillance entry point;
 - f) Internal and external lighting of toilets must be bright, vandal resistant and where toilets are open after hours, should illuminate in hours of darkness or be sensor/movement sensitive;
 - g) Any automatic teller machines or public telephones which are accessible after hours must be well lit with vandal resistant lighting and suitably positioned so as to permit maximum opportunities for natural surveillance from within the site and by external observers;
 - h) The main entrances/exits must be obvious, well lit, sign-posted, free from obscuring landscaping and signage etc.
 - i) The approaches to all entrances and exits must have adequate visibility to enable patrons to look either in or out, prior to entering or exiting the development;
 - j) Security surveillance cameras must be installed in all areas where the public has general access during all parts of the day, including the car park and pedestrian access ways.

5.0 LIGHTING

Stage 2

- 5.1 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.
- 5.2 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.

6.0 EARTHWORKS

Stage 2

- 6.1 All site works must be designed by an experienced and qualified Geotechnical Engineer and undertaken in accordance with the recommendations of the Geotechnical Investigation Report by Ground Environments Pty Ltd dated 24 September 2017.
- 6.2 All 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 Investigation and Report by Ground Environments dated 24 September 2017 and are stable and will remain so over the long term.
- 6.3 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Earthworks. Any application for Operational Works (Earthworks) must be accompanied by engineering design drawings demonstrating compliance with the recommendations of the Geotechnical and Civil site report for the site. All filling is to be placed, trimmed and compacted as a minimum to standards identified in AS 3789. Compaction test results are to be submitted to Council for its records.
- 6.4 Prior to commencement of use on the site, the applicant must lodge with Council, a geotechnical engineer's certification (by an experienced and qualified geotechnical engineer). The certification must be addressed to Council and must certify that the works have been constructed according to the geotechnical engineer's recommendations of the Geotechnical Investigation Report by Ground Environments dated 24 September 2017 and are stable and will remain so over the long term.

7.0 WATER INFRASTRUCTURE

Stage 2

- 7.1 The development must be connected to Council's water network prior to commencement of the use.
- 7.2 The development must be connected to Council's water supply network, using the existing water service connection, prior to commencement of the use.
- 7.3 Flow and pressure testing of the existing Council water supply system must be completed to determine if this development creates the need for additional infrastructure to service the use. If the flow and pressure results indicates a requirement for upgrading this work must be completed by the developer at their full cost. An Operational Works application must be submitted and approved by Council prior to commencement of these works.
- 7.4 A Development Permit for Operational Works (Water Infrastructure) must be obtained prior to commencement of work on site. Any application for Operational Works (Water Infrastructure) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council's Development Manual and this Decision Notice.
- 7.5 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 all Water Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Council's Development Manual.

8.0 SEWERAGE INFRASTRUCTURE

Stage 2

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

- 8.2 A Development Permit for Operational Works (Sewer Infrastructure) must be obtained prior to commencement of work on site. 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.
- 8.3 All sewerage 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.
- 8.4 Sewerage infrastructure must be constructed to comply with S6 "Sewer Reticulation" of Council's Development Manual, Council's Standard Drawings and Water Services Association of Australia Sewerage Code of Australia. Where a discrepancy or conflict exists between Council's Development Manual and the Sewerage Code, the requirements of Council's Development Manual will prevail.
- 8.5 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 and Council's Development Manual.

9.0 ACCESS AND PARKING

Stage 1

- 9.1 The external access from the pavement of Pandanus Drive to the property boundary must be constructed to comply with the dimensions, gradients and specifications as indicated on Council's Standard Drawing RS-051 prior to commencement of the use.
- 9.2 Prior to commencement of use on the site, the applicant must lodge with Council, a RPEQ engineer's design and construction certification. 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 2017, Council's Development Manual, AS2890 and AS 1428.
- 9.3 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Access and Parking which 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.
- 9.4 Any application for Operational Works – Access must be accompanied by a Road Safety Assessment carried out by a Registered Professional Engineer of Queensland (RPEQ) in accordance with the Guide to Traffic Impact Assessment.
- 9.5 A minimum of five (5) car parking spaces must be provided onsite prior to the commencement of stage 1

Stage 2

- 9.1 The external access from the pavement of Pandanus Drive to the property boundary must be constructed to comply with the dimensions, gradients and specifications as indicated on Council's Standard Drawing RS-051 prior to commencement of the use.
- 9.2 Prior to commencement of use on the site, the applicant must lodge with Council, a RPEQ engineer's design and construction certification. 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 2017, Council's Development Manual, AS2890 and AS 1428.

