



Minutes of the Ordinary Council Meeting held on Tuesday 25 January 2022 at Council Chambers, 67 Herbert Street, Bowen

Council acknowledges and shows respect to the Traditional Custodian/owners in whose country we hold this meeting.

Councillors Present:

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

Council Officers Present:

Rod Ferguson (Chief Executive Officer); Julie Wright (Director Community Services); Jason Bradshaw (Director Corporate 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); Troy Pettiford (Chief Operating Officer Whitsunday Water); Michael Downing (Coordinator Capital Project Delivery); Doug Mackay (Manager Development Assessment)

Other Details:

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.04am

The meeting reconvened from morning tea at 10.26am

The meeting as closed to the public at 12.03pm

The meeting was re-opened to the public at 12.21pm

The meeting closed at 12.23pm

Whitsunday Regional Council
**Minutes of the Ordinary Council Meeting held at
 Council Chambers, 67 Herbert Street, Bowen on
 Tuesday 25 January 2022 commencing at 9:00 AM**

1 APOLOGIES/LEAVE OF ABSENCE	5
2 CONDOLENCES	5
2.1 Condolences Report.....	5
3 DECLARATIONS OF INTEREST.....	6
4 MAYORAL MINUTE	6
5 MAYORAL UPDATE	7
6 CONFIRMATION OF MINUTES	8
6.1 Confirmation of Minutes.....	8
7 BUSINESS ARISING.....	9
8 DEPUTATIONS	9
9 PETITIONS	9
10 NOTICES OF MOTION.....	9
11 QUESTIONS ON NOTICE	9
12 QUESTIONS FROM THE PUBLIC GALLERY	9
13 OFFICERS REPORTS	10
13.1 Corporate Services	10
13.1.1 Finance Report - FY 2021/22 - Period ending December 2021	10
13.1.2 Corporate Services Monthly Report - December 2021	11
13.1.3 Supplementary Rate Charges.....	12
13.2 Development Services.....	14
13.2.1 Major Amendment V4.2 - Response to State Interest Review.....	14
13.2.2 20191415 - Negotiated Decision Request - Development Application for Preliminary Approval (Variation Request) for Material Change of Use - Resort Complex; and Development Permit for Material Change of Use of Premises.....	16
13.2.3 20200148 - Negotiated Decision Request - Development Application for Material Change of Use Preliminary Approval - Various Uses - Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed).....	19
13.2.4 20211100 - Development Permit for Material Change of Use (Short Term Accommodation) - Lot 14/119 Botanica Drive, Woodwark - Doan & Huynh Pty Ltd C/- Whitsunday Holiday Rentals	21

13.2.5 20211093 – Development Permit for Material Change of Use (Short Term Accommodation), 23 Warrain Street, Shute Harbour, Vardanega C/ Whitsunday Holiday Rentals	22
13.2.6 20210846 – Development Permit for Material Change of Use (Short Term Accommodation) - 10 Airlie Crescent, Airlie Beach - MK Andrew C/- Wynne Planning & Development.....	23
13.3 Community Services.....	24
13.3.1 Sport & Recreation Club Grants - January 2022.....	24
13.3.2 Donation and In-Kind Requests up to \$2,000.00 - December 2021 & January 2022	25
13.3.3 Donation Request - Water and Sewerage Service Charges - Proserpine Meals on Wheels Services Inc.....	26
13.3.4 Endorsement of Donation Provided - 2022 Summer 10's Rugby League Carnival - Bowen Seagulls Junior Rugby League Club.....	27
13.3.5 Community Services Monthly Report - December 2021	28
13.4 Infrastructure Services	29
13.4.1 East Euri Designated Waste Collection Service Options and Satellite Waste Transfer Station Closure.....	29
13.4.2 Cannonvale Sewerage Treatment Plant Membrane Replacement.....	31
13.4.3 Cannonvale Skate Park Concept Design.....	32
13.4.4 Infrastructure Services Capital Progress Report - December 2021	33
13.4.5 Operational Report - Infrastructure Services - November & December 2021	34
13.4.6 Whitsunday Water and Waste Business Activity Report November 2021	35
13.4.7 Whitsunday Water and Waste Business Activity Report December 2021	36
13.4.8 Foxdale Quarry Business Activity Report - November & December 2021.....	37
14 MATTERS OF IMPORTANCE	38
15 CONFIDENTIAL MATTERS	39
15.1 Office of the Mayor and CEO	40
15.1.1 Bonza Airlines and Whitsunday Coast Airport Agreement.....	40
15.2 Corporate Services	41
15.2.1 Bad Dept Write Off.....	41
15.3 Community Services.....	42
15.3.1 500.2021.0134 - Flagstaff Hill Cultural and Conference Centre - Cafe & Conference/Function Commercial Opportunity Expression of Interest	42

1 APOLOGIES/LEAVE OF ABSENCE

There were no apologies for this meeting.

~~~~~

## 2 CONDOLENCES

### 2.1 - Condolences Report

#### PURPOSE

To acknowledge and observe a minute silence for the recently deceased throughout the Whitsunday Region.

#### OFFICER'S RECOMMENDATION

That Council observe one (1) minute's silence for the recently deceased.

#### RESOLUTION OM2022/01/25.1

Moved By: CR J CLIFFORD

Seconded By: CR M BRUNKER

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

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

3 DECLARATIONS OF INTEREST

Cr Grundy declared a prescribed conflict of interest in item 13.2.2, in accordance with section 150EL of the *Local Government Act 2009* as per his previous declaration made on the 22nd of September 2021 regarding this matter and therefore advised Council that he will leave the meeting room while this matter is being discussed and voted on.

