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Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
67 Herbert Street, Bowen on
25 August 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 (Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); Tailah Jensen (Governance Administration Officer/Minute Taker)

Other Officers Present (Partial Attendance):

James Ngoroyemoto (Manager Governance & Administration); Scott Wilkinson (Manager IT & Innovation); Scott Hardy (Coordinator Natural resource Management and Climate); Michael Downing (Coordinator Capital Project Delivery); John Gwydir (Executive Manager Roads and Drainage)

Other Details:

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 9.55am

The meeting reconvened from morning tea at 10.23am

The meeting closed at 12.07pm

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1. Apologies

No Agenda items for this section.

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## 2. Condolences

### 2.1 2021/08/25.01 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 J COLLINS

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

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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3.1 Declarations of Interest

No Declarations were made at this time during the meeting.

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### **4.1       Mayoral Minute**

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No Agenda items for this section.

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Since my last Council meeting on August 11, 2021

Wednesday 11 August	• Council Meeting, in Cannonvale • That evening attended Thank Tank session, in Airlie Beach
Thursday 12 August	• Recorded my Monthly Mayoral Talkback Segment with ABC Radio • Internal meetings
Friday 13 August	• Teleconference for LGAQ Policy Executive Meeting • Meeting to discuss Economic Development Strategy – Proposed Framework
Monday 16 August	• Met with BGGGA General Manager Ry Collins, in Bowen • Met with a ratepayer, in Bowen • Catch up with CEO, in Bowen • That afternoon, was invited to tour Cobra Game Zone that Wes Bau has launched above his gym
Tuesday 17 August	• Met with Member for Whitsunday Amanda Camm MP, in Proserpine • Chaired WRRTG meeting, via Teams (teleconference)
Wednesday 18 August	• Briefing Session, in Bowen • Attended Viet Nam Veteran Day ceremony, in Bowen
Thursday 19 August	• Chaired Greater Whitsunday Council of Mayors, in Bowen • That evening, attended informal dinner with GWCoM members, in Bowen
Tuesday 24 August	• Received second COVID needle • Internal meetings

5. Confirmation of Previous Minutes

5.1 2021/08/25.02 CONFIRMATION OF MINUTES REPORT

SUMMARY

Council is required to confirm the minutes of the Ordinary Council Meeting held on 11 August 2021.

RECOMMENDATION

Council is required to confirm the minutes of the Ordinary Council Meeting held on 11 August 2021.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR G SIMPSON

That Council confirms the Minutes of the Ordinary Meeting held on 11 August 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.

There were two public questions for this meeting. The Chief Executive Officer read out sections of the public questions. Some parts were left out given that Council has already received numerous emails on these issues.

The Chief Executive Officer and Mayor advised these questions will be responded to in due course and the response to be provided in the agenda of the next Ordinary Council meeting.

Question One:

Name: Michael Gauci

QUESTION ON DEVELOPMENT APPROVAL GRANTED ON THE 23 JUNE 2021, FOR DEVELOPMENT APPLICATION 20210540, BEING FOR THE ESTABLISHMENT OF A SHORT-TERM ACCOMMODATION BUSINESS, AT 12 NARA AVE, AIRLIE BEACH

We understand that the above-mentioned property fails to meet its mandatory conditions approval, by failing to have any on-site parking, meeting AS2890.1, whatsoever, but the owners, and property managers, Whitsunday Holiday Rentals, are still renting out the property, even though the WRC conditions of approval, explicitly forbid, that the property be rented out, until, the property has on-site parking, meeting AS2890.1.

Can you please tell me if the owners and managers of this property, will be formally directed, by the WRC, to cease operating the STA, at this property, without any, on-site parking, meeting the mandatory conditions of approval?

Can you please tell me if the formal directive requested above, if issued, will be placed on the WRC eplanning, public development information portal?

Can you please tell me, how long will it take, for the WRC to issue, the above-mentioned formal directive?

Can you please tell me, how long it will take for the WRC, to update the WRC eplanning, public development information portal, with the requested, formal WRC directive, to comply with the conditions of approval, mentioned above?