- 9.3 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Access and Parking which 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.
- 9.4 Any application for Operational Works – Access must be accompanied by a Road Safety Assessment carried out by a Registered Professional Engineer of Queensland (RPEQ) in accordance with the Guide to Traffic Impact Assessment.
- 9.5 A minimum of 117 car parking spaces, one (1) Medium Rigid Vehicle (MRV) space for loading/unloading must be provided on site prior to the commencement of Stage 2, as follows:
- Hotel - 73 car parking spaces; and 1 MRV space
 - Tourist Park - 44 car parking spaces

10.0 STORMWATER AND FLOODING

- 10.1 A Development Permit for Operational Works (Stormwater) must be obtained prior to commencement of work on site and 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 and this Decision Notice.
- 10.2 The developed flows from the land must be drained to a lawful point of discharge prior to commencement of the use.
- 10.3 The applicant shall submit, with the 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 Guide; and
 - (b) demonstrates how the proposed development will reduce any water quality impact from the proposed development; and
 - (c) includes the information outlined in Table 5 of the Whitsunday Regional Council Stormwater Quality Guide; and
 - (d) includes all the stormwater models and calculations used in the creation of the SQMP; and
 - (e) complies with Council's Development Manual (current version at the time of development); and
 - (f) includes a suitably qualified person certification (see Section 1.4 of the Whitsunday Regional Council Stormwater Quality Guide).
- 10.4 The Stormwater Quality Management Plan shall include a site plan showing the location, type, dimensions and engineered drawings for all proposed stormwater quality devices. The Plan shall be to a suitable scale and identify the distances to site boundaries from the constructed stormwater quality devices. The Plan shall confirm all stormwater quality devices have been located within the development property boundaries.
- 10.5 Prior to commencement of use on the site, the stormwater quality devices and supporting infrastructure shall be inspected by the applicants' engineer and Council. Should any stormwater quality devices or supporting infrastructure not be in an acceptable condition, the defects shall be rectified by the applicant, at the applicant's cost.

- 10.6 All stormwater quality devices installed under the approval shall be commissioned by a suitably qualified person and a certificate supplied to Council prior to their use. This Commissioning Certificate is used to initiate the required servicing period in accordance with the manufactures requirements and to advise Council the system is ready to accept stormwater.
- 10.7 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 works have been constructed in accordance with the requirements of Queensland Urban Drainage Manual, Councils Development Manual and this Decision Notice and will not cause adverse effects to adjoining or downstream properties or infrastructure.

11.0 ELECTRICITY AND TELECOMMUNICATIONS

- 11.1 Provide electricity and telecommunications connection to the proposed development to the requirements of the relevant authority. The application must submit to Council, either:
- (a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the newly created 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 newly created development, payment has been received and the connection will be completed at a date in the future.

If low-voltage electricity supply is unavailable to the newly created 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 the commencement of the use.

12.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP)