~~~~~

### **4           MAYORAL MINUTE**

There was no mayoral minute for this meeting.

~~~~~

Since my last Council meeting on December 8, 2021	
Wednesday 8 December	<ul style="list-style-type: none"> • Attended Proserpine Depot BBQ Breakfast • Council Meeting, in Proserpine • Debrief with Queensland Mayors and Department of Local Government
Thursday 9 December	<ul style="list-style-type: none"> • Monthly Mayoral Radio Talkback Segment • Attended Bowen Australian Pensioners League Christmas Lunch, in Bowen • Travelled to Brisbane That evening, attended LGAQ Policy Executive End of Year Dinner, in Brisbane
Friday 10 December	<ul style="list-style-type: none"> • Attended LGAQ Policy Executive Meeting, in Brisbane
Saturday 11 December	<ul style="list-style-type: none"> • Attended Mayor's Christmas Appeal & Movie Night at Airlie Beach Foreshore
Tuesday 14 December	<ul style="list-style-type: none"> • Attended Friendship Club Christmas lunch, in Bowen • Attend Project Leadership Team meeting for DRFA & Shute Harbour
Wednesday 15 December	<ul style="list-style-type: none"> • Attended official opening of Shute Harbour with Deputy Premier Steven Miles and Senator Bridget McKenzie • That evening, attended Shute Harbour Marine Terminal Industry Opening Function
16 December to 18 January	<ul style="list-style-type: none"> • Christmas Break • Many briefings with Mackay Health Services, Qld Health, Department for Local Government, Queensland Mayors and Mackay DDMG to discuss COVID-19 and receive updates
Wednesday 19 January	<ul style="list-style-type: none"> • First Briefing Session for 2022, in Bowen

6.1 - Confirmation of Minutes

PURPOSE

At each Council meeting, the minutes of the previous meeting must be confirmed by the councillors present and signed by the person presiding at the later meeting. The Minutes of Council's Ordinary Council Meeting held on 8 December 2021 are provided for Councils review and confirmation.

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 8 December 2021.

RESOLUTION OM2022/01/25.2

Moved By: CR G SIMPSON

Seconded By: CR J COLLINS

That Council confirms the Minutes of the Ordinary Meeting held on 8 December 2021.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~



**7 BUSINESS ARISING**

There were no business arising matters for this meeting.

~~~~~

8 DEPUTATIONS

There were no deputations for this meeting.

~~~~~

**9 PETITIONS**

There were no petitions presented at this meeting.

~~~~~

10 NOTICES OF MOTION

There were no Notices of Motion at this meeting.

~~~~~

**11 QUESTIONS ON NOTICE**

No questions previously taken on notice were responded to at this meeting.

~~~~~

12 QUESTIONS FROM THE PUBLIC GALLERY

Excerpt of Council's Standing Orders:

1. Questions from the Public Gallery must be submitted in writing to Council prior to the Council Meeting.
2. The time allocated shall not exceed fifteen (15) minutes for each speaker (and no more than three (3) speakers shall be permitted to speak at any one (1) meeting).
3. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
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.

There were no public questions submitted during this meeting.

13 OFFICERS REPORTS

13.1 Corporate Services

13.1.1 - Finance Report - FY 2021/22 - Period ending December 2021

PURPOSE

To inform Council of the current financial performance and position for the half year period to 31 December 2021.

OFFICER'S RECOMMENDATION

That Council receive the unaudited financial statements for the period ended 31 December 2021 for the Financial Year 2021/22.

RESOLUTION OM2022/01/25.3

Moved By: CR J COLLINS

Seconded By: CR A GRUNDY

That Council receive the unaudited financial statements for the period ended 31 December 2021 for the Financial Year 2021/22.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

## 13.1.2 - Corporate Services Monthly Report - December 2021

### PURPOSE

To provide an overview the Corporate Services Directorate for the month of December 2021.

### OFFICER'S RECOMMENDATION

That Council receive the Corporate Services Monthly Report for December 2021.

### RESOLUTION OM2022/01/25.4

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council receive the Corporate Services Monthly Report for December 2021.

### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

13.1.3 - Supplementary Rate Charges

PURPOSE

This report is to advise Council in response to community correspondence received regarding the issuing of supplementary rate notices in December 2021, which are due to be paid in late January 2022. The report provides further background and context on the issuing of supplementary rate notices and identifies areas for improvement and other considerations for Council.

