

Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
Collinsville Community Centre, 11 Conway Street, Collinsville on
13 October 2021 commencing at 9.00am

Councillors Present:

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

Council Officers Present:

Rodney Ferguson (Chief Executive Officer); Julie Wright (Director Community Services); Neil McGaffin (Director Development Services); Jason Bradshaw (Director Corporate Services); Adam Hagy (Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); Tailah Jensen (Governance Administration Officer/Minute Taker)

Other Officers Present (Partial Attendance):

Craig Turner (Chief Operating Officer – Aviation and Tourism); Shaun Cawood (Shute Harbour Coordinator); James Ngoroyemoto (Manager Governance & Administration)

Other Details:

The meeting commenced at 9.02am

The meeting adjourned for morning tea at 10.09am

The meeting reconvened from morning tea at 10.31am

The meeting closed at 12.05pm

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1. Apologies

No agenda items for this section.

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**2. Condolences**

**2.1 2021/10/13.01 CONDOLENCES**

**SUMMARY**

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

**RECOMMENDATION**

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

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

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

**MEETING DETAILS:**

*Cr Clifford would like to acknowledge the recent passing of former Whitsunday Shire Council Councillor, Mr Tony Moscato.*

The motion was Carried 7/0

**CARRIED**

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3.1 Declarations of Interest

Cr Wright advised the meeting of a declarable conflict of interest in item 15.10 (as per section 150EQ) of the Local Government Act 2009, as one of the contractors handed out 'how to vote' cards for Cr Wright during the 2020 local government election and the contractor is also part of the executive committee of the Bowen Swimming Pool, who her husband is the president of.

This may be perceived as creating a conflict between the personal interests of a related party and the public interest.

Cr Wright had considered her position in the matter and advised the meeting that she will leave the room while this matter is discussed, debated, and voted on.

4.1 Mayoral Minute

No Agenda items for this section.

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## 4.2 Mayoral Update

### Since my last Council meeting on September 22, 2021

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Wednesday<br/>22 September</b> | <ul style="list-style-type: none"> <li>• Council Meeting, in Proserpine</li> <li>• During Council Meeting George Gnezdiloff attended with family members where Council acknowledged his 100<sup>th</sup> birthday at morning tea</li> <li>• Internal Meeting, in Proserpine</li> </ul>                                                                                                                                   |
| <b>Thursday<br/>23 September</b>  | <ul style="list-style-type: none"> <li>• Travelled to Townsville</li> </ul>                                                                                                                                                                                                                                                                                                                                              |
| <b>Friday<br/>24 September</b>    | <ul style="list-style-type: none"> <li>• Attended the arrival of Bowen Rail Company's first locomotives, at Port of Townsville</li> <li>• That afternoon, I attended official handover of Molongle Creek Boat Ramp to Department of Main Roads &amp; Transport.</li> </ul>                                                                                                                                               |
| <b>Saturday<br/>25 September</b>  | <ul style="list-style-type: none"> <li>• Attended St Mary's Parish Debutante Ball, in Bowen</li> </ul>                                                                                                                                                                                                                                                                                                                   |
| <b>Sunday<br/>26 September</b>    | <ul style="list-style-type: none"> <li>• Attended Commbank International Series Cricket Match – Australia vs India at Harrup Park, in Mackay</li> <li>• That evening attended Mackay Isaac Whitsunday Regional Community Forum Networking Function, in Mackay</li> </ul>                                                                                                                                                 |
| <b>Monday<br/>27 September</b>    | <ul style="list-style-type: none"> <li>• Chaired Whitsunday Local Disaster Management Group Meeting, in Proserpine</li> <li>• That afternoon travelled to Townsville</li> </ul>                                                                                                                                                                                                                                          |
| <b>Tuesday<br/>28 September</b>   | <ul style="list-style-type: none"> <li>• Toured Carmichael Mine with Council's CEO Rod Ferguson</li> </ul>                                                                                                                                                                                                                                                                                                               |
| <b>Wednesday<br/>29 September</b> | <ul style="list-style-type: none"> <li>• Had a breakfast meeting with local businessman to discuss a future project, in Bowen</li> <li>• Attended National Police Remembrance Day Service, in Bowen</li> <li>• Travelled to Airlie Beach to film a promotion of COVID-19 Vaccination Clinics in our region for next 10 weeks</li> <li>• That evening, attended Bowen Gumlu Growers Networking Event, in Bowen</li> </ul> |
| <b>Friday<br/>1 October</b>       | <ul style="list-style-type: none"> <li>• Participated in a teleconference with Mackay District Community Leaders for a COVID-19 Update</li> </ul>                                                                                                                                                                                                                                                                        |
| <b>Saturday<br/>2 October</b>     | <ul style="list-style-type: none"> <li>• Officially opened the Central Rodeo Cowboys Association Airlie Beach 4B's Rodeo</li> </ul>                                                                                                                                                                                                                                                                                      |
| <b>Tuesday<br/>5 October</b>      | <ul style="list-style-type: none"> <li>• Filmed for Cannonvale Lakes Revegetation &amp; new disabled path projects on site at Cannonvale Lakes</li> <li>• Met with Airport Development Group, in Airlie Beach</li> </ul>                                                                                                                                                                                                 |
| <b>Wednesday<br/>6 October</b>    | <ul style="list-style-type: none"> <li>• Briefing Session, in Proserpine</li> <li>• Met with ratepayer, in Proserpine</li> </ul>                                                                                                                                                                                                                                                                                         |