Question Two:

Name: Allan Milostic

Allan Milostic, President Whitsunday Coast Chamber of Commerce

SHUTE HARBOUR RD, PALAUMA RD TO TROPIC RD DUPLICATION AND UPGRADE

The Chamber is aware of the planned upgrades by TMR to Shute Harbour Rd by TMR in the Cannonvale area between Galbraith Park Rd and Tropic Road, the current proposal is to install traffic lights at the William Murray Dr and MacArthur Dr.

The widely rumoured intention to also install traffic lights at Galbraith Park Rd may result in five sets of traffic lights on a 1.5km stretch of road.

Q1. When did this proposal change so dramatically and why?

Q2. What consultation was carried out?

Q3. Were efficient traffic flow and safety taken into consideration?

Q4. Were environmental issues addressed to minimise carbon emission?

12. Office of the Mayor and CEO

12.1 2021/08/25.03 ANNUAL CHRISTMAS CLOSURE 2021

SUMMARY

This report recommends the annual Christmas closure for Council to commence on Friday 24 December 2021 to Monday 3 January 2022, with normal business resuming from Tuesday 4 January 2022.

RECOMMENDATION

That Council approve the closure of Council business during the Christmas /New Year period from Friday 24 December 2021 to Monday 3 January 2022, resuming normal operating hours from Tuesday 4 January 2022.

RESOLUTION

Moved by: CR M BRUNKER

Seconded by: CR M WRIGHT

That Council approve the closure of Council business during the Christmas /New Year period from close of business Thursday 23 December 2021 to Monday 3 January 2022, resuming normal operating hours from Tuesday 4 January 2022.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Office of the Mayor and CEO**

**12.2 2021/08/25.04 PART OF LAND LEASE - LOT 298 ON SP184769 - OCEAN RAFTING**

**SUMMARY**

Council is currently undergoing restoration of the Shute Harbour Marine Terminal and offering a world-class commercial facility providing a range of berthing options, baggage handling areas and fuel facilities. Council is entering into leases with commercial entities to provide marine tourism operations and activities to service the Whitsunday Region.

**RECOMMENDATION**

That Council authorise the Chief Executive Officer to enter into negotiations and execute a lease over part of the land being Lot 298 on SP184769 to Ducks in a Row Pty Ltd T/As Ocean Rafting in relation to the use of the Shute Harbour Marine Terminal and in accordance with Section 236(e) of the Local Government Regulation 2012.

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR A GRUNDY**

**That Council authorise the Chief Executive Officer to enter into negotiations and execute a lease over part of the land being Lot 298 on SP184769 to Ducks in a Row Pty Ltd T/As Ocean Rafting in relation to the use of the Shute Harbour Marine Terminal and in accordance with Section 236(e) of the Local Government Regulation 2012.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Office of the Mayor and CEO
12.3 2021/08/25.05 ADVERTISING POLICY

SUMMARY

Council's Advertising Policy (LSP_OMCEO_02) was effective from 28 February 2018 with a review date set for 28 February 2021. The previous policy has been reviewed for adoption with no additional changes.

RECOMMENDATION

That Council adopt the Advertising Policy.

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR M WRIGHT

That Council adopt the Advertising Policy.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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### **13. Corporate Services**

#### **13.1 2021/08/25.06 STATE RIVER IMPROVEMENT TRUST CONFERENCE**

*Mayor Willcox advised the meeting of that Cr Brunner and himself are Council appointed board members on the Don River Trust Committee as a Council Representatives and therefore do not have a conflict of interest and remained in the meeting to participate in the discussion and voting on this item. It was also noted that Cr Collins and Cr Simpson were similarly representatives on the Whitsunday River Trust Committee.*

#### **SUMMARY**

The appointment of Councillors to represent on committees was resolved at the 27 May 2020 Ordinary Meeting. The Council representatives have been invited to attend the Annual State Conference to be held from 27<sup>th</sup> to 29<sup>th</sup> October 2021.

Council has provided at the meeting of the 28<sup>th</sup> July, 2021 a donation for \$2,000.00 for the conference.