OFFICER'S RECOMMENDATION

That Council acknowledge the concerns raised in the community regards the supplementary rate notices and agree to invite applications for concessions on the basis of hardship for those ratepayers and these applications be considered by Council on a case by case basis.

RESOLUTION OM2022/01/25.5

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

That Council acknowledge the concerns raised in the community regards the supplementary rate notices and agree to invite applications for concessions on the basis pertaining to individual circumstances for those ratepayers and these applications be considered by Council on a case by case basis.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

#### PROCEDURAL MOTION - ADJOURNMENT OM2022/01/25.6

Moved by: CR J CLIFFORD

Seconded by: CR M BRUNKER

That Council adjourn the meeting for the purpose of morning tea at 10:04 am.

#### MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

~~~~~

PROCEDURAL MOTION - RECONVENE OM2022/01/25.7

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council reconvene the meeting from morning tea at 10:26 am.

MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

~~~~~

### 13.2.1 - Major Amendment V4.2 - Response to State Interest Review

#### PURPOSE

The purpose of this report is for Council to consider policy positions in response to advice from the state interest review of the Planning Scheme Major Amendment and endorse public consultation as the next step subject to Ministerial approval.

#### OFFICER'S RECOMMENDATION

That Council:

- (a) review and consider policy amendments within the proposed Planning Scheme Major Amendment V4.2;
- (b) adopt the policy positions outlined in this report in response to State Interest Review (SIR) comments;
- (c) endorse the proposed Major Amendment Package and Administrative Local Government Infrastructure Plan Amendment V4.2 of the Planning Scheme;
- (d) endorse the Administrative Amendments in V4.2, including:
  - i. removal of Climatic Regions mapping;
  - ii. include Walkable Neighbourhoods regulation; and
  - iii. include New Telecommunications Requirements;
- (e) give notice in accordance with Chapter 2, Part 4, Section 17.4 of the Ministers Guidelines and Rules 2020 to the Minister to advise of the amendments to the proposed Planning Scheme Major Amendment V4.0;
- (f) provide the Minister with the proposed Major Amendment Package and Administrative Local Government Infrastructure Plan Amendment V4.2 of the Whitsunday Planning Scheme 2017;
- (g) provide the Minister with timestamped mapping of the proposed Planning Scheme Major Amendment V4.2;
- (h) provide the Minister with any other material required in accordance with the requests from the First and Second Notices dated 19 July 2021 and 15 October 2021;
- (i) endorse the proposed Planning Scheme Major Amendment V4.2 for public consultation, subject to Ministerial Approval (provided no further policy amendments are required), to commence no earlier than Monday 31 January 2022 in accordance with the Community Engagement Plan V1.2 and the Minister's Guidelines and Rules V1.1; and
- (j) inform the community of the proposed Planning Scheme Major Amendment V4.2 prior to the public consultation period formally commencing.

#### RESOLUTION OM2022/01/25.8

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

**That Council:**

- (a) review and consider policy amendments within the proposed Planning Scheme Major Amendment V4.2;
- (b) adopt the policy positions outlined in this report in response to State Interest Review (SIR) comments;
- (c) endorse the proposed Major Amendment Package and Administrative Local Government Infrastructure Plan Amendment V4.2 of the Planning Scheme;
- (d) endorse the Administrative Amendments in V4.2, including:
  - i. removal of Climatic Regions mapping;
  - ii. include Walkable Neighbourhoods regulation; and
  - iii. include New Telecommunications Requirements;
- (e) give notice in accordance with Chapter 2, Part 4, Section 17.4 of the Ministers Guidelines and Rules 2020 to the Minister to advise of the amendments to the proposed Planning Scheme Major Amendment V4.0;
- (f) provide the Minister with the proposed Major Amendment Package and Administrative Local Government Infrastructure Plan Amendment V4.2 of the Whitsunday Planning Scheme 2017;
- (g) provide the Minister with timestamped mapping of the proposed Planning Scheme Major Amendment V4.2;
- (h) provide the Minister with any other material required in accordance with the requests from the First and Second Notices dated 19 July 2021 and 15 October 2021;
- (i) endorse the proposed Planning Scheme Major Amendment V4.2 for public consultation, subject to Ministerial Approval (provided no further policy amendments are required), to commence no earlier than Monday 31 January 2022 in accordance with the Community Engagement Plan V1.2 and the Minister's Guidelines and Rules V1.1; and
- (j) inform the community of the proposed Planning Scheme Major Amendment V4.2 prior to the public consultation period formally commencing.

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

CR A GRUNDY declared a conflict of interest in item 13.2.2 and left the meeting at 10.29am.

13.2.2 - 20191415 - Negotiated Decision Request - Development Application for Preliminary Approval (Variation Request) for Material Change of Use - Resort Complex; and Development Permit for Material Change of Use of Premises

PURPOSE

Development Applications requiring decisions which are outside the Council officer delegated authority requires Council consideration.

