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Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
83-85 Main Street, Proserpine on
12 May 2021 commencing at **9.00am**

Councillors Present:

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

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 (Acting Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); Melanie Douglas (Governance and Councillor Support Officer/Minute Taker)

Other Officers Present (Partial Attendance):

Troy Pettiford (COO Whitsunday Water); Peter Shuttlewood (Executive Manager Procurement, Property & Fleet); Norm Garsden (Manager Governance and Administration)

Other Details:

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.16am

The meeting reconvened from morning tea at 10.43am

The meeting closed at 12.27pm

Whitsunday Regional Council
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1. Apologies

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## 2. Condolences

### 2.1 2021/05/12.01 CONDOLENCES

#### **SUMMARY**

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

#### **RECOMMENDATION**

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

#### **RESOLUTION**

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

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

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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3.1 Declarations of Interest

Cr Gary Simpson declared a prescribed conflict of interest in item 15.3 could exist (as per section 150EG of the Local Government Act 2009), due to the fact that he is a part of the Management Committee of Whitsunday Catchment Landcare Inc and after considering his position was advised by the Chief Executive Officer to leave the room at this point in the meeting.

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*Director Development Services Mr Neil McGaffin declared a conflict of interest in item 14.1 could exist (as per the Staff Code of Conduct and Part 3 section 6 of the Public Sector Ethics Act 1994) as he owns property in the Port of Airlie precinct.*

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4.1 Mayoral Minute

No Agenda items for this section.

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## 4.2 Mayoral Update

Since my last Council meeting on April 28, 2021;

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Wednesday<br>28 April | <ul style="list-style-type: none"><li>• Council Meeting, Bowen</li><li>• Travelled to Brisbane</li><li>• That evening attended Formal Dinner at Government House, Brisbane</li></ul>                                                                                                                                                                                                                                                                                                                                                                    |
| Thursday<br>29 April  | <ul style="list-style-type: none"><li>• Travelled home</li><li>• Attended Tourism Whitsunday Board Meeting, in Proserpine</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Friday<br>30 April    | <ul style="list-style-type: none"><li>• Met with families to discuss Rates of Tobruk Memorial, in Bowen</li><li>• Met with Bowen Gumlu Growers Assn General Manager Ry Collins, in Bowen</li><li>• Caught up with CEO Rod</li><li>• That afternoon officially opened the Bowen Ukulele Bluster Weekend, in Bowen</li></ul>                                                                                                                                                                                                                              |
| Saturday<br>1 May     | <ul style="list-style-type: none"><li>• Officially opened the Collinsville State School 100 Year Celebration</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Tuesday<br>4 May      | <ul style="list-style-type: none"><li>• Personal day for family medical appointments</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Wednesday<br>5 May    | <ul style="list-style-type: none"><li>• Briefing Session, Proserpine</li><li>• Met with CEO Telstra Andy Penn and his team, in Proserpine</li><li>• Had a teleconference with Chief Health Officer, Dr Jeanette Young and Queensland Mayors to discuss Covid Vaccination Rollout</li><li>• That evening attended Whitsunday Counselling &amp; Support's Candle Lighting Ceremony which raises awareness on the impact of Domestic and Family Violence has on our community</li></ul>                                                                    |
| Thursday<br>6 May     | <ul style="list-style-type: none"><li>• Met with Bowen Rail Company CEO Trista Brohier for an update on their project, in Bowen</li><li>• Then travelled to meet with ratepayer in Airlie Beach</li></ul>                                                                                                                                                                                                                                                                                                                                               |
| Friday<br>7 May       | <ul style="list-style-type: none"><li>• Met with Juru Enterprises CEO Ricky Dallachy for an update on their projects, in Bowen</li><li>• Met with Brian Winterburn to discuss Bowen Community Radio Station, in Bowen</li><li>• Attended DRFA &amp; Shute Harbour Project Leadership Team Meeting, in Bowen</li><li>• Caught up with CEO Rod</li><li>• Met with Burdekin Youth Parliament Representative, Tyrone Land, in Bowen</li><li>• That evening attended Opera Queensland's performance "Are you Lonesome Tonight" at Bowen Soundshell</li></ul> |
| Saturday<br>8 May     | <ul style="list-style-type: none"><li>• Attended VMR Search &amp; Rescue Exercise, in Airlie Beach</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Monday<br>10 May      | <ul style="list-style-type: none"><li>• Internal meetings, in Bowen</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Tuesday<br>11 May     | <ul style="list-style-type: none"><li>• Audit and Risk Committee Meeting, in Proserpine</li><li>• Filming for Council Meeting Video update, in Proserpine</li></ul>                                                                                                                                                                                                                                                                                                                                                                                     |