|                                      |                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Thursday<br/>7 October</b></p> | <ul style="list-style-type: none"> <li>• Met with kids from Kidz at the Beach in Bowen Boardroom where they expressed their concerns about the litter on Bowen beaches, particularly Brisk Bay</li> <li>• That evening caught up with Gilmour Space Group for an update on their project at Abbot Point</li> </ul>   |
| <p><b>Monday<br/>11 October</b></p>  | <ul style="list-style-type: none"> <li>• Attended Bowen Collinsville Enterprise meeting</li> </ul>                                                                                                                                                                                                                   |
| <p><b>Tuesday<br/>12 October</b></p> | <ul style="list-style-type: none"> <li>• Filmed Council Meeting update, in Bowen</li> <li>• I attended president of Bowen Gumlu Growers Carl Walker's farm for the announcement by Federal Member for Dawson Mr George Christensen of 6.9 million for the business case of the Burdekin to Bowen pipeline</li> </ul> |

**5. Confirmation of Previous Minutes**

**5.1 2021/10/13.02 CONFIRMATION OF MINUTES REPORT – ORDINARY COUNCIL MEETING - 22 SEPTEMBER 2021**

**SUMMARY**

Council is required to confirm the minutes of the Ordinary Council Meeting Minutes held on 22 September 2021.

**RECOMMENDATION**

That Council confirms the Minutes of the Ordinary Meeting held on 22 September 2021.

**RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR J CLIFFORD**

**That Council confirms the Minutes of the Ordinary Meeting held on 22 September 2021.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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5. Confirmation of Previous Minutes

5.2 2021/10/13.03 CONFIRMATION OF MINUTES - AUDIT AND RISK COMMITTEE - 13TH SEPTEMBER 2021

SUMMARY

Council is required to review and consider the recommendations of the Audit & Risk Committee. The minutes will also be confirmed by this Committee at the next available meeting.

RECOMMENDATION

That Council receive the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 13 September 2021.

RESOLUTION

Moved by: CR M BRUNKER

Seconded by: CR J CLIFFORD

That Council receive the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 13 September 2021.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**6. Business Arising**

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No agenda items for this section.

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7. Deputations

No agenda items for this section.

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**8. Petitions**

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No agenda items for this section.

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9. Notice of Motion

No agenda items for this section.

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**10. Questions on Notice**

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No agenda items for this section.

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11. Questions from Public Gallery

PUBLIC QUESTION TIME

Excerpt from Council's Standing Orders:

1. In each 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.
2. Questions from the Public Gallery will be taken on notice and may or may not be responded to at the Meeting.
3. The time allotted shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at any one (1) meeting.
4. 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.

No questions submitted for this meeting.

12. Office of the Mayor and CEO

No agenda items for this section.

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## 13. Corporate Services

### 13.1 2021/10/13.04 AUDIT AND RISK COMMITTEE CHARTER REVIEW

#### **SUMMARY**

The Whitsunday Regional Council Audit and Risk Committee Charter section 7 dictates for a review of the charter annually by the Committee to ensure it remains consistent with the committee's authority, objectives and responsibilities. All amendments to the charter must be discussed and approved by the Audit and Risk Committee.

The review has been completed taking into consideration *Audit Committee Guidelines: Improving Accountability and Performance* (Queensland Treasury), and *Audit Committees: A guide to Good Practice 3<sup>rd</sup> edition* (A joint publication from the Auditing and Assurance Standards Board, Australian Institute of Company Directors and The Institute of Internal Auditors Australia) and the amendments are presented for endorsement.

#### **RECOMMENDATION**

That Council:

1. Receive the Peer Review of the Council's Audit and Risk Committee report;
2. Endorse the proposed Audit and Risk Committee Charter;
3. Appoint Councillor (tba) for Mayor Andrew Willcox and Councillor (tba) for Councillor John Collins as proxies for the Audit and Risk Committee; and
4. Renumerate the Committee members effective from the 1st July 2021 as follows:
  - a. External Chair = \$9,000 (per annum)
  - b. External member = \$7,500 (per annum)

#### **RESOLUTION**

Moved by: CR J COLLINS

Seconded by: CR A GRUNDY

That Council:

1. Receive the Peer Review of the Council's Audit and Risk Committee report;
2. Endorse the proposed Audit and Risk Committee Charter;
3. Appoint Councillor Mike Brunner for Mayor Andrew Willcox and Councillor Jan Clifford for Councillor John Collins as proxies for the Audit and Risk Committee; and
4. Renumerate the Committee members effective from the 1st July 2021 as follows:
  - a. External Chair = \$9,000 (per annum)
  - b. External member = \$7,500 (per annum)

#### **MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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13. Corporate Services
- 13.2 2021/10/13.05 TRUSTEE LEASE - PROSERPINE RUGBY LEAGUE CLUB - AREA F LOT 158 ON HR1652

**SUMMARY**

Council is trustee of the land at Lot 158 on HR1652, 6 Les Stagg Drive, Proserpine.