- 12.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site. Prior to commencement of any work on the site, the applicant must submit to Council for approval, a site-based Erosion Prevention and Sediment Control Plan for the site
- 12.2 The plan must be 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 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).
- 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 transportation of soil and other fill/excavated material:
- 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 plan approval 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 the food handling activities conducted at the premises, prior to the commencement of use.
- 13.6 A trade waste approval must be obtained from Council's Environmental Health Service Department prior to the discharge from the premises of any trade waste to Council's wastewater system. All discharges must be in accordance with Council's wastewater system admission limits.
- 13.7 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 Prior to the first operational works, an expanded Stormwater Quality Management Plan (SQMP) is to be submitted. The report is to be in accordance with the approved Stormwater Quality Management Plan but expanded to include the requirements of Table 5 of Council's Stormwater Quality guide and the following:
- (i) The SQMP must include a site plan, showing the location, type, dimensions and engineered drawings for all proposed stormwater quality devices. The plan shall be to a suitable scale and identify the distances to site boundaries for the constructed stormwater quality device; and
 - (ii) provides a maintenance plan which includes a schedule of maintenance works, for any proposed devices; and
 - (iii) the design of any stormwater quality infrastructure and devices complies with Council's Development Manual (current version at the time of development) and with the Whitsunday Regional Council Stormwater Quality Guideline.
- 14.2 All proprietary devices for stormwater quality are to be maintained as per the instructions of the manufacturers at all times.
- 14.3 A Commissioning Certificate is to be submitted to Council prior to commencement of use. All stormwater quality devices installed under the approval shall be commissioned by a suitably qualified person and a certificate supplied to Council prior to their use.
- 14.4 Prior to commencement of the use of the proprietary devices, the applicant must provide a copy of the maintenance contract for any proprietary stormwater treatment device installed on the site. Details of the maintenance contract including maintenance intervals to achieve, minimally, that at least 90% of pollutants will be captured during the inter-maintenance period.
- 14.5 Prior to the commencement of use for stage 2 (Hotel) a minimum of 12x 690 mm PSORB are to be in operation.
- 14.6 Prior the commencement of use for stage 2 (Tourist Park), a minimum of 12X 690 mm PSORB are to be in operation.

15.0 OPERATING PROCEDURES

- 15.1 The applicant is required to make available a courtesy bus for patrons of the Hotel, operating seven days a week, for all operating hours of the bars and restaurants.
- 15.2 The Hotel must not be restricted at any time from guests of the Tourist Park.
- 15.3 Short-term accommodation units are not be let or managed by persons or agencies other than the operator of the Tourist Park and are not to be let for permanent rental exceeding 4 weeks without written consent from Council.

16.0 WASTE

- 16.1 Waste and recycling storage facilities must be provided in accordance with the following provisions:
- a) Adequate waste containers must be provided to contain the volume and type of waste and recyclable matter generated by the development;
 - b) Waste storage area for waste containers must be constructed of a solid concrete base or acceptable equivalent; and
 - c) Waste storage area must be designed and constructed so it can be easily cleaned whilst ensuring that no waste or recyclable matter is released to the stormwater system or any waterway.

- 16.2 Maintenance and cleaning of waste containers must be carried out by a cleaning contractor or in an area where contaminants cannot be released into stormwater drainage, a roadside gutter, water or onto unsealed ground.
- 16.3 All reasonable and practicable measures are to be taken to ensure that the waste storage area is kept to a standard of cleanliness where there is no accumulation of;
- a) Waste, except in waste containers;
 - b) Recycled matter, except in containers;
 - c) Grease; or
 - d) Other visible matter.

17.0 MISCELLANEOUS

- 17.1 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.
- 17.2 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.
- 17.3 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.
- 17.4 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 Pandanus Drive or adjoining land unless written permission from the owner of that land and Council is provided.
- 17.5 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.
- 17.6 The applicant must, at no cost to Council, ensure that all reasonable safeguards in and around the works are undertaken and maintained at all times to ensure the safety of the public. Such safeguards include, but are not limited to, erecting and maintaining barricades, guards, fencing and signs (and ensuring removal after completion of works) and watching and flagging traffic.
- 17.7 No permanent refuse storage areas are to be visible from Pandanus Drive.

18.0 ADVISORY NOTES

18.1 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.

18.2 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.

18.3 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.

18.4 Noise During Construction and Noise in General

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

18.5 General Safety of Public During Construction

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

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

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

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**14. Development Services**

**14.2 2020/11/10.05 PLANNING SCHEME MAJOR AMENDMENT PACKAGE  
- LANDSCAPING WORK DEFINITION AND  
OPERATIONAL WORKS TABLE OF ASSESSMENT**

**SUMMARY**

Proposed amendments to the Operational Works Tables of Assessment and a new definition for Landscaping Works for inclusion in the Major Amendment to the Whitsunday Planning Scheme 2017.