|  |                                                                                                                                                             |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <ul style="list-style-type: none"> <li>• Meeting with ratepayer, in Bowen</li> <li>• Teleconference with North Qld Bulk Ports CEO Nicolas Fertin</li> </ul> |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------|

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5. Confirmation of Previous Minutes

5.1 2021/05/12.2 CONFIRMATION OF PREVIOUS MINUTES REPORT

SUMMARY

Council is required to confirm the minutes of the Ordinary Council Meeting Minutes held on 28 April 2021.

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 28 April 2021.

RESOLUTION

Moved by: **CR J CLIFFORD**

Seconded by: **CR M WRIGHT**

That Council confirms the Minutes of the Ordinary Meeting held on 28 April 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**

**8.1 2021/05/12.03 PROSERPINE SWIMMING POOL HEATER**

### **SUMMARY**

A petition is attached for Councillors consideration - 79 people have signed the petition.

### **RECOMMENDATION**

That Council:

1. Receive the petition regarding the Proserpine Swimming Pool heater; and
2. Advise the principal petitioner that replacement of the heater has been proposed in Council's next year's budget.

### **RESOLUTION**

Moved by: **CR J COLLINS**

Seconded by: **CR M BRUNKER**

That Council:

1. Receive the petition regarding the Proserpine Swimming Pool heater; and
2. Advise the principal petitioner that replacement of the heater has been proposed in Council's next year's budget.

### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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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 of Council's Standing Orders:

1. Questions from the Public Gallery must be submitted in writing to Council two days 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.

Name: Clay Bauman

Address: 28/12 Eshelby Drive, Cannonvale

Good Morning Mr. Mayor and Councillors,

Firstly, if you are wondering why you are getting text messages from me. It is because last November you voted to change the cut off time for public questions.

With Council waiting till the very last legal day to release agendas, it is now impossible for anyone to ask an official question about a meeting item. So, I am sorry, but you have left me with little choice to voice concerns about the quality of information being provided to you.

Today I am here to talk about Port of Airlie. Their 3 applications to exceed planning heights are not to actually build anything.

They are asking for preliminary approvals. Basically, what this means is they wish to replace the planning scheme with a bunch of rules they wrote for themselves. These new rules are carefully worded to be in the best interests of the developers. For instance, with the high-rise, while they put a performance outcome with a specific number on the maximum carparks required, no matter what is ever built there, there is no minimum number of actual hotel rooms that would have to be included in the final building.

There is not even a performance outcome to ensure a function facility would ever be built. While there is a gross floor area and a maximum height to 47 metres, there is no maximum number of storeys and 47 metres would allow 12 storeys with each storey being a higher than the ceiling of this room.

The current plans provided are only 'indicative' of what might be built.

By giving these preliminary approvals you are not signing off on these hotels and units, you are giving away your right to vote on what will actually be built there.

A preliminary approval was given for Funnel Bay in 2006 and 15 years later we are still waiting for the tourist accommodation to be built. Councillors did get to vote on Funnel Bay because it continued to grow above the 12 metre heights originally approved. In this instance you would only get to vote on what high-rise will actually be built if it goes over 47 metres tall.

In my correspondence with the Planning Department about Funnel Bay I was advised that "The Preliminary Approval is the planning scheme for this site" and I am quoting your Manager of Development Assessment here "It's an inadequate situation, but these approvals were all the go 12 years ago and we have to deal with them."

So my question for today is, does Council believe that our Planning Scheme and approval process is up to the job of managing future development at Port of Airlie or is the public interest better served by placing us in an inadequate situation where a developer's own rules stand instead of this Council's right to vote on what is actually built in these prime locations?

I thank you of your time,

Clay Bauman

The Chief Executive Officer Mr Rod Ferguson read the following responded to Mr Bauman;

Dear Mr Bauman,

I refer to the above matter and to your email correspondence received by Council on Friday 7 May 2021.