OFFICER'S RECOMMENDATION

That Council resolve that in response to a request for Negotiated Decision Notice of a Development Application for Preliminary Approval (Variation Request) for material change of use - Resort Complex; and Development Permit for Material Change of Use of premises for Seven (7) Multiple Dwelling Units/Short-Term Accommodation Units, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on Lot 105 SP: 232115 located at 24 Coconut Grove Airlie Beach:

1. Agrees to amend condition 3.1, as follows:

Other development permits which may be required to allow the development to be undertaken are listed below and these conditions do not affect the need to obtain such permits, namely:

- a) Development Permit(s) for Material Change of Use;
- b) Development Permit(s) for Building Works;
- c) Development Permit(s) for Operational Works
- d) Plumbing and Drainage Works

2. Agrees to amend condition 6.2, as follows:

The approved development must be operated at all times as an integrated tourist facility by a single operator, and the land must not be sub-leased to separate entities or fragmented into separate titles.

3. Agree to amend condition 7.1, as follows:

262 car parking spaces are to be provided.

4. Agree to delete conditions 9.1 and 9.2 and replace with a new condition 9.1, as follows:

With any application for Development Permit the applicant is to provide a report by suitably qualified professional demonstrating a tank and pump system can provide adequate firefighting pressures to all levels of the development in accordance with Australian Standard AS2419.1-2021.

5. Agree to amend to Canal Street Resort Development Code, as follows:

l) Variation Approval means the material change of use preliminary approval that varies the

effect of the planning scheme given under Council's decision notice referenced 20191415 and dated 29 November 2021 (or as subsequently amended by Council).

RESOLUTION OM2022/01/25.9

Moved By: CR G SIMPSON

Seconded By: CR J COLLINS

That Council resolve that in response to a request for Negotiated Decision Notice of a Development Application for Preliminary Approval (Variation Request) for material change of use - Resort Complex; and Development Permit for Material Change of Use of premises for Seven (7) Multiple Dwelling Units/Short-Term Accommodation Units, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on Lot 105 SP: 232115 located at 24 Coconut Grove Airlie Beach:

1. Agrees to amend condition 3.1, as follows:

Other development permits which may be required to allow the development to be undertaken are listed below and these conditions do not affect the need to obtain such permits, namely:

- a) Development Permit(s) for Material Change of Use;**
- b) Development Permit(s) for Building Works;**
- c) Development Permit(s) for Operational Works**
- d) Plumbing and Drainage Works**

2. Agrees to amend condition 6.2, as follows:

The approved development must be operated at all times as an integrated tourist facility by a single operator, and the land must not be sub-leased to separate entities or fragmented into separate titles.

3. Not agree to amend condition 7.1.

4. Agree to delete conditions 9.1 and 9.2 and replace with a new condition 9.1, as follows:

With any application for Development Permit the applicant is to provide a report by suitably qualified professional demonstrating a tank and pump system can provide adequate firefighting pressures to all levels of the development in accordance with Australian Standard AS2419.1-2021.

5. Agree to amend to Canal Street Resort Development Code, as follows:

l) Variation Approval means the material change of use preliminary approval that varies the effect of the planning scheme given under Council's decision notice referenced 20191415 and dated 29 November 2021 (or as subsequently amended by Council).