**RECOMMENDATION**

**That Council adopt the amendments for inclusion in the Major Amendment to the Whitsunday Planning Scheme 2017, including any necessary administrative amendments.**

**RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR J CLIFFORD**

That Council adopt the amendments for inclusion in the Major Amendment to the Whitsunday Planning Scheme 2017, including any necessary administrative amendments.

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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14. Development Services

**14.3 2020/11/10.06 FUNDING OPPORTUNITY - REMOTE AIRSTRIP
UPGRADE PROGRAM ROUND 8**

SUMMARY

Funding is available under the Queensland Government's Remote Airstrip Upgrade Program to support safety upgrades at Collinsville aerodrome.

Options have been reviewed and it is recommended that Council submit a proposal to attain funds to upgrade the aerodrome lighting infrastructure. This option has been identified as priority project as the lighting is at end of life and non-complaint with Civil Aviation Safety Authority (CASA) requirements.

RECOMMENDATION

That Council resolves to:

- a) support a submission to the Queensland Government's Remote Airstrip Upgrade Program Round 8 funding opportunity to request \$456,500 for Collinsville Aerodrome to upgrade lighting; and
- b) commit to a co-contribution of \$456,500 if funding is attained from the 21/22 Capital Works Budget or Airport Reserve.

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR J CLIFFORD

That Council resolves to:

- a) support a submission to the Queensland Government's Remote Airstrip Upgrade Program Round 8 funding opportunity to request \$456,500 for Collinsville Aerodrome to upgrade lighting; and
- b) commit to a co-contribution of \$456,500 if funding is attained from the 21/22 Capital Works Budget or Airport Reserve.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**14. Development Services**

**14.4 2020/11/10.07 DEVELOPMENT SERVICES MONTHLY REPORT - OCTOBER 2020**

**SUMMARY**

Development Services Monthly Report - October 2020

**RECOMMENDATION**

**That Council receives the Development Services Monthly Report for October 2020.**

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

That Council receives the Development Services Monthly Report for October 2020.

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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15. Community Services
15.1 2020/11/10.08 DONATION ON COUNCIL FEES -
SEPTEMBER/OCTOBER 2020

SUMMARY

Community groups are invited to apply for a Donation on Council Fees when submitting applications to Council prior to the event or works commencing.

RECOMMENDATION

That Council donate the value of the fees, from budget code JC: 2967.11074 - Community Donations (2967) / Donations (11074) for the following recipients:

- **Youth with a Mission Whitsunday - Local Law Licence Fee - \$265.00**
- **Parkrun Australia - Local Law Licence Renewals x 2 - @ \$200.00 per permit**
- **Save the Children Australia - Local Law Licence Renewal - \$200.00**
- **Phoenix Tai Chi Bowen Inc. - Local Law Licence Renewal - \$200.00**
- **Show Whitsunday (Proserpine AP & I Assoc.) Plumbing & Building Application Fee - \$7,849.00**

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR M WRIGHT

That Council donate the value of the fees, from budget code JC: 2967.11074 - Community Donations (2967) / Donations (11074) for the following recipients:

- Youth with a Mission Whitsunday - Local Law Licence Fee - \$265.00
- Parkrun Australia - Local Law Licence Renewals x 2 - @ \$200.00 per permit
- Save the Children Australia - Local Law Licence Renewal - \$200.00
- Phoenix Tai Chi Bowen Inc. - Local Law Licence Renewal - \$200.00
- Show Whitsunday (Proserpine AP & I Assoc.) Plumbing & Building Application Fee - \$7,849.00

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**15. Community Services**

**15.2 2020/11/10.09 SPECIAL PROJECTS GRANT APPLICATIONS -  
ROUND 1 - 10 FEBRUARY TO 16 OCTOBER 2020**

**SUMMARY**

Each financial year a fixed amount of funding, as determined by Council, is allocated to the Special Projects Grant program. Once the funding round has closed, the applications are submitted to Council for consideration.