Proserpine Rugby League Club 'the Club' held a trustee lease with Council over part of the land (clubhouse only) at Lot 158 on HR 1652 that expired 30 June 2018.

**RECOMMENDATION**

That Council authorise the Chief Executive Officer to enter into negotiations and execute a trustee lease with the Proserpine Rugby League Club Inc. for part of land known as Area F at Lot 158 on HR1652 in accordance with Section 236(b) and (c)(iii) of the Local Government Regulation 2012.

**RESOLUTION**

Moved by: CR J COLLINS

Seconded by: CR G SIMPSON

That Council authorise the Chief Executive Officer to enter into negotiations and execute a trustee lease with the Proserpine Rugby League Club Inc. for part of land known as Area F at Lot 158 on HR1652 in accordance with Section 236(b) and (c)(iii) of the Local Government Regulation 2012.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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13. Corporate Services

13.3 2021/10/13.06 LEASE FOR AGISTMENT – COLLINSVILLE AERODROME

SUMMARY

Council resolved at the 15 July 2021 Ordinary Council Meeting to invite public tenders offering a lease over part of the land at the Collinsville Aerodrome at 8570 Bowen Development Road, Collinsville for agistment purposes.

RECOMMENDATION

That Council resolves to award the contract 500.2021.0080 Lease for Agistment – Collinsville Aerodrome, authorising the Chief Executive Officer to negotiate and execute a lease agreement to Mr R Plate.

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR M BRUNKER

That Council resolves to award the contract 500.2021.0080 Lease for Agistment – Collinsville Aerodrome, authorising the Chief Executive Officer to negotiate and execute a lease agreement to Mr R Plate as a priority and grant early access as required.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## 14. Development Services

14.1 2021/10/13.07 20210294 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - SHORT-TERM ACCOMMODATION - 13 WOODWARK CRESCENT CANNONVALE - G & F TURNER C/- WHITSUNDAY HOLIDAY RENTALS

### SUMMARY

The proposal is for Short-term Accommodation of an existing dwelling house located at 13 Woodward Crescent, Cannonvale. This report was submitted to the Ordinary Meeting on 11 August 2021 and 22 September 2021 and was tabled pending further discussion. On 29 September 2021, Council received correspondence from Macrossan & Amiet Solicitors on behalf of the applicants notifying no agreement to any further extension of time beyond 8 October for the development application to be determined (**Attachment 8**).

The premises is zoned Low Density Residential triggering an impact assessable development application. The applicant has provided all necessary information required by the Short-term Accommodation Guideline.

The development application attracted a total of four (4) submissions during the Public Notification period.

All necessary information has been provided for assessment, which has demonstrated compliance with the relevant planning provisions. It is recommended the development application is given approval subject to reasonable and relevant conditions.

### RECOMMENDATION

That Council approve the application 20210294 for Development Application for Material Change of Use - Short-term Accommodation, made by G J Turner & F R Turner C/- Whitsunday Holiday Rentals, on L: 13 RP: 734591 and located at 13 Woodward Crescent CANNONVALE, subject to the conditions outlined in Attachment 1.

***Cr Clifford moved an alternate motion that differed from the Officer's Recommendation.***

### RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

**That Council refuse the application 20210294 for Development Application for Material Change of Use - Short-term Accommodation, made by G J Turner & F R Turner C/- Whitsunday Holiday Rentals, on L: 13 RP: 734591 and located at 13 Woodward Crescent CANNONVALE.**

The reasons for the recommendation is outlined below:

The overwhelming objection by the immediate neighbours to the way in which this property has been operating in the past and their right to the peaceful enjoyment of their property. There are issues with parking in the street; there are issues with noise, privacy and just the general behaviour at the premises. While there were four properly made submissions, I have been contacted by most of the residents in the street and they are objecting overwhelmingly to this development and its impact on their lifestyle.

## MEETING DETAILS:

The motion was Carried 5/2

CARRIED

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14. Development Services

14.2 2021/10/13.08 20200299 - REQUEST FOR NEGOTIATED DECISION NOTICE - DEVELOPMENT PERMIT 20200299 FOR RECONFIGURATION OF A LOT - ONE (1) INTO FOUR (4) LOTS - 1-21 CENTRAL AVENUE CANNONVALE - WHITSUNDAY COMMERCIAL CENTRE C/- VISION SURVEYS

SUMMARY

Council approved a development application for a Development Permit for Reconfiguration of a Lot - One (1) Lot into Four (4) Lots, located at 1-21 Central Avenue Cannonvale, subject to conditions on 25 August 2021. The approval required the dedication of a strip of land (part of Lot 4) as road reserve at the end of the cul-de-sac in Central Avenue.