#### **RECOMMENDATION**

That Council approve the following Councillors to attend the State Council's River Improvement Trust Annual Conference to be held from 27<sup>th</sup> to 29<sup>th</sup> October in Bowen as committee representatives;

- a) Mayor Willcox and Councillor Brunner on behalf of Don River Improvement Trust; and
- b) Cr Collins and Cr Simpson on behalf of Whitsunday River Improvement Trust.

#### **RESOLUTION**

**Moved by: CR M WRIGHT**

**Seconded by: CR J CLIFFORD**

**That Council approve the following Councillors to attend the State Council's River Improvement Trust Annual Conference to be held from 27<sup>th</sup> to 29<sup>th</sup> October in Bowen as committee representatives;**

- a) Mayor Willcox and Councillor Brunner on behalf of Don River Improvement Trust;  
and**
- b) Cr Collins and Cr Simpson on behalf of Whitsunday River Improvement Trust.**

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Corporate Services

13.2 2021/08/25.07 FINANCIAL REPORT - FY 2021/22 - PERIOD ENDING JULY 2021

SUMMARY

The report presents the unaudited financial statements for the period ending July 2021 and outlines the current financial status of Council.

RECOMMENDATION

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

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR J COLLINS

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

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Corporate Services**

**13.3 2021/08/25.08 WHITSUNDAY REGIONAL COUNCIL'S FLOOD CAMERA NETWORK**

**SUMMARY**

On the 24 March 2021 Council resolved to endorse the below Queensland Resilience & Risk Reduction Fund (QRRRF) grants applications. This included a grant submission for flood camera upgrades totally \$105,000.

Upon receipt of Council's application, the QRRRF grants team passed over Council's grant submission to Queensland Reconstruction Authority (QRA), because they had an existing program underway for flood monitoring systems.

QRA engaged with Council, and it was determined that Council would be best to complete a full review of existing flood reports and drainage reports to determine a full list of sites, as QRA could possibility fund more than originally proposed.

Attachment 1 details the proposed Whitsunday flood monitoring location list and was prepared in conjunction with multiple agencies (QRA, WRC Officers, BOM and TMR).

QRA have since reviewed this list based on their select criteria and have formally offered Council to fund and implement the following sites/systems.

**RECOMMENDATION**

That Council note the list of sites offered and accept the grant funding for five flood camera systems for installation across the Whitsunday Region.

**RESOLUTION**

**Moved by: CR M BRUNKER**

**Seconded by: CR J CLIFFORD**

**That Council note the list of sites offered and accept the grant funding for five flood camera systems for installation across the Whitsunday Region.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Corporate Services

13.4 2021/08/25.09

CORPORATE SERVICES MONTHLY REPORT - JULY 2021

SUMMARY

To provide an overview the Corporate Services Directorate for the month of July 2021. The Directorate's purpose is to lead innovation and organisational change in information technology, information management, asset management, project management and procurement to improve organisational outcomes. It seeks to improve Council's organisational capability to augment resilience to future business disruption and increase productivity whilst demonstrating empathy where required.

RECOMMENDATION

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

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

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

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**Procedural Motion**

**2021/08/25.10           PROCEDURAL MOTION - ADJOURN**

**Moved by:               CR J CLIFFORD**

**Seconded by:           CR M WRIGHT**

**That the meeting be adjourned for the purpose of morning tea at 9.55am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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Procedural Motion

2021/08/25.11 PROCEDURAL MOTION - RECONVENE

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That the meeting be reconvened from morning tea at 10.23am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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#### **14. Development Services**

##### **14.1 2021/08/25.12 FUNDING OPPORTUNITY - QUEENSLAND DAY SPONSORSHIP PROGRAM**

#### **SUMMARY**

This report provides a recommendation to submit a project to the Queensland Day Sponsorship Program. It is proposed to deliver a Regional Bake-Off Event that will culminate with an event at Proserpine Entertainment Centre for the finale. Funding for these projects does require co-contribution.

#### **RECOMMENDATION**

That Council resolves to:

- 1) Support the submission to the Queensland Day Sponsorship Program 2022 seeking a funding amount of \$7,000 for a Queensland Day Bake-off; and
- 2) Approve the co-contribution of \$5,000 in cash from the 21/22 FY Community Program & Events budget and \$2,000 in-kind services identified as eligible within the guidelines in the event the funding application is successful.