**RECOMMENDATION**

That Council approve the payment of Special Projects Grant - Round 1, from budget code JC: 2967.10081 - Community Donations (2967) / Projects Grants (10081), to assist the following recipients:

- Whitsunday Community & Education Centre - \$8,300.00
- Collinsville, Scottville & District Historical Society - \$7,046.50
- Collinsville Community Association Inc. - \$2,100.00
- Gloucester Sports & Recreation Association Inc. - \$9,750.00
- Mackay Hospital Foundation - \$20,000.00

**RESOLUTION**

Moved by: CR M WRIGHT

Seconded by: CR G SIMPSON

That Council approve the payment of Special Projects Grant - Round 1, from budget code JC: 2967.10081 - Community Donations (2967) / Projects Grants (10081), to assist the following recipients:

- Whitsunday Community & Education Centre - \$8,300.00
- Collinsville, Scottville & District Historical Society - \$7,046.50
- Collinsville Community Association Inc. - \$2,100.00
- Gloucester Sports & Recreation Association Inc. - \$9,750.00
- Mackay Hospital Foundation - \$20,000.00

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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Cr Wright left the meeting room as per her declaration of interest in section 3.1

Director Julie Wright left the meeting room as per her declaration of interest in section 3.2

9.29am

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**15. Community Services**

**15.3 2020/11/10.10 2020 SPORT & RECREATION CLUB GRANT - BOWEN SWIMMING CLUB**

**SUMMARY**

Council offers annual funding to grass roots sport & recreation clubs across the region to support the general functions of the club.

**RECOMMENDATION**

That Council approve the payment of a Sport & Recreation Club Grant, from budget code JC: 2967.10250 - Community Donations (2967) / Club Grants (10250), to Bowen Swimming Club Inc - Band 2 for \$3,000.00.

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR G SIMPSON**

That Council approve the payment of a Sport & Recreation Club Grant, from budget code JC: 2967.10250 - Community Donations (2967) / Club Grants (10250), to Bowen Swimming Club Inc - Band 2 for \$3,000.00.

**MEETING DETAILS:**

The motion was Carried 5/0

**CARRIED**

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Cr Wright and Director Julie Wright returned to the meeting at 9.31am

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Mayor Willcox remained in the room for the debate and decision on the following matter as per his declaration of interest in section 3.3
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**15. Community Services**

**15.4 2020/11/10.11 SPORT & RECREATION CLUB GRANTS - OCTOBER 2020**

**SUMMARY**

Council offers annual funding to grass roots sport & recreation clubs across the region to support the general functions of the club.

**RECOMMENDATION**

That Council approve the payment of a Sport & Recreation Club Grant, from budget code JC: 2967.10250 - Community Donations (2967) / Club Grants (10250), to the following recipients:

- Proserpine Junior Cricket Association Inc. - Band 2 - \$3,000.00
- Whitsunday Weightlifting Association Inc. - Band 2 - \$3,000.00
- Port Denison Gun Club Inc. - Band 4 - \$1,000.00
- Collinsville/Scottville Amateur Swimming Club Inc. - Band 4 - \$1,000.00
- Bowen Netball Inc. - Band 2 - \$3,000.00
- Bowen Pistol Club Inc. - Band 3 - \$1,500.00
- Club Outrigger Whitsunday - Band 4 - \$1,000.00

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

That Council approve the payment of a Sport & Recreation Club Grant, from budget code JC: 2967.10250 - Community Donations (2967) / Club Grants (10250), to the following recipients:

- Proserpine Junior Cricket Association Inc. - Band 2 - \$3,000.00
- Whitsunday Weightlifting Association Inc. - Band 2 - \$3,000.00
- Port Denison Gun Club Inc. - Band 4 - \$1,000.00
- Collinsville/Scottville Amateur Swimming Club Inc. - Band 4 - \$1,000.00
- Bowen Netball Inc. - Band 2 - \$3,000.00
- Bowen Pistol Club Inc. - Band 3 - \$1,500.00
- Club Outrigger Whitsunday - Band 4 - \$1,000.00

**MEETING DETAILS:**

The motion was Carried 6/0

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15. Community Services

**15.5 2020/11/10.12 FINANCING AND FUNDING CLIMATE CHANGE
ADAPTATION REPORT - IAN EDWARDS**

SUMMARY

The Financing and Funding Climate Change Adaptation is Phase 6 of the Coastal Hazard Adaptation Strategy (CHAS). The Financing and Funding Climate Change Adaptation outlines the challenges of funding future adaptation options to sea level rise. The report describes some of the economic options available to Council to consider so that funds are raised and are available to off-set the costs for the defend and retreat options associated with a rising sea level into the future.