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

~~~~~  
*CR A GRUNDY returned to the meeting at 10.37am.*

**13.2.3 - 20200148 - Negotiated Decision Request - Development Application for Material Change of Use Preliminary Approval - Various Uses - Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed)**

**PURPOSE**

Development Applications requiring decisions which are outside the Council officer delegated authority requires Council consideration.

**OFFICER'S RECOMMENDATION**

That Council resolve that in response to a request for a Negotiated Decision Notice of a Development Application for Material Change of Use Preliminary Approval - Various Uses (Apartment Developments, for use as Multiple Dwellings and/or Short-term Accommodation; and Mixed-use Developments comprising of Apartments and a mix of Shops, Bars, Food and Drink Outlets, Offices and Health Care Services (e.g. medical and dental consulting rooms), made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on Lot 105 SP 232115, L 106 SP 172255 T: EMT F and located at 24 Coconut Grove and 2-10 Coconut Grove, Airlie Beach:

1. Agrees to amend condition 3.1, as follows:

Other development permits which may be required to allow the development to be undertaken are listed below and these conditions do not affect the need to obtain such permits, namely:

- a) Development Permit(s) for Material Change of Use;
- b) Development Permit(s) for Building Works;
- c) Development Permit(s) for Operational Works
- d) Plumbing and Drainage Works

2. Agrees to amend condition 10.1, as follows:

No building will exceed a maximum building height, as defined by the Planning Scheme, of 18 metres.

3. Agrees to delete conditions 5.1 and 5.2

4. Agrees to delete condition 7.2

**RESOLUTION OM2022/01/25.10**

**Moved By: CR G SIMPSON**

**Seconded By: CR J COLLINS**

**That Council resolve that in response to a request for a Negotiated Decision Notice of a Development Application for Material Change of Use Preliminary Approval - Various Uses (Apartment Developments, for use as Multiple Dwellings and/or Short-term Accommodation; and Mixed-use Developments comprising of Apartments and a mix of Shops, Bars, Food and Drink Outlets, Offices and Health Care Services (e.g. medical and dental consulting rooms), made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on Lot 105 SP 232115, L 106 SP 172255 T: EMT F and located at 24 Coconut Grove and 2-10 Coconut Grove, Airlie Beach:**

1. **Agrees to amend condition 3.1, as follows:**  
**Other development permits which may be required to allow the development to be undertaken are listed below and these conditions do not affect the need to obtain such permits, namely:**
  - a) **Development Permit(s) for Material Change of Use;**
  - b) **Development Permit(s) for Building Works;**
  - c) **Development Permit(s) for Operational Works**
  - d) **Plumbing and Drainage Works**
2. **Agrees to amend condition 10.1, as follows:**  
**No building will exceed a maximum building height, as defined by the Planning Scheme, of 18 metres.**
3. **Agrees to delete conditions 5.1 and 5.2**
4. **Not agree to delete condition 7.2**
5. **Council requires this development to have 401 carparks**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

13.2.4 - 20211100 - Development Permit for Material Change of Use (Short Term Accommodation) - Lot 14/119 Botanica Drive, Woodwark - Doan & Huynh Pty Ltd C/- Whitsunday Holiday Rentals

PURPOSE

Development Applications requiring decisions which are outside the Council officer delegated authority require Council consideration.

OFFICER'S RECOMMENDATION

That Council approve the application for Development Application for Material Change of Use for Short Term Accommodation, made by Doan & Huynh Pty Ltd C/- Whitsunday Holiday Rentals, on L: 14 SP: 153781 CTS: COV BB and located at 14/119 Botanica Drive Woodwark, subject to the conditions outlined in Attachment 1.

RESOLUTION OM2022/01/25.11

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council refuse the application for Development Application for Material Change of Use for Short Term Accommodation, made by Doan & Huynh Pty Ltd C/- Whitsunday Holiday Rentals, on L: 14 SP: 153781 CTS: COV BB and located at 14/119 Botanica Drive Woodwark for the following reasons:

In terms of section 254H(2) of the *Local Government Regulation, 2012*, and section 63(2)(f)(ii) of the *Planning Act, 2016*, Council's reasons for not adopting the recommendations or advice are as follows:

1. The zoning of the land is not suited to short term accommodation; and
2. There are concerns the proposed use could negatively impact on the security of existing residents.

MEETING DETAILS

The motion was Carried 6 / 1.

CARRIED

~~~~~

**13.2.5 - 20211093 – Development Permit for Material Change of Use (Short Term Accommodation), 23 Warrain Street, Shute Harbour, Vardanega C/ Whitsunday Holiday Rentals**

**PURPOSE**

Development Applications requiring decisions which are outside the Council officer delegated authority require Council consideration.

**OFFICER'S RECOMMENDATION**

That Council approve the application for Development Application for Material Change of Use (Short-Term Accommodation), made by P D Vardanega & D M Vardanega C/- Whitsunday Holiday Rentals, on L: 9 S: 9466 T: N0997/053 and located at 23 Warrain Street Shute Harbour, subject to the conditions outlined in Attachment 1.

**RESOLUTION OM2022/01/25.12**

**Moved By: CR G SIMPSON**

**Seconded By: CR J COLLINS**

**That Council approve the application for Development Application for Material Change of Use (Short-Term Accommodation), made by P D Vardanega & D M Vardanega C/- Whitsunday Holiday Rentals, on L: 9 S: 9466 T: N0997/053 and located at 23 Warrain Street Shute Harbour, subject to the conditions outlined in Attachment 1.**

**MEETING DETAILS**

The motion was Carried 6 / 1.

**CARRIED**

~~~~~

13.2.6 - 20210846 – Development Permit for Material Change of Use (Short Term Accommodation) - 10 Airlie Crescent, Airlie Beach - MK Andrew C/- Wynne Planning & Development

PURPOSE

Development Applications requiring decisions which are outside the Council officer delegated authority require Council consideration.

OFFICER'S RECOMMENDATION

That Council approve the application for Material Change of Use – Short-Term Accommodation, made by M K Andrew C/- Wynne Planning & Development Pty Ltd, on L: 13 RP: 841829 T: N1529/58 and located at 10 Airlie Crescent AIRLIE BEACH, subject to the conditions outlined in Attachment 1.

RESOLUTION OM2022/01/25.13

Moved By: CR G SIMPSON

Seconded By: CR J COLLINS

That Council approve the application for Material Change of Use – Short-Term Accommodation, made by M K Andrew C/- Wynne Planning & Development Pty Ltd, on L: 13 RP: 841829 T: N1529/58 and located at 10 Airlie Crescent AIRLIE BEACH, subject to the conditions outlined in Attachment 1.

MEETING DETAILS

The motion was Carried 6 / 1.

CARRIED

~~~~~

### 13.3.1 - Sport & Recreation Club Grants - January 2022

#### PURPOSE

For Council to consider the payment of the Sport & Recreation Club Grants for January 2022 in accordance with Council's Sport & Recreation Grant Guidelines.