#### **RESOLUTION**

Moved by: **CR J COLLINS**

Seconded by: **CR M WRIGHT**

That Council resolves to:

- 1) Support the submission to the Queensland Day Sponsorship Program 2022 seeking a funding amount of \$7,000 for a Queensland Day Bake-off; and
- 2) Approve the co-contribution of \$5,000 in cash from the 21/22 FY Community Program & Events budget and \$2,000 in-kind services identified as eligible within the guidelines in the event the funding application is successful.

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Development Services

**14.2 2021/08/25.13 FUNDING OPPORTUNITY - BLACK SUMMER
BUSHFIRE RECOVERY GRANT**

SUMMARY

This report provides a recommendation to submit three (3) projects to the Black Summer Bushfire Recovery Grant Program. Projects were selected based on priority need and project alignment to funding objectives. Funding for these projects does not require co-contribution.

RECOMMENDATION

That Council resolves to support submissions to the Black Summer Bushfire Recovery Grants Fund seeking funding amounts as identified for the following projects:

- a) \$1,100,000 for the VHF Radio Solution – Critical Communications Replacement;
- b) \$525,000 for the NBN Project; and
- c) \$650,000 for the Bushfire Resilience Program

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR M WRIGHT

That Council resolves to support submissions to the Black Summer Bushfire Recovery Grants Fund seeking funding amounts as identified for the following projects:

- a) \$1,100,000 for the VHF Radio Solution – Critical Communications Replacement;**
- b) \$525,000 for the NBN Project; and**
- c) \$650,000 for the Bushfire Resilience Program**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**14. Development Services**

**14.3 2021/08/25.14 INCOMING GRANT FUNDING APPLICATION - POLICY REVIEW**

**SUMMARY**

This report provides a recommendation to support continuation of the Incoming Grant Funding Application Policy established on the 6 June 2018.

The Incoming Grant Funding Application Policy has been developed and endorsed to:

- provide a robust and detailed framework around the analysis of external funding opportunities
- ensure consideration of projects proposed for grant funding in alignment with Council's strategic and corporate objectives and;
- to address grant funding audit compliance activities.

**RECOMMENDATION**

That Council support continuation of the Incoming Grant Funding Application Policy established on the 6 June 2018 without change.

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR G SIMPSON**

**That Council support continuation of the Incoming Grant Funding Application Policy established on the 6 June 2018 without change.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Development Services

14.4 2021/08/25.15 20200299 - DEVELOPMENT APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT - ONE (1) LOT INTO FOUR (4) LOTS - 1-21 CENTRAL AVENUE, CANNONVALE - WHITSUNDAY COMMERCIAL CENTRE PTY LTD -C/- VISION SURVEYS (QLD)

SUMMARY

This application has been to Council previously. It is for Reconfiguration of one lot into four at 1-21 Central Avenue, Cannonvale. The development application is Code Assessable and is consistent with the Planning Scheme. Proposed Lot 4 includes a narrow strip of land at the end of the constructed section of Central Avenue. The applicant has agreed to enter into an Infrastructure Agreement to dedicate this strip of land to Council for the continuation of Central Avenue, either when commercial circumstances are favourable, or at the expiry of 20 years. While the overall development is supported, the component of allowing the strip of land to remain in place is not. The application is recommended for approval subject to reasonable and relevant conditions, in particular the need to transfer the strip of land at the end of Central Avenue to Council as road.

RECOMMENDATION

That Council approve the Development Application for Reconfiguration of a Lot - One (1) Lot into Four (4) Lots, made by Whitsunday Commercial Investments Pty Ltd As TTE C/- Vision Surveys QLD, on L: 2 SP: 310407 T: & EMTS C,E,H & J and located at 1-21 Central Avenue Cannonvale, subject to the conditions outlined in Attachment 1.