RECOMMENDATION

That Council resolve to approve the Request for a Negotiated Decision Notice for the Development Permit for Reconfiguration of a Lot - One (1) Lot into Four (4) Lots (20200299) lodged by Whitsunday Commercial Investments Pty Ltd As TTE & Whitsunday Commercial Centre Pty Ltd As TTE C/- Vision Surveys (QLD) on land described as L: 2 SP: 310407, 1-21 Central Avenue Cannonvale with the following conditions:

- a) Condition 1.1: The approved development can be undertaken in stages to facilitate the creation of one (1) or more lots at a time and must be completed and maintained generally in accordance with the approved drawings and documents; and
- b) Condition 1.6: The thin strip of land at the end of Central Avenue shall be created as road reserve and transferred to Council with the creation of the first stage.

Cr Simpson moved an alternate motion that differed from the Officer's Recommendation with amendments to condition 1.6, outlined in part b of officers recommendation.

RESOLUTION

Moved by: CR G SIMPSON

Seconded by: CR A GRUNDY

That Council resolve to approve the Request for a Negotiated Decision Notice for the Development Permit for Reconfiguration of a Lot - One (1) Lot into Four (4) Lots (20200299) lodged by Whitsunday Commercial Investments Pty Ltd As TTE & Whitsunday Commercial Centre Pty Ltd As TTE C/- Vision Surveys (QLD) on land described as L: 2 SP: 310407, 1-21 Central Avenue Cannonvale with the following conditions:

- a) Condition 1.1: The approved development can be undertaken in stages to facilitate the creation of one (1) or more lots at a time and must be completed

and maintained generally in accordance with the approved drawings and documents; and

- b) **Condition 1.6:** The thin strip of land at the end of Central Avenue shall be created as road reserve and transferred to Council at no cost to Council, commensurate with the sealing of the survey plan for Lot 4, or 10 years from the date of this resolution, whichever is the sooner.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**Procedural Motion**

**2021/10/13.09           PROCEDURAL MOTION - ADJOURN**

**Moved by:               CR J CLIFFORD**

**Seconded by:           CR G SIMPSON**

**That the meeting be adjourned for the purpose of morning tea at 10.09am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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Procedural Motion

2021/10/13.10 PROCEDURAL MOTION - RECONVENE

Moved by: CR J CLIFFORD

Seconded by: CR G SIMPSON

That the meeting be reconvened from morning tea at 10.31am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## 14. Development Services

14.3 2021/10/13.11 20210518 - DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (BOUNDARY REALIGNMENT) THREE (3) LOTS INTO THREE (3) LOTS L: 1 RP: 715187, L: 1 RP: 714524, L: 5 RP: 838625 - G J BENNETT & M W BENNETT C/- WYNNE PLANNING AND DEVELOPMENT PTY LTD

### SUMMARY

This is an Impact Assessable application to reconfigure three (3) rural allotments into three (3) allotments at Wrights Road and Bennett Road, Strathdickie. All three of the lots are currently used collectively for agricultural purposes (cropping). In the Rural Zone the minimum lot size is 100 hectares. The current lot sizes are:

L: 1 RP: 714524 – 8.157 Ha

L: 1 RP: 715187 – 1.851 Ha

L: 5 RP: 838625 – 14.78 Ha

The proposed lot sizes are:

Lot 1 – 12.37 hectares

Lot 2 – 6.21 hectares

Lot 3 – 6.21 hectares

Although no additional lots are being created, the proposed configuration of boundaries splits the existing large southern lot of 14.78 hectares to include parts of all three proposed lots. The application material states that the cropping purposes will cease in time as a result of the reconfiguration. The impact of such a proposal is likely to fragment rural land and/or disable the future use of the land for agricultural purposes. The lot is included in the Agricultural Land Overlay and is surrounded predominantly by other rural allotments, and therefore is not considered orderly development. The application attracted one submission from a neighbouring resident. The proposal is recommended for refusal due to non-compliance with the benchmarks set by the Planning Scheme and State Planning Policy.