#### OFFICER'S RECOMMENDATION

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

1. Whitsunday Netball Association Inc. – Band 1 - \$5,500.00
2. Whitsunday Touch Association Inc. – Band 2 - \$3,000.00
3. Bowen Pistol Club Inc. – Band 3 - \$1,500.00
4. Bowen Potters Group Inc. – Band 4 - \$1,000.00
5. Collinsville Horse and Pony Club Inc. – Band 4 - \$1,000.00

#### RESOLUTION OM2022/01/25.14

Moved By: CR J COLLINS

Seconded By: CR A GRUNDY

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

1. Whitsunday Netball Association Inc. – Band 1 - \$5,500.00
2. Whitsunday Touch Association Inc. – Band 2 - \$3,000.00
3. Bowen Pistol Club Inc. – Band 3 - \$1,500.00
4. Bowen Potters Group Inc. – Band 4 - \$1,000.00
5. Collinsville Horse and Pony Club Inc. – Band 4 - \$1,000.00

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

13.3.2 - Donation and In-Kind Requests up to \$2,000.00 - December 2021 & January 2022

PURPOSE

To advise Council of the Donations and In-Kind support up to \$2,000.00 provided for the months of December 2021 and January 2022.

OFFICER'S RECOMMENDATION

That Council endorse the Donations and In-Kind support provided for the months of December 2021 and January 2022 to the following recipients:

- a) Fauna Rescue Whitsunday – Purchase of Equipment - \$1,500.00
- b) Bowen Cricket Incorporated – 2022 Pink Stumps Day - \$2,000.00
- c) Bowen Potters Group – New Storage Units for Pottery - \$986.00
- d) Helping Hands Animal Rescue – Break the Cycle Preventive Program - \$1,500.00
- e) Collinsville Community Association – 2021 Christmas Lights Competition - \$2,000.00
- f) Whitsunday Moto Sports Club – 2021 Australian Super Moto Championship - \$2,000.00 (Event has since been cancelled and donation returned to Council)
- g) Little Diggers Collinsville Inc. – Plants from Bowen Work Camp Nursery - \$200.00 In-Kind Support

RESOLUTION OM2022/01/25.15

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council endorse the Donations and In-Kind support provided for the months of December 2021 and January 2022 to the following recipients:

- a) **Fauna Rescue Whitsunday – Purchase of Equipment - \$1,500.00**
- b) **Bowen Cricket Incorporated – 2022 Pink Stumps Day - \$2,000.00**
- c) **Bowen Potters Group – New Storage Units for Pottery - \$986.00**
- d) **Helping Hands Animal Rescue – Break the Cycle Preventive Program - \$1,500.00**
- e) **Collinsville Community Association – 2021 Christmas Lights Competition - \$2,000.00**
- f) **Whitsunday Moto Sports Club – 2021 Australian Super Moto Championship - \$2,000.00 (Event has since been cancelled and donation returned to Council)**
- g) **Little Diggers Collinsville Inc. – Plants from Bowen Work Camp Nursery - \$200.00 In-Kind Support**

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~



### **13.3.3 - Donation Request - Water and Sewerage Service Charges - Proserpine Meals on Wheels Services Inc.**

#### **PURPOSE**

For Council to consider a request from Proserpine Meals on Wheels Inc. for a donation on their Water and Sewerage Service charges for the period of 1 July 2021 to 31 December 2021 and for the organisation to be included on Council's Rates and Service Charges Donations Register for future donations.

#### **OFFICER'S RECOMMENDATION**

That Council approve:

- a) A donation of \$558.80 to Proserpine Meals on Wheels Inc. which is equivalent to 75% of the net Water and Sewerage Service charges levied for the period of 1 July 2021 to 31 December 2021 and;
- b) The inclusion of Proserpine Meals on Wheels Inc. on Council's Rates and Service Charges Donations Register for future donations.

#### **RESOLUTION OM2022/01/25.16**

**Moved By: CR J COLLINS**

**Seconded By: CR A GRUNDY**

That Council approve:

- a) **A donation of \$558.80 to Proserpine Meals on Wheels Inc. which is equivalent to 75% of the net Water and Sewerage Service charges levied for the period of 1 July 2021 to 31 December 2021 and;**
- b) **The inclusion of Proserpine Meals on Wheels Inc. on Council's Rates and Service Charges Donations Register for future donations.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

13.3.4 - Endorsement of Donation Provided - 2022 Summer 10's Rugby League Carnival - Bowen Seagulls Junior Rugby League Club

PURPOSE

To advise Council of the donation provided to the Bowen Seagulls Junior Rugby League Club for the annual Summer 10's Rugby League Carnival to be held on Saturday, 5 March 2022 at Denison Park, Bowen.

OFFICER'S RECOMMENDATION

That Council endorse the donation of \$3,000.00 provided to the Bowen Seagulls Junior Rugby League Club for their 2022 Summer 10's Rugby League Carnival.