The funding for this report has come from the Queensland State government via the QCoast₂₁₀₀ program.

RECOMMENDATION

That Council receive the Financing Funding Climate Change Adaptation report and publish the report on Council's website.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR G SIMPSON

That Council receive the Financing Funding Climate Change Adaptation report and publish the report on Council's website.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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## **15. Community Services**

### **15.6 2020/11/10.13 MULTI-CRITERIA ANALYSIS AND COST BENEFIT ANALYSIS FOR CLIMATE CHANGE PLANNING**

#### **SUMMARY**

The analysis of the socio-economic options for sea level rise is Phase 7 of the Coastal Hazard Adaptation Strategy (CHAS). The Phase seven stage investigates:

- The Multi-Criteria Analysis of possible defend and retreat options.
- The Cost Benefit Analysis of various defend and retreat options.

The Multi-Criteria analysis summarises the various sea level rise options available such as defending (e.g. building sea walls) and retreat (e.g. land surrender). This investigation involved conducting community consultation at various locations along the Whitsunday coast to gauge community interest and support for various defend and retreat options. Experts from Griffith University have reviewed the sea level rise adaptation options and have modelled the cost and benefits for Bowen and Wilson Beach.

The funding for these reports has come from the Queensland State government via the QCoast<sub>2100</sub> program.

#### **RECOMMENDATION**

**That Council receive the following reports and publish them on Council's website:**

- **Multi-Criteria Analysis of Climate Change Adaptation Options,**
- **Cost Benefit Analysis of Coastal Hazard Adaptation Options,**
- **Appraisal Report of Coastal Hazard Adaptation Options, and,**
- **Coastal Hazards and Responses Project Consultation Report.**

#### **RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR A GRUNDY**

That Council receive the following reports and publish them on Council's website:

- Multi-Criteria Analysis of Climate Change Adaptation Options,
- Cost Benefit Analysis of Coastal Hazard Adaptation Options,
- Appraisal Report of Coastal Hazard Adaptation Options, and,
- Coastal Hazards and Responses Project Consultation Report.

#### **MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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15. Community Services

15.7 2020/11/10.14 COMMUNITY SERVICES - MONTHLY REPORT - OCTOBER 2020

SUMMARY

To provide an overview of the Community Services Directorate for the month of October 2020.

RECOMMENDATION

That Council receive the Community Services Monthly Report for October 2020.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council receive the Community Services Monthly Report for October 2020.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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**16. Infrastructure Services**

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No agenda items for this section.

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17. Matters of Importance

Cr Wright raised safety concerns of users of Tondara Road and asking if resources could be allocated to bringing the road to a safe standard. The Director of Infrastructure Services advised he is aware of the problems and was looking at options for allocating resources to the site.

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18. Office of the Mayor and CEO  
18.1 2020/11/10.15 CORPORATE PLAN AMENDMENT

### **SUMMARY**

Council must adopt its Corporate Plan in sufficient time to allow a budget and annual Operational Plan to be adopted. The current Plan was adopted during the early phase of the Covid19 period and was intended to fulfil the legislative requirements for a further 12 months.

### **RECOMMENDATION**

That Council proceed to develop a draft Corporate Plan for the 2021 to 2025 period which can be then presented for Community consultation in early 2021.

### **RESOLUTION**

Moved by: CR J COLLINS

Seconded by: CR M WRIGHT

That Council proceed to develop a draft Corporate Plan for the 2021 to 2025 period which can be then presented for Community consultation in early 2021.

### **MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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The meeting closed at 10.14am

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Confirmed as a true and correct recording this 25<sup>th</sup> November 2020

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**Cr Andrew Willcox  
MAYOR**