### RECOMMENDATION

That Council refuse the application for Development Permit for Reconfiguration of a Lot (Boundary Realignment) Three (3) Lots into Three (3) Lots, made by G J Bennett & M W Bennett C/- Wynne Planning and Development, on L: 1 RP: 715187, L: 1 RP: 714524, L: 5 RP: 838625 and located at Wrights Road and Bennett Road Strathdickie, on the following grounds:

- a) The proposal is not consistent with the State Planning Policy in respect of fragmentation of Agricultural Land Classification (ALC) Class A and Class B land;
- b) The proposal is not consistent with the Mackay, Isaac and Whitsunday Regional Plan in respect of rural residential development in an area which is not identified as a rural living area, compromising the intent of the regional plan to protect productive agricultural land;
- c) The proposal conflicts with the Whitsunday Regional Council Planning Scheme 2017 and cannot be conditioned to comply. Specifically:
  - i. The Rural zone is the correct zone for this site, being the default zone for the majority of the planning scheme area which is not included in an urban zone;

- ii. The predicted demand and supply of rural residential land within the planning scheme area was modelled by the WRC Urban Growth Study and adequate land is zoned to accommodate predicted demand;
- iii. The proposal is not consistent with the Rural Zone code, which specifies a minimum lot size of 100 hectares;
- iv. The proposal is not consistent with the agricultural land overlay, which does not support fragmentation of land.

**RESOLUTION**

***Cr Simpson moved a procedural motion and the not the officers recommendation.***

**PROCEDURAL MOTION**

**Moved by: CR G SIMPSON**

**That the matter lay on the table to allow for an alternate set of conditions of approval to be developed for Council's consideration at the next Ordinary Meeting of Council.**

**MEETING DETAILS:**

The procedural motion was Carried 7/0

**CARRIED**

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14. Development Services

14.4 2021/10/13.12 GREATER AIRLIE BEACH MASTERPLAN

SUMMARY

To endorse the draft Greater Airlie Beach Masterplan (GAB Masterplan) for public consultation.

RECOMMENDATION

That Council endorse the draft Greater Airlie Beach Masterplan and resolve to commence public consultation of the Plan.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That Council endorse the draft Greater Airlie Beach Masterplan and resolve to commence public consultation of the Plan.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**14. Development Services**

**14.5 2021/10/13.13 DEVELOPMENT SERVICES MONTHLY REPORT -  
SEPTEMBER 2021**

**SUMMARY**

Development Services Monthly Report – September 2021.

**RECOMMENDATION**

That Council receives the Development Services Monthly Report for September 2021.

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR G SIMPSON**

**That Council receives the Development Services Monthly Report for September 2021.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

**15.1 2021/10/13.14 REQUEST FOR SPONSORSHIP - UNDER 12
NORTHERN QUEENSLAND CRICKET ALLIANCE
CHAMPIONSHIPS - BOWEN CRICKET ASSOCIATION**

SUMMARY

Council is approached from time to time to support events or activities via sponsorship.

RECOMMENDATION

That Council approve a cash sponsorship of \$5,000.00 to the Bowen Cricket Association to assist with hosting the Under 12 Northern Zones Championships to be held from the 13-16 December 2021 in Bowen.

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR M BRUNKER

That Council approve a cash sponsorship of \$5,000.00 to the Bowen Cricket Association to assist with hosting the Under 12 Northern Zones Championships to be held from the 13-16 December 2021 in Bowen.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.2 2021/10/13.15 REQUEST FOR IN-KIND SUPPORT - 2021 AIRLIE BEACH FESTIVAL OF MUSIC**

**SUMMARY**

Council is approached from time to time to support events or activities via sponsorship.

**RECOMMENDATION**

That Council approve in-kind support up to the value of \$5,000.00 to assist the 2021 Airlie Beach Festival of Music to be held 5-7 November 2021.

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR G SIMPSON**

**That Council approve in-kind support up to the value of \$5,000.00 to assist the 2021 Airlie Beach Festival of Music to be held 5-7 November 2021.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

**15.3 2021/10/13.16 DONATION AND IN-KIND REQUESTS UP TO \$2,000.00
- SEPTEMBER 2021**

SUMMARY

Council is approached by Community groups for donations and in-kind support. Assistance is provided where possible and given that funds are available.

RECOMMENDATION

That Council endorse the Donations and In-Kind support provided for the month of September 2021 to the following recipients:

- a) Whitsunday Suicide Prevention Network – Bowen’s Back to the 60’s Fundraiser - \$750.00
- b) QCWA Bowen Branch – 2021 Senior’s Month Activities - \$1,040.00
- c) St John Bosco Catholic School – 2021 Mock Melbourne Cup Event - \$1,000.00

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR A GRUNDY

That Council endorse the Donations and In-Kind support provided for the month of September 2021 to the following recipients:

- a) Whitsunday Suicide Prevention Network – Bowen’s Back to the 60’s Fundraiser - \$750.00
- b) QCWA Bowen Branch – 2021 Senior’s Month Activities - \$1,040.00
- c) St John Bosco Catholic School – 2021 Mock Melbourne Cup Event - \$1,000.00

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.4 2021/10/13.17 DONATION ON COUNCIL FEES - SEPTEMBER 2021**

**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 approve a donation of \$536.00 to the Molongle Creek Boat Club Inc. for a Food Licence Renewal.