The statutory processes outlined in the Planning Act and Planning Scheme are sufficient to manage future development at Port of Airlie and provide for suitable consideration of the public interest.

The matters you have raised are acknowledged and Council will take them into consideration in its assessment of the development application.

The development application is currently on public notification and you are encouraged to lodge a submission.

Yours faithfully

Rod Ferguson
Chief Executive Officer

12. Office of the Mayor and CEO

No Agenda Items for this section.

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## 13. Corporate Services

### 13.1 2021/05/12.04 BUSH COUNCIL'S CONVENTION

#### **SUMMARY**

The Local Government Association of Queensland's biennial Bush Councils Convention will be held on 3 - 5 August at the Barcaldine Town Hall. This year's theme of 'fighting back' oversees the topics covered in this year's event, including:

- Advocacy;
- COVID-19 recovery;
- Tourism; and
- Mental health.

This Conference provides an opportunity to be heard, learn, find consensus, network and engage with critical decision makers.

#### **RECOMMENDATION**

That Council nominate Cr XXX as Council's delegate to the Bush Councils Convention to be held in Barcaldine 3-5 August 2021.

#### **RESOLUTION**

Moved by: CR M BRUNKER

Seconded by: CR J CLIFFORD

That Council nominate Cr Simpson and Cr Wright as Council's delegates to the Bush Councils Convention to be held in Barcaldine 3-5 August 2021.

#### **MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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13. Corporate Services

13.2 2021/05/12.05 OPERATIONAL PLAN REVIEW - Q3

SUMMARY

Council's Operational Plan states how Council will progress the implementation of the 5-year Corporate Plan during the 2020/21 financial year.

RECOMMENDATION

That Council

- a) receive the Operational Plan 2020/21 Quarter three Review Report;
- b) amend the 2020/21 Operational Plan by deleting the following Actions
 - 1.1.1.3 - Develop a formal process for regular reporting to Council and the Community on the status of Community Catch-up Action Items.
 - 1.3.4.1 - Implement Strategic Record Keeping Implementation Plan.
 - 2.2.7.2 - Facilitate annual Whitsunday Schoolies event.
- c) That Council amend the 2020/21 Operational Plan by rewording the following Action:
 - 1.1.5.1 - Implement a formal process for regular reporting to Council and the Community, including the rural populations on the status of Community Catch-up Action Items.
- d) renumber the actions as necessary.

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR J CLIFFORD

That Council

- a) receive the Operational Plan 2020/21 Quarter three Review Report;
- b) amend the 2020/21 Operational Plan by deleting the following Actions
 - 1.1.1.3 - Develop a formal process for regular reporting to Council and the Community on the status of Community Catch-up Action Items.
 - 1.3.4.1 - Implement Strategic Record Keeping Implementation Plan.
 - 2.2.7.2 - Facilitate annual Whitsunday Schoolies event.
- c) That Council amend the 2020/21 Operational Plan by rewording the following Action:
 - 1.1.5.1 - Implement a formal process for regular reporting to Council and the Community, including the rural populations on the status of Community Catch-up Action Items.
- d) renumber the actions as necessary.

MEETING DETAILS:

The motion was Carried 7/0

13. Corporate Services

13.3 2021/05/12.06 ELECTORAL ARRANGEMENTS

SUMMARY

The Local Government Change Commission (Change Commission) reviews the electoral arrangements of councils to determine if any proposed electoral change is in the public interest. These assessments can include whether a council is divided or undivided, the number of councillors, the council's name / classification (city, shire, region, town) or other electoral changes.

RECOMMENDATION

That Council consult and engage with the community on becoming 'undivided' for electoral purposes and subject to the results of the consultation, ask the Minister to refer the review of Council's Electoral Arrangements to the Change Commissioner.

RESOLUTION

Moved by: CR M BRUNKER

Seconded by: CR J CLIFFORD

That Council consult and engage with the community on becoming 'undivided' or remaining 'divided' for electoral purposes.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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### **13. Corporate Services**

**13.4 2021/05/12.07 AUSTRALIA NEW ZEALAND DISASTER  
MANAGEMENT CONFERENCE**

#### **SUMMARY**

The Australia New Zealand Disaster Management Conference is scheduled to be held at the Gold Coast on 12 and 13 July 2021. The theme of the Conference is "Working to build Disaster Resilient Nations". The Conference provides an opportunity for leaders, change-makers and workers in the disaster and emergency management sector to hear from keynote speakers, sector representatives and lived-experience speakers, expand your connections, and discover how current operations can be improved.