RESOLUTION OM2022/01/25.17

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council endorse the donation of \$3,000.00 provided to the Bowen Seagulls Junior Rugby League Club for their 2022 Summer 10's Rugby League Carnival.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

### 13.3.5 - Community Services Monthly Report - December 2021

#### PURPOSE

The purpose of the report is to set out an account of statistics pertaining to the functions of each branch within the Community Services Directorate for the month of December 2021.

#### OFFICER'S RECOMMENDATION

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

#### RESOLUTION OM2022/01/25.18

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

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

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

13.4.1 - East Euri Designated Waste Collection Service Options and Satellite Waste Transfer Station Closure

PURPOSE

To advise on the closure of the East Euri satellite waste transfer station and extension of kerbside waste and recycling collection services.

OFFICER'S RECOMMENDATION

That Council:

1. Designate East Euri, Merinda, Delta, Mt Gordon, Queens Beach, and remainder of serviced area of Bowen, by resolution, as Designated Areas in accordance with Section 7 of the Waste Reduction and Recycling Regulation 2011, to conduct waste collections.
2. Approve the implementation of bin collection day and service schedule changes to facilitate expansion of kerbside waste and recycling collection services in East Euri, Merinda, Delta, Mt Gordon, Queens Beach, and remainder of serviced area of Bowen.
3. Approve the implementation of Milestone 4 of the East Euri Community Engagement Plan: Inform all affected residents by letter regarding the outcome for investigations into extending kerbside waste and recycling collection services to their area, educate residents regarding kerbside collection processes, and provide sufficient information and notifications.
4. Approve the commencement of Community Engagement for the expansion of kerbside waste and recycling collection services to those areas identified in Stages 3 to 6.
5. Note the revised target closure date for the East Euri Waste Transfer Station of 28 February 2022.

RESOLUTION OM2022/01/25.19

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council:

- 1. Designate East Euri, Merinda, Delta, Mt Gordon, Queens Beach, and remainder of serviced area of Bowen, by resolution, as Designated Areas in accordance with Section 7 of the Waste Reduction and Recycling Regulation 2011, to conduct waste collections.**
- 2. Approve the implementation of bin collection day and service schedule changes to facilitate expansion of kerbside waste and recycling collection services in East Euri, Merinda, Delta, Mt Gordon, Queens Beach, and remainder of serviced area of Bowen.**
- 3. Approve the implementation of Milestone 4 of the East Euri Community Engagement Plan: Inform all affected residents by letter regarding the outcome for investigations into extending kerbside waste and recycling collection services to their area, educate residents regarding kerbside collection processes, and provide sufficient information and notifications.**

4. Approve the commencement of Community Engagement for the expansion of kerbside waste and recycling collection services to those areas identified in Stages 3 to 6.
5. That the East Euri waste transfer station will be closed after the kerbside collection roll out is complete.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

## 13.4.2 - Cannonvale Sewerage Treatment Plant Membrane Replacement

### PURPOSE

To obtain Council endorsement to invite for Expression of Interest to replace the Cannonvale Sewerage Treatment Plant Membrane Bioreactor Cells

### OFFICER'S RECOMMENDATION

That Council endorse the invitation for Expressions of Interest for the replacement of the Cannonvale Sewage Treatment Plant Membrane Bioreactor Cells in accordance with section 228 Local Government Regulation 2012.

### RESOLUTION OM2022/01/25.20

Moved By: CR J CLIFFORD

Seconded By: CR J COLLINS

That Council resolves to invite Expressions of Interest (EOI) for the replacement of the Cannonvale Sewage Treatment Plant Membrane Bioreactor Cells in accordance with section 228 Local Government Regulation 2012 as the EOI process will reduce the overall risk, of proceeding directly to tender or full design, and mitigate potential price increase or project time delays.

### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

~~~~~  
Note: The above recommendation was amended at the 9th February 2022 Ordinary Council Meeting under the confirmation of minutes section.

13.4.3 - Cannonvale Skate Park Concept Design

PURPOSE

This report is seeking approval regarding the Stage 2 Concept Design options of the new Cannonvale Skate Park.

OFFICER'S RECOMMENDATION

That Council approve Stage 2 of the Cannonvale Skate Park which will be funded by the Local Roads & Community Infrastructure (LRCI) Round 3 at a cost of \$490,000.

RESOLUTION OM2022/01/25.21

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

That Council approve Stage 2 of the Cannonvale Skate Park which will be funded by the Local Roads & Community Infrastructure (LRCI) Round 3 at a cost of \$490,000.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

## 13.4.4 - Infrastructure Services Capital Progress Report - December 2021

### PURPOSE

To inform Council on progress of Capital Projects being undertaken during the 2021/2022 Financial Year up to the end of December 2021.

### OFFICER'S RECOMMENDATION

That Council receives the Infrastructure Services Capital Progress Report for the month of December 2021.

### RESOLUTION OM2022/01/25.22

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

**That Council receives the Infrastructure Services Capital Progress Report for the month of December 2021.**

### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

~~~~~


13.4.5 - Operational Report - Infrastructure Services - November & December 2021

PURPOSE

The report is to provide Council with information on Council's performance in relation to services supplied by Council's Roads & Drainage, Mechanical Workshops and Parks & Gardens Teams.