**RESOLUTION**

**Moved by: CR M WRIGHT**

**Seconded by: CR J CLIFFORD**

**That Council approve a donation of \$536.00 to the Molongle Creek Boat Club Inc. for a Food Licence Renewal.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.5 2021/10/13.18 FINANCIAL SUPPORT FOR A JUNIOR ELITE ATHLETE - OCTOBER

SUMMARY

In accordance with Council's Financial Support for a Junior Elite Athlete Policy, financial support is available for athletes aged 18 years or younger who are participating in a representative competition at regional, state or national level. The grant is provided by Council to assist in meeting the costs associated with participating in a representative sports program.

RECOMMENDATION

That Council approve financial support for a Junior Elite Athlete to the following recipients:

- a) Grady Turner – Representing North Queensland in 13-15 years Boys Cricket – Toowoomba - \$250.00
- b) Jesse Frisch – Representing the Whitsunday Sailing Club at the Queensland Youth Championships – Yeppoon - \$250.00
- c) Zachary Sleight – Representing the Whitsunday Sailing Club at the Queensland Youth Championships – Yeppoon - \$250.00
- d) Eden Humphrey – Representing the Whitsunday Sailing Club at the Queensland Youth Championships – Yeppoon - \$250.00

RESOLUTION

Moved by: CR A GRUNDY

Seconded by: CR J CLIFFORD

That Council approve financial support for a Junior Elite Athlete to the following recipients:

- a) Grady Turner – Representing North Queensland in 13-15 years Boys Cricket – Toowoomba - \$250.00**
- b) Jesse Frisch – Representing the Whitsunday Sailing Club at the Queensland Youth Championships – Yeppoon - \$250.00**
- c) Zachary Sleight – Representing the Whitsunday Sailing Club at the Queensland Youth Championships – Yeppoon - \$250.00**
- d) Eden Humphrey – Representing the Whitsunday Sailing Club at the Queensland Youth Championships – Yeppoon - \$250.00**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.6 2021/10/13.19 POLICY REVIEW - DEVELOPMENT APPLICATION FEES REFUND POLICY**

**SUMMARY**

Council is required to review and update policies in order to meet the relevant obligations in accordance with State and Federal legislation and Whitsunday Regional Council Local Laws.

**RECOMMENDATION**

That Council:

- a) revoke the Development Application Fees Refund Policy LSP\_C&ENV\_17 adopted 28 November 2018; and
- b) adopt the Development Application Fees Refund Policy.

**RESOLUTION**

**Moved by: CR M WRIGHT**

**Seconded by: CR J CLIFFORD**

**That Council:**

- a) revoke the Development Application Fees Refund Policy LSP\_C&ENV\_17 adopted 28 November 2018; and
- b) adopt the Development Application Fees Refund Policy.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.7 2021/10/13.20 URBAN WATER STEWARDSHIP FRAMEWORK

SUMMARY

The Urban Water Stewardship Program is being managed across Queensland by the Office of the Great Barrier Reef and regionally coordinated by the Mackay-Whitsunday-Isaac Healthy Rivers Partnership Program. The purpose of the Urban Water Stewardship Program is to benchmark how urban waterways and urban water infrastructure is being managed to reduce impacts on the Great Barrier Reef. The Mackay-Whitsunday-Isaac Healthy Waterways partnership are seeking the Whitsunday Regional Council's endorsement of the proposed benchmarking report and scorecard.

RECOMMENDATION

That Council:

- a) support the Whitsunday Regional Council's involvement in the Urban Water Stewardship Framework; and
- b) write to the Mackay-Whitsunday-Isaac Healthy Rivers Partnership Program outlining the Whitsunday Regional Council's support for the release of the combined Mackay-Whitsunday Urban Water Stewardship Framework report and scorecard for 2021.

RESOLUTION

Moved by: CR A GRUNDY

Seconded by: CR J CLIFFORD

That Council:

- a) **support the Whitsunday Regional Council's involvement in the Urban Water Stewardship Framework; and**
- b) **write to the Mackay-Whitsunday-Isaac Healthy Rivers Partnership Program outlining the Whitsunday Regional Council's support for the release of the combined Mackay-Whitsunday Urban Water Stewardship Framework report and scorecard for 2021.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.8 2021/10/13.21 AMENDMENT TO FEES & CHARGES - SWIMMING POOL HIRE FEES**

**SUMMARY**

Council is approached by members, groups, and schools of the community to hire their local Swimming Pools.

**RECOMMENDATION**

That Council resolve, in accordance with Section 97 of the Local Government Act 2009 (Qld), to amend the Cost Recovery Fees, and in accordance with Section 262(3)(c) of the Local Government Act (Qld) to amend the Other Charges, as outlined:

- 1) The hire fee of \$25.00/hour for up to 30 persons be changed to a refundable bond of \$150.00 per use; and
- 2) The hire fee of \$143.00/hour for 30 persons or more be changed to a refundable bond of \$300.00 per use.

for the Bowen, Collinsville and Proserpine Pools for the 2021/22 financial year, to be effective from the date of resolution.

**RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR M WRIGHT**

**That Council resolve, in accordance with Section 97 of the Local Government Act 2009 (Qld), to amend the Cost Recovery Fees, and in accordance with Section 262(3)(c) of the Local Government Act (Qld) to amend the Other Charges, as outlined:**

- 1) The hire fee of \$25.00/hour for up to 30 persons be changed to a refundable bond of \$150.00 per use; and**
- 2) The hire fee of \$143.00/hour for 30 persons or more be changed to a refundable bond of \$300.00 per use.**

**for the Bowen, Collinsville and Proserpine Pools for the 2021/22 financial year, to be effective from the date of resolution.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.9 2021/10/13.22 FEES & CHARGES - PROSERPINE ENTERTAINMENT CENTRE AND FLAGSTAFF HILL CONFERENCE & CULTURAL CENTRE

SUMMARY

The Proserpine Entertainment Centre and Flagstaff Hill Conference and Cultural Centre proposed fees and charges are attached for approval. The ticketing and staffing fees will be consistent across the venues included in this document, though requirements for hirers will change between venues and will depend on events being staged.

This document will form part of the business plan currently under development and includes the Bowen Soundshell and the Collinsville Community Centre within it. These two venues have had their fees and charges confirmed for 2021/22.

RECOMMENDATION

That Council resolve, in accordance with Section 97 of the Local Government Act 2009 (Qld), to set the Cost Recovery Fees, and in accordance with Section 262(3)(c) of the Local Government Act (Qld) to set the Other Charges, as detailed in the Attachments, for the Proserpine Entertainment Centre and Flagstaff Hill Conference and Cultural Centre for the 2021/22 financial year, to be effective from the date of resolution.

Furthermore, that Council delegate the power to the Chief Executive Officer to vary the Other Charges, contained in Attachments, where it is beneficial to the interests of Council to do so.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR G SIMPSON

That Council resolve, in accordance with Section 97 of the Local Government Act 2009 (Qld), to set the Cost Recovery Fees, and in accordance with Section 262(3)(c) of the Local Government Act (Qld) to set the Other Charges, as detailed in the Attachments, for the Proserpine Entertainment Centre and Flagstaff Hill Conference and Cultural Centre for the 2021/22 financial year, to be effective from the date of resolution.

Furthermore, that Council delegate the power to the Chief Executive Officer to vary the Other Charges, contained in Attachments, where it is beneficial to the interests of Council to do so.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## 15. Community Services

- 15.10 2021/10/13.23 TENDER EVALUATION - 500.2021.0077, 500.2021.0078 & 500.2021.0079 - PROVISION OF LIFEGUARDING SERVICES AND WATER MAINTENANCE FOR AIRLIE BEACH LAGOON & MANAGEMENT SERVICES FOR PROSERPINE POOL (INCLUDING WATER PARK)

*Cr Wright advised the meeting of a declarable conflict of interest in item 15.10 (as per section 150EQ) of the Local Government Act 2009, as one of the contractors handed out 'how to vote' cards for Cr Wright during the 2020 local government election and the contractor is also part of the executive committee of the Bowen Swimming Pool, who her husband is the president of.*

*Cr Wright left the meeting at 10.59am and did not participate in the discussion, debate or voting on this matter.*

### **SUMMARY**

Council requires a Contractor for the Provision of the following at two of Council's Aquatic Facilities:

- a) Lifeguard Services for the Airlie Beach Lagoon,
- b) Water Maintenance for the Airlie Beach Lagoon, and
- c) Management Services for the Proserpine Pool (including the Water Park).

to ensure a safe, hygienic, enjoyable, family-friendly aquatic environment for the communities.

### **RECOMMENDATION**

That Council award the following contracts to Lifeguarding Services Australia Pty Ltd:

- a) 500.2021.0077 – Provision of Lifeguarding Services for Airlie Beach Lagoon,
- b) 500.2021.0078 – Provision of Water Maintenance for Airlie Beach Lagoon; and
- c) 500.2021.0079 – Provision of Management Services for Proserpine Pool (including Water Park),

for the amount of \$1,842,971.52 (excluding GST) for the contract period of two (2) years and \$1,842,971.52 (excluding GST) for two (2) x twelve (12) month extensions at Council's discretion.

### **RESOLUTION**

Moved by: CR G SIMPSON

Seconded by: CR J CLIFFORD

That Council award the following contracts to Lifeguarding Services Australia Pty Ltd:

- a) 500.2021.0077 – Provision of Lifeguarding Services for Airlie Beach Lagoon,
- b) 500.2021.0078 – Provision of Water Maintenance for Airlie Beach Lagoon; and
- c) 500.2021.0079 – Provision of Management Services for Proserpine Pool (including Water Park),

for the amount of \$1,842,971.52 (excluding GST) for the contract period of two (2) years and \$1,842,971.52 (excluding GST) for two (2) x twelve (12) month extensions at Council's discretion.