By virtue of their positions, as the Mayor and Deputy Mayor, they are part of the Local Disaster Management Group it is considered that they should be provided the opportunity to attend.

#### **RECOMMENDATION**

That Council nominate Cr Willcox and Cr Brunker to attend the Australia New Zealand Disaster Management Conference, held on 12 & 13 July 2021.

#### **RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

**That Council nominate Cr Willcox and Cr Brunker to attend the Australia New Zealand Disaster Management Conference, held on 12 & 13 July 2021.**

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Corporate Services

13.5 2021/05/12.08 AUDITOR GENERAL ASSESSMENT OF LOCAL GOVERNMENT

SUMMARY

Each year the Auditor General reports to Parliament on the outcomes of its Audits. The report on local governments was tabled on 22 April 2021.

RECOMMENDATION

That Council note the contents of the report of the Queensland Auditor General on the Local Government Industry for 2020.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR J COLLINS

That Council note the contents of the report of the Queensland Auditor General on the Local Government Industry for 2020.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**Procedural Motion**

**2021/05/12.09      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 10.16am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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Procedural Motion

2021/05/12.10 Procedural Motion - Reconvene

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That the meeting be reconvened from morning tea at 10.43am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Corporate Services**

**13.6 2021/05/12.11 POLICY FRAMEWORK**

**SUMMARY**

Council's current Policy Framework was adopted by Council in September 2019 and due for review in September 2020.

**RECOMMENDATION**

That Council adopt the Policy Framework (LSP\_CORP\_01).

**RESOLUTION**

Moved by: **CR M BRUNKER**

Seconded by: **CR J CLIFFORD**

That Council adopt the Policy Framework (LSP\_CORP\_01).

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Corporate Services

13.7 2021/05/12.12 DRAFT PROCUREMENT AND LOCAL PREFERENCE POLICY

SUMMARY

Council must prepare and adopt a policy about procurement. The procurement policy must include details of the principles, including the sound contracting principles as stipulated in the Local Government Act 2009 that Council will apply for the purchasing of goods and services.

The Sound Contracting Principles include as a one of its aims, the 'Development of Local Business and Industry'. In recognition of this principle and the role that Council plays as a key economic driver for local business, a Local Preference Policy has been developed for consideration and adoption by Council.

RECOMMENDATION

That Council rescind LP_CORP_2017_01 Procurement Policy and adopt:

- a) Draft LSP_CORP_31 Procurement Policy; and
- b) Draft LSP_CORP_32 Local Preference Policy.

RESOLUTION

Moved by: **CR J CLIFFORD**

Seconded by: **CR G SIMPSON**

That Council rescind LP_CORP_2017_01 Procurement Policy and adopt:

- a) Draft LSP_CORP_31 Procurement Policy; and
- b) Draft LSP_CORP_32 Local Preference Policy.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Corporate Services**

**13.8 2021/05/12.13 TRUSTEE LEASE - QUEENSLAND POLICE-CITIZENS  
YOUTH WELFARE ASSOCIATION - BOWEN PCYC -  
L210 ON SP143899**

**SUMMARY**

Council is trustee of the land at Lot 210 on SP143899, 2 Queens Road, Bowen.

The Queensland Police-Citizens Youth Welfare Association currently have a trustee lease with Council over part of the land at Lot 210 on SP143899, for the operation of the Bowen PCYC that is due to expire on the 30 July 2021.

**RECOMMENDATION**

That Council authorise the Chief Executive Officer in accordance with Section 236(b) and (c)(iii) of the Local Government Regulation 2012 to enter into negotiations and execute a trustee lease with the Queensland Police-Citizens Youth Welfare Association in relation to the Bowen PCYC:

- a) for part of land at Lot 210 on SP143899, identified as Lease P on SP248729;
- b) at a pepper corn rental rate; and
- c) for a 10 year-term.

