

## Whitsunday Regional Council Direction Notice Requirements

Item No.	Action	Compliance Timeframe
1.	Subject to Items 2 to 11, any maintenance, repair or servicing of vessels in berths in Port of Airlie <sup>1</sup> which results in audible noise <sup>2</sup> , including from: <ul style="list-style-type: none"> <li>a) use of regulated devices<sup>3</sup>;</li> <li>b) hammers;</li> <li>c) engine test running associated with scheduled servicing;</li> </ul> will only be conducted: <ul style="list-style-type: none"> <li>d) between 7.00am and 7.00pm Monday through Saturday;</li> <li>e) between 8.00am to 7.00pm Sundays.</li> </ul>	<b>Immediately</b>
2.	Sea Flight is to be moored in berth 4 only.	<b>Immediately</b>
3.	Sea Quest is to be moored in berth 5 only.	<b>Immediately</b>
4.	In addition to the times under Item 1, engine test running associated with scheduled servicing of Camira (or a similar vessel) in Berth 2 which results in audible noise is permitted from 7.00pm until 8.30pm Monday through Friday.	<b>Immediately</b>
5.	In addition to the times under Item 1, engine test running associated with scheduled servicing of vessels in Berth 3, 4 and 5 which results in audible noise is permitted from 7.00pm until 8.30pm Monday through Friday, subject to Items 6 to 8 below, as applicable.	<b>Immediately</b>
6.	Engine test running associated with scheduled servicing which results in audible noise after 7.00pm is not to exceed a total of 30 minutes total run time from all berths (i.e. equivalent to 15 minutes run time for one engine only on 2 berths or 15 minutes run time for two engines on 1 berth).	<b>Immediately</b>
7.	Engine test running associated with scheduled servicing of Sea Flight in berth 4 which results in audible noise is only permitted from 7.00am until 8.00pm Monday through Friday and, from 7.00pm until 8.00pm, not at the same time as engine test running for any vessels in other berths.	<b>Immediately</b>
8.	Engine test running associated with scheduled servicing of Sea Quest in berth 5 which results in audible noise is only permitted from 7.00am until 8.00pm Monday through Friday and, from 7.00pm until 8.00pm, not at the same time as engine test running for any vessels in other berths	<b>Immediately</b>
9.	Item 1 does not apply to Emergency Repairs which result in audible noise. <b>Emergency Repairs</b> are unexpected repairs that require immediate action to be taken to repair a vessel to ensure it is seaworthy and safe for operation on the morning of the day following the day when the need for such repair is first identified, and do not include maintenance, repairs or servicing that it would be reasonable to anticipate and schedule. Emergency Repairs which are likely to result in audible noise will not be undertaken: <ul style="list-style-type: none"> <li>a) unless Cruise Whitsundays Pty Ltd has taken all reasonable and practicable measures to notify by SMS in advance all of the residents of the Cove and Harbour Cove who have indicated in writing to Cruise Whitsundays Pty Ltd that they wish to be notified for this purpose and in this</li> </ul>	<b>Immediately</b>

<sup>1</sup> The berths referred to in these Items are depicted in the Site Aerial attached.

<sup>2</sup> See section 440L of the *Environmental Protection Act 1994* (Qld).

<sup>3</sup> See section 440S of the *Environmental Protection Act 1994* (Qld).

	<p>manner and supplied a contact number for that purpose; and</p> <p>b) after 10.00pm unless Council has approved such works in writing prior to that time. Council will act reasonably in considering any request by Cruise Whitsundays Pty Ltd for approval to undertake Emergency Repairs after 10.00pm.</p>	
10.	For the purpose of Item 9(b), Council will provide and monitor a contact number between 5.00pm and 10.00pm to ensure that the contemplated approval can be secured within 60 minutes.	<b>Provided by Council, as updated from time to time</b>
11.	Vessels that require Emergency Repairs, other than Sea Flight, Sea Quest, and Camira, are to be moored in Berth 3.	<b>Immediately</b>
12.	At least one representative of Cruise Whitsundays Pty Ltd is to attend and participate in each meeting of a community reference group to be established by Council, comprised of owners or permanent residents of lots within the Cove and Harbour Cove and Council representatives as determined by Council. Meetings are intended, at least initially, to be held once every 2 calendar months, at a time and location to be determined by Council.	<b>Immediately upon establishment of the community reference group by Council</b>
13.	<p>The terms on which maintenance, repair or servicing of vessels in berths in Port of Airlie which results in audible noise can be undertaken:</p> <p>a) is to be displayed in a location proximate to the entry to the terminal and clearly visible from the exterior of the terminal;</p> <p>b) is to be made available and maintained on a page to like effect on Cruise Whitsundays Pty Ltd's website.</p>	<b>By 5.00pm, Friday 30 November 2018</b>
14.	<p>A contact number for noise and air quality complaints by which it is alleged maintenance, repair or servicing of vessels in berths in Port of Airlie has resulted in audible noise in circumstances contrary to Items 1 to 11 is to be:</p> <p>a) provided to members of the community reference group; and</p> <p>b) is to be clearly displayed with the notification required by Item 13.</p> <p>The contact number is to be monitored by a representative of Cruise Whitsundays Pty Ltd at all times when maintenance, repair or servicing of vessels is being undertaken in berths in Port of Airlie. Any complaints are to be dealt with by Cruise Whitsundays Pty Ltd in accordance with a complaints response procedure prepared by Cruise Whitsundays Pty Ltd to the reasonable satisfaction of Council.</p>	<p><b>In accordance with the timeframe specified in Item 12</b></p> <p><b>In accordance with the timeframes specified in Item 13</b></p> <p><b>Immediately upon the earlier of the timeframes specified in Item 12 or Item 13.</b></p>

Contact phone number for Cruise Whitsundays Night Maintenance: **0458278473**