**MEETING DETAILS:**

The motion was Carried 6/0

**CARRIED**

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Cr Wright returned to the meeting at 11.04am.

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**15. Community Services**

**15.11 2021/10/13.24 COMMUNITY SERVICES - MONTHLY REPORT - SEPTEMBER 2021**

**SUMMARY**

To provide an overview of the Community Services Directorate for the month of September 2021.

**RECOMMENDATION**

That Council receive the Community Services Monthly Report for September 2021.

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR A GRUNDY**

**That Council receive the Community Services Monthly Report for September 2021.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Infrastructure Services

No agenda items for this section.

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**17. Matters of Importance**

**17.1 2021/10/13.25 MT MCCONNELL ROAD INVESTIGATION**

**Moved by: CR M WRIGHT**

**Seconded by: CR M BRUNKER**

**That a report be brought back to the next Ordinary Meeting of Council to be held on Thursday 28<sup>th</sup> October 2021, regarding Mt McConnell Road and what sections of the road Council maintains.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17. Matters of Importance

**17.2 2021/10/13.26 SPORTS STAR OF THE YEAR NOMINEES –
ACCOMMODATION CONTRIBUTION**

Moved by: CR M BRUNKER

Seconded by: CR J CLIFFORD

That Council contribute \$150.00 towards the accommodation costs to assist the Sports star of the year nominees.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**17. Matters of Importance**

**17.3 2021/10/13.27 TRANSPORT AND MAIN ROADS – LONG TERM  
PLANNING INFORMATION AIRLIE  
BEACH/CANNONVALE**

**Moved by: CR A GRUNDY**

**Seconded by: CR J CLIFFORD**

**That the Chief Executive Officer write to the Regional Director Transport and Main Roads seeking any information they have in regard to long term planning and forward works for Airlie Beach and Cannonvale area (Post Code 4802) including Shute Harbour Road.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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Procedural Motion

2021/10/13.28 PROCEDURAL MOTION - CLOSURE OF MEETING

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That Council close the meeting to the public at 11.41am in accordance with Section 254J of the Local Government Regulations 2012 for closed meetings, for the purpose of discussing the following item and the reason for going into closed session:

Shute Harbour Marine Terminal Fees and Charges:

- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**Procedural Motion**

**2021/10/13.29           PROCEDURAL MOTION - REOPEN OF MEETING**

**Moved by:               CR J CLIFFORD**

**Seconded by:          CR A GRUNDY**

**That Council reopen the meeting to the general public at 12.04pm.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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18. Confidential Matters – Office of the Mayor and CEO

18.1 2021/10/13.30 SHUTE HARBOUR MARINE TERMINAL FEES AND CHARGES

SUMMARY

Following the closure of the Fuel Management public tender process in which no tender submissions were received it was determined that WRC Shute Harbour Marine team would be responsible for the sale of fuel at the Shute Harbour Marine Terminal. As the facility is nearing completion and is scheduled to start operating on the 10th of November, the Shute Harbour Marine team and Contracts team have completed the fuel sourcing process. Our final step is to determine a reasonable sale price for the sale of fuel in order to ensure pricing is set fairly and transparently.

RECOMMENDATION

That Council resolves in accordance with Section 262(3)(c) of the Local Government Act (Qld) to set the Other Charges, as detailed below, for the 2021/22 financial year, to be effective from the date of opening operations or from 10th November 2021.

The pricing structure for Diesel Fuel and Unleaded Petroleum sales from the Shute Harbour Marine Terminal:

- Diesel Fuel margin of 25% on purchase price inclusive of GST.
- Unleaded Petroleum margin of 23% on purchase price inclusive of GST.
- Bulk fuel purchase discount of 2.5% for purchases over 5,000 litres
- Resident Long Term Berthed Operator purchase price discount of 5%

Further, that Council delegate the power to the Chief Executive Officer to vary the Other Charges, outlined above, where it is beneficial to the interests of Council to do so.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR M BRUNKER

That Council resolves in accordance with Section 262(3)(c) of the Local Government Act (Qld) to set the Other Charges, as detailed below, for the 2021/22 financial year, to be effective from the date of opening operations or from 10th November 2021.

The pricing structure for Diesel Fuel and Unleaded Petroleum sales from the Shute Harbour Marine Terminal:

- **Diesel Fuel margin of 25% on purchase price inclusive of GST.**
- **Unleaded Petroleum margin of 23% on purchase price inclusive of GST.**
- **Bulk fuel purchase discount of 2.5% for purchases over 5,000 litres**
- **Resident Long Term Berthed Operator purchase price discount of 5%**

Further, that Council delegate the power to the Chief Executive Officer to vary the Other Charges, outlined above, where it is beneficial to the interests of Council to do so.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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The meeting closed at 12.05pm.

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Confirmed as a true and correct recording this 28<sup>th</sup> October 2021.

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**Cr Andrew Willcox  
MAYOR**