**RESOLUTION**

**Moved by: CR M WRIGHT**

**Seconded by: CR J CLIFFORD**

**That Council authorise the Chief Executive Officer in accordance with Section 236(b) and (c)(iii) of the Local Government Regulation 2012 to enter into negotiations and execute a trustee lease with the Queensland Police-Citizens Youth Welfare Association in relation to the Bowen PCYC:**

- a) for part of land at Lot 210 on SP143899, identified as Lease P on SP248729;**
- b) at a pepper corn rental rate; and**
- c) for a 10 year-term.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Corporate Services

**13.9 2021/05/12.14 TRUSTEE LEASE - QUEENSLAND RAILWAYS
INSTITUTE INC. - QRI HALL - L1 ON CPHR1822**

SUMMARY

Council is trustee of the land at Lot 1 on CPHR1822, 50E George Street, Bowen.

Queensland Railways Institute Inc., currently have a trustee lease with Council over part of the land at Lot 1 on CPHR1822, known as the QRI Hall that is due to expire on the 31 July 2021.

RECOMMENDATION

That Council authorise the Chief Executive Officer in accordance with Section 236(b) and (c)(iii) of the Local Government Regulation 2012, to enter into negotiations and execute a trustee lease with Queensland Railways Institute Inc. in relation to the QRI Hall:

- a) for part of land at Lot 1 on CPHR1822, identified as Lease Q on SP248729;
- b) at a peppercorn rental rate; and
- c) for a 10-year term.

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR M BRUNKER

That Council authorise the Chief Executive Officer in accordance with Section 236(b) and (c)(iii) of the Local Government Regulation 2012, to enter into negotiations and execute a trustee lease with Queensland Railways Institute Inc. in relation to the QRI Hall:

- a) for part of land at Lot 1 on CPHR1822, identified as Lease Q on SP248729;**
- b) at a peppercorn rental rate; and**
- c) for a 10-year term.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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### 13. Corporate Services

13.10 2021/05/12.15 2020-21 BUDGET - 3RD QUARTER REVIEW - MARCH 2021

#### **SUMMARY**

Council adopted its original budget for the financial year 2020/21 in July 2020, and this budget is reviewed on a periodic basis. For the third quarter review, the budget has been reviewed for the period to the end of March 2021. There are changes to both operating revenue and expenditure as well as capital expenditure across all departments.

#### **RECOMMENDATION**

That Council resolve in accordance with section 170(3) of the *Local Government Regulation 2012* :

A. to revise the Whitsunday Regional Council Budget adopted for the financial year 2020/21, as presented in the following statements prepared in accordance with section 169 of the *Local Government Regulation 2012*:

- 1) Revised Statement of Comprehensive Income (including the Appropriations Statement),
- 2) Revised Statement of Financial Position,
- 3) Revised Statement of Cash Flows,
- 4) Revised Statement of Capital Funding,
- 5) Revised Statement of Changes in Equity for the financial year 2020/21,
- 6) the resulting Revised Long-Term Financial Forecast for the financial years 2020/21 through 2028/29, inclusive,
- 7) the Revised Measures of Financial Sustainability (see Note 21 Financial Ratios); and

B. to make the following transfers to and from reserves for the financial year 2020/21:

- 1) \$ 70,000 from the Insurance Reserve to fund capital works projects, and
- 2) \$ 3,520,471 from the Infrastructure Reserve to fund capital works projects, and
- 3) \$ 2,807,221 from the Insurance Reimbursement Reserve to fund the Shute Harbour redevelopment project, and
- 4) a net transfer of \$ 9,400,489 from the Capital Works Reserve, as follows:
  - a) \$ 16,905,314 to the Capital Works Reserve, and
  - b) \$ 7,504,825 from the Capital Works Reserve to fund capital works projects.

## **RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR G SIMPSON**

**That Council resolve in accordance with section 170(3) of the *Local Government Regulation 2012* :**

**A. to revise the Whitsunday Regional Council Budget adopted for the financial year 2020/21, as presented in the following statements prepared in accordance with section 169 of the *Local Government Regulation 2012*:**

- 1) Revised Statement of Comprehensive Income (including the Appropriations Statement),**
- 2) Revised Statement of Financial Position,**
- 3) Revised Statement of Cash Flows,**
- 4) Revised Statement of Capital Funding,**
- 5) Revised Statement of Changes in Equity for the financial year 2020/21,**
- 6) the resulting Revised Long-Term Financial Forecast for the financial years 2020/21 through 2028/29, inclusive,**
- 7) the Revised Measures of Financial Sustainability (see Note 21 Financial Ratios); and**