OFFICER'S RECOMMENDATION

That Council receive the Infrastructure Services Operational Report for the months of November and December 2021.

RESOLUTION OM2022/01/25.23

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council receive the Infrastructure Services Operational Report for the months of November and December 2021.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

## 13.4.6 - Whitsunday Water and Waste Business Activity Report November 2021

### PURPOSE

To provide Council with information on the operational performance of the Whitsunday Water and Waste business activity.

### OFFICER'S RECOMMENDATION

That Council receive the Whitsunday Water and Waste Business Activity Report for November 2021.

### RESOLUTION OM2022/01/25.24

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

**That Council receive the Whitsunday Water and Waste Business Activity Report for November 2021.**

### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

13.4.7 - Whitsunday Water and Waste Business Activity Report December 2021

PURPOSE

To provide Council with information on the operational performance of the Whitsunday Water and Waste business activity.

OFFICER'S RECOMMENDATION

That Council receive the Whitsunday Water and Waste Business Activity Report for December 2021.

RESOLUTION OM2022/01/25.25

Moved By: CR J CLIFFORD

Seconded By: CR M BRUNKER

That Council receive the Whitsunday Water and Waste Business Activity Report for December 2021.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

## 13.4.8 - Foxdale Quarry Business Activity Report - November & December 2021

### PURPOSE

These reports are to provide information to Council to ensure that thorough understanding of financial and operational performance is relayed in a comprehensive and informative manner.

### OFFICER'S RECOMMENDATION

That Council receive the Business Activity Report for the Foxdale Quarry for the months of November & December 2021.

### RESOLUTION OM2022/01/25.26

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

**That Council receive the Business Activity Report for the Foxdale Quarry for the months of November & December 2021.**

### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

14 MATTERS OF IMPORTANCE

RESOLUTION OM2022/01/25.27

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

That a report be brought back to Council regarding the Airlie Beach traffic study, parking study and also an update on the main street being cleaned.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

**RESOLUTION OM2022/01/25.28**

**Moved By: CR M WRIGHT**

**Seconded By: CR M BRUNKER**

**That Council:**

- a) Submit a funding application for round 9 of the Remote Airstrip Upgrade Program to seal Collinsville Airstrip.**
- b) Write to the Collinsville mines asking for a co-contribution; and**
- c) Receive a report before funding applications close regarding the costs associated with this for Council's consideration.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

15 CONFIDENTIAL MATTERS

PROCEDURAL MOTION - CLOSURE OF MEETING OM2022/01/25.29

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That Council close the meeting to the public at 12.03pm in accordance with Section 254J(3) of the Local Government Regulations 2012 for closed meetings, for the purpose of discussing the following items and the reasons for going into closed session:

15.1.1 - Bonza Airlines and Whitsunday Coast Airport Agreement

- (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.**

15.2.1 - Bad Dept Write Off

- (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.**

15.3.1 - 500.2021.0134 - Flagstaff Hill Cultural and Conference Centre - Cafe & Conference/Function Commercial Opportunity Expression of Interest

- (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

~~~~~

**PROCEDURAL MOTION - REOPEN MEETING OM2022/01/25.30**

**Moved by: CR J CLIFFORD**

**Seconded by: CR A GRUNDY**

**That Council reopen the meeting to the general public at 12.21pm.**

**MEETING DETAILS:**

The motion was Carried 7 / 0

**CARRIED**

~~~~~

15.1.1 - Bonza Airlines and Whitsunday Coast Airport Agreement

RESOLUTION OM2022/01/25.31

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council authorise the Chief Executive Officer to negotiate and execute the agreement with Bonza Airlines and Whitsunday Coast Airport.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

**15.2.1 - Bad Dept Write Off**

**RESOLUTION OM2022/01/25.32**

**Moved By: CR G SIMPSON**

**Seconded By: CR M BRUNKER**

**That Council resolve to write-off the debtor balance for Debtor Number 34176 of (\$37,490.44) being the amount owed to Council, which is deemed no longer recoverable.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

~~~~~


15.3.1 - 500.2021.0134 - Flagstaff Hill Cultural and Conference Centre - Cafe & Conference/Function Commercial Opportunity Expression of Interest

RESOLUTION OM2022/01/25.33

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council resolves to:

- a. Not accept any submissions received in response to the Expression of Interest for 500.2021.0134 – Flagstaff Hill Cultural and Conference Centre – Cafe & Conference/Function Commercial Opportunity; and**
- b. Re-release the Request for Expression of Interest to the market.**

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

**The Meeting closed at 12.23pm.**

**Confirmed as a true and correct recording this 9 February 2022.**

---

**Cr Andrew Willcox**

**MAYOR**