**B. to make the following transfers to and from reserves for the financial year 2020/21:**

- 1) \$ 70,000 from the Insurance Reserve to fund capital works projects, and**
- 2) \$ 3,520,471 from the Infrastructure Reserve to fund capital works projects, and**
- 3) \$ 2,807,221 from the Insurance Reimbursement Reserve to fund the Shute Harbour redevelopment project, and**
- 4) a net transfer of \$ 9,400,489 from the Capital Works Reserve, as follows:**
  - c) \$ 16,905,314 to the Capital Works Reserve, and**
  - d) \$ 7,504,825 from the Capital Works Reserve to fund capital works projects.**

## **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Development Services

14.1 2021/05/12.16 20201142 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT ONE (1) LOT INTO SIX (6) LOTS, 9-17 THE COVE ROAD AIRLIE BEACH

SUMMARY

Council is in receipt of a development application for the subdivision of land at Port of Airlie into six (6) lots. One (1) submission was received during the public notification period. The application is recommended for approval subject to reasonable and relevant conditions.

RECOMMENDATION

That Council approve the application for Development Application for Development Permit for Reconfiguration of a Lot One (1) Lot into Six (6) Lots, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on L: 109 SP: 232115 T: & EMT T/SP248499&AD/SP220014 G/SP260217 and located at 9-17 The Cove Road AIRLIE BEACH, subject to the conditions outlined in Attachment 1.

RESOLUTION

Director Development Services Mr Neil McGaffin declared a conflict of interest in item 14.1 could exist (as per the Staff Code of Conduct and Part 3 section 6 of the Public Sector Ethics Act 1994) due to that he owns property in the Port of Airlie precinct.

Moved by: CR M BRUNKER

Seconded by: CR M WRIGHT

That Council approve the application for Development Application for Development Permit for Reconfiguration of a Lot One (1) Lot into Six (6) Lots, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on L: 109 SP: 232115 T: & EMT T/SP248499&AD/SP220014 G/SP260217 and located at 9-17 The Cove Road Airlie Beach, subject to the conditions outlined in Attachment 1.

PROCEDURAL MOTION

Moved by: CR J CLIFFORD

That the matter lay on the table to allow for a site visit and to receive further information on the matter, with a report to be brought back to the next Ordinary Council Meeting.

MEETING DETAILS:

The procedural motion was Carried 5/2

CARRIED

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**14. Development Services**

**14.2 2021/05/12.17 DEVELOPMENT SERVICES MONTHLY REPORT -  
APRIL 2021**

**SUMMARY**

Development Services Monthly Report - April 2021.

**RECOMMENDATION**

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

**RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR J CLIFFORD**

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

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.1 2021/05/12.18 SPORT & RECREATION CLUB GRANTS - MAY 2021

SUMMARY

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

RECOMMENDATION

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

- Airlie Beach Bowls Club Inc. - Band 2 - \$3,000.00
- Proserpine District Lawn Tennis Association - Band 4 - \$1,000.00
- Bowen Football Association - Band 2 - \$3,000.00
- Bowen Rugby Union Inc. - Band 4 - \$1,000.00
- Proserpine Taipans Junior Soccer Club Inc. - Band 3 - \$1,500.00

RESOLUTION

Moved by: **CR M WRIGHT**

Seconded by: **CR A GRUNDY**

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

- Airlie Beach Bowls Club Inc. - Band 2 - \$3,000.00
- Proserpine District Lawn Tennis Association - Band 4 - \$1,000.00
- Bowen Football Association - Band 2 - \$3,000.00
- Bowen Rugby Union Inc. - Band 4 - \$1,000.00
- Proserpine Taipans Junior Soccer Club Inc. - Band 3 - \$1,500.00

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.2 2021/05/12.19 REQUEST FOR SPONSORSHIP - 2021 SHOW WHITSUNDAY - PROSERPINE AGRICULTURAL PASTORAL & INDUSTRIAL ASSOCIATION INC.**

**SUMMARY**

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

**RECOMMENDATION**

That Council:

- a) approve a Gold Sponsorship of \$2,500.00, from budget JC: 2967.10249 – Community Donations (2967) / Sponsorship (10249) for the 2021 Show Whitsunday to be held 18 & 19 June 2021; and
- b) provide in-kind support up to the value of \$3,000.00, from budget code JC: 2967.10642 – Community Donations (2967) / Council In-Kind Support (10642), for the Post Event Clean Up on 20 June 2021.

**RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR G SIMPSON**

That Council:

- a) approve a Gold Sponsorship of \$2,500.00, from budget JC: 2967.10249 - Community Donations (2967) / Sponsorship (10249) for the 2021 Show Whitsunday to be held 18 & 19 June 2021; and
- b) provide in-kind support up to the value of \$3,000.00, from budget code JC: 2967.10642 - Community Donations (2967) / Council In-Kind Support (10642), for the Post Event Clean Up on 20 June 2021.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.3 2021/05/12.20 REQUEST FOR DONATION - RATES AND SERVICE CHARGES - WHITSUNDAY CATCHMENT LANDCARE INC.

Cr Gary Simpson declared a prescribed conflict of interest in item 15.3 could exist (as per section 150EG of the Local Government Act 2009), due to the fact that he is a part of the Management Committee of Whitsunday Catchment Landcare Inc and after considering his position was advised by the Chief Executive Officer to leave the room at this point in the meeting.

Cr Simpson left the meeting room at 11.44am taking no part in the discussion or vote on the matter.

SUMMARY

Whitsunday Catchment Landcare Inc. commenced a lease with Council in May 2020 for a parcel of land at 33 Kelsey Creek Road, Proserpine for their Community Nursery. The organisation also applied for a donation on the Rates and Service charges applicable for the property.

RECOMMENDATION

That Council approve:

- a) a donation of \$1,531.90 to Whitsunday Catchment Landcare Inc., equivalent to 100% of the Nett General Rates and 75% of the Nett Service Charges levied for the periods of 1 July to 31 December 2020 and 1 January to 30 June 2021, to be taken from budget code JC: 2967.10086 - Community Donations (2967) / Rates & Services Charges Donations (10086); and**
- b) the inclusion of Whitsunday Catchment Landcare Inc. on Council's Rates and Service Charges Donations Register for future donations.**

RESOLUTION

Moved by: CR A GRUNDY

Seconded by: CR J CLIFFORD

That Council approve:

- a) a donation of \$1,531.90 to Whitsunday Catchment Landcare Inc., equivalent to 100% of the Nett General Rates and 75% of the Nett Service Charges levied for the periods of 1 July to 31 December 2020 and 1 January to 30 June 2021, to be taken from budget code JC: 2967.10086 - Community Donations (2967) / Rates & Services Charges Donations (10086); and**
- b) the inclusion of Whitsunday Catchment Landcare Inc. on Council's Rates and Service Charges Donations Register for future donations.**

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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Cr Simpson returned to the meeting room at 11.45am

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**15. Community Services**

**15.4 2021/05/12.21 TEMPORARY CLOSURE - KINGS BEACH, BOWEN 18-31 JULY 2021 AND DENISON PARK, BOTANICAL GARDENS 8 JULY 2021 TO 3 AUGUST 2021**

**SUMMARY**

To temporarily close Kings Beach, Bowen from the mouth of Sandhill Creek from 5:00am Sunday, 18 July 2021 to 5:00am Saturday, 31 July 2021 and Denison Park, Bowen Botanical Gardens from 5:00am Thursday, 8 July 2021 to 5:00am Tuesday, 3 August 2021, in accordance with Whitsunday Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014 to enable the area to be used by the Department of Defence to conduct Exercise Talisman Sabre 2021 activities.

**RECOMMENDATION**

That Council temporarily close:

- a) Kings Beach, Bowen from the mouth of Sandhill Creek from 5:00am Sunday, 18 July 2021 to 5:00am Saturday, 31 July 2021, and,
- b) Denison Park, Bowen Botanical Gardens from 5:00am Thursday, 8 July 2021 to 5:00am Tuesday, 3 August 2021,

in accordance with *Whitsunday Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014 to conduct Exercise Talisman Sabre 2021 activities.*

**RESOLUTION**

**Moved by: CR M BRUNKER**

**Seconded by: CR M WRIGHT**

That Council temporarily close:

- a) Kings Beach, Bowen from the mouth of Sandhill Creek from 5:00am Sunday, 18 July 2021 to 5:00am Saturday, 31 July 2021, and,
- b) Denison Park, Bowen Botanical Gardens from 5:00am Thursday, 8 July 2021 to 5:00am Tuesday, 3 August 2021,

in accordance with *Whitsunday Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014 to conduct Exercise Talisman Sabre 2021 activities.*

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**



**15. Community Services**

**15.5 2021/05/12.22 COMMUNITY SERVICES - MONTHLY REPORT - APRIL 2021**

**SUMMARY**

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

**RECOMMENDATION**

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

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

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

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Infrastructure Services

16.1 2021/05/12.23 BUSINESS ACTIVITY REPORT - FOXDALE QUARRY - MARCH 2021

SUMMARY

The Business Unit Activity Reports are provided to Council detailing the Quarry's operational performance over a one-month period. This report focuses on the month ending 31 March 2021.

RECOMMENDATION

That Council receive the Business Activity Report for the Foxdale Quarry for the month of March 2021.

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR G SIMPSON

That Council receive the Business Activity Report for the Foxdale Quarry for the month of March 2021.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

16. Infrastructure Services

16.2 2021/05/12.24 DRFA & SHUTE HABROUR PROJECT CAPITAL PROGRESS REPORT - MARCH 2021

SUMMARY

The report provides a summary of key Capital projects underway during the 19/20, 20/21 & 21/22 financial years. The attachments include multi-year projects that remain active or have been completed during this financial year. This month's report lists the DRFA Flood Event 2019, the Shute Harbour Project, the Qld Monsoonal Event 2020 and the 2021 Ex TC Imogen & Monsoon Event.

Current Financial Progress:

DRFA - Flood Event 2019 - Expenditure of \$36,854,670 to date with forecast of a further \$6,715,975 budgeted by the end of 20/21 Financial Year. Nine submissions have been closed and reimbursed 100% with 13 now with the QRA for acquittal.

Shute Harbour - Expenditure of \$37,674,956 to date with a forecast of a further \$16,868,899 budgeted by the end of the project. QRA budget \$48.7M plus \$2.8M Council contribution from insurance payout. The project has a current funding deficit based on the QRA budget of \$48.7M, of approximately \$5.25M as detailed in the February 2021 Report.

Qld Monsoonal Flood Event 2020 - Expenditure of \$2,645,140 to date with a forecast of a further \$4,696,763 budgeted by the end of 20/21 Financial Year. All submissions have been awarded, with work proceeding on three packages.

2021 Ex TC Imogen & Monsoon Event – The Trigger Point for this event is \$357,788. There has been \$224,885 emergency works expenditure. The first submission for damage assessment will be submitted to the QRA in May.

RECOMMENDATION

That Council receives the DRFA & Shute Harbour Project capital progress report for the month of March 2021.

RESOLUTION

Moved by: **CR J CLIFFORD**

Seconded by: **CR A GRUNDY**

That Council receives the DRFA & Shute Harbour Project capital progress report for the month of March 2021.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**17. Matters of Importance**

**17.1 2021/05/12.25 LETTER OF THANKS - VOLUNTEER MARINE RESCUE**

**Moved by: CR A GRUNDY**

**Seconded by: CR J CLIFFORD**

**That Council provide a letter of thanks - for the Volunteer Marine Rescue for conducting Search and rescue exercise (SAR EX) event.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17. Matters of Importance

17.2 2021/05/12.26 QUEENSLAND OPERA EVENT - BOWEN

Moved by: CR M BRUNKER

Seconded by: CR J CLIFFORD

That Council move a vote of thanks to the Bowen residents who contributed and funded the Queensland Opera, 'Are you lonesome tonight' event held on the 7th May.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**17. Matters of Importance**

**17.3 2021/05/12.27 NOXIOUS WEED NOTICE - DEPARTMENT OF TRANSPORT AND MAIN ROADS**

**Moved by: CR J CLIFFORD**

**Seconded by: CR A GRUNDY**

**That Council write to the Department of Transport and Main Roads seeking the Department to address the treatment of the noxious weed Leucaena in the region on the Department of Transport and Main Roads controlled land.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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***The meeting closed at 12.27pm***  
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Confirmed as a true and correct recording this 26 May 2021

**Cr Andrew Willcox
MAYOR**