RESOLUTION

Moved by: CR M BRUNKER

Seconded by: CR J CLIFFORD

That Council approve the Development Application for Reconfiguration of a Lot - One (1) Lot into Four (4) Lots, made by Whitsunday Commercial Investments Pty Ltd As TTE C/- Vision Surveys QLD, on L: 2 SP: 310407 T: & EMTS C,E,H & J and located at 1-21 Central Avenue Cannonvale, subject to the conditions outlined in Attachment 1.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## **15. Community Services**

### **15.1 2021/08/25.16 REEF GUARDIAN COUNCIL ACTION PLAN 2021/2022**

#### **SUMMARY**

In August 2020, Council endorsed the Memorandum of Understanding (MOU) with the Great Barrier Reef Marine Park Authority (GBRMPA) to become a Reef Guardian Council. The purpose of the Reef Guardian Council Program is to assist Councils in promoting their suite of environmental projects and tasks which have positive environmental outcomes. The Program is designed to build a partnership between then GBRMPA and coastal Local Governments. The primary outcome sought is to support and build environmental stewardship of coastal areas to reduce impacts on the reef.

One of the main tasks Local Government are required to do under the MOU is to develop and submit an annual Reef Guardian Council Action Plan. The purpose of the Action Plan is to hold all the projects and main tasks which Council plans to undertake for the financial year which will have positive environmental outcomes. The themes in the Action Plan include Land Management, Water Quality, Climate Change and Waste Management.

Council staff have collated the various environmental projects across Council Departments and have compiled the Council-wide Reef Guardian Council Action Plan for 2021/2022.

#### **RECOMMENDATION**

That Council endorses the proposed Reef Guardian Council Action Plan 2021/2022 for submission to the Great Barrier Reef Marine Park Authority (GBRMPA).

#### **RESOLUTION**

**Moved by: CR A GRUNDY**

**Seconded by: CR J CLIFFORD**

**That Council endorses the proposed Reef Guardian Council Action Plan 2021/2022 for submission to the Great Barrier Reef Marine Park Authority (GBRMPA).**

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.2 2021/08/25.17 CONTINUATION OF TEMPORARY CLOSURE TO THE PUBLIC - PROSERPINE LIBRARY - 6 SEPTEMBER 2021 TO 11 DECEMBER 2021

SUMMARY

The extension to the temporary closure expiry date for the Proserpine Library to the public from 6 September 2021 to 11 December 2021 is required to be extended to ensure the protection to patron's health and safety due to ongoing construction works at the neighbouring Proserpine Entertainment Centre and surrounding area including restricted access to the rear and front door of the building.

RECOMMENDATION

That Council continue the temporary closure of:

- a) The Proserpine Library to the public from 6 September 2021 to 11 December 2021;
- b) Continue the relocation of the First 5 Forever & Storytime Sessions to the Proserpine Administration Building and/or other outreach locations; and
- c) Continue with the establishment of the 'On-Line Borrowing & Return Service' from the Proserpine Administration Building,

in accordance with *Whitsunday Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014* due to restricted access to the building created by construction works at the Proserpine Entertainment Centre.

RESOLUTION

Moved by: **CR M BRUNKER**

Seconded by: **CR A GRUNDY**

That Council continue the temporary closure of:

- a) The Proserpine Library to the public from 6 September 2021 to 11 December 2021;
- b) Continue the relocation of the First 5 Forever & Storytime Sessions to the Proserpine Administration Building and/or other outreach locations; and
- c) Continue with the establishment of the 'On-Line Borrowing & Return Service' from the Proserpine Administration Building,

in accordance with *Whitsunday Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014* due to restricted access to the building created by construction works at the Proserpine Entertainment Centre.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.3 2021/08/25.18 FINANCIAL SUPPORT FOR A JUNIOR ELITE ATHLETE  
- AUGUST 2021**

**SUMMARY**

In accordance with Council's Community Grants Policy for Financial Support for a Junior Elite Athlete, 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 of \$250.00 from budget code JC: 2967.11074 – Community Donations (2967) / Donations (11074), to Emily McDiarmid to represent North Queensland in 11-12 years girl Rugby League State Championships in Townsville.

**RESOLUTION**

**Moved by: CR M WRIGHT**

**Seconded by: CR A GRUNDY**

**That Council approve financial support of \$250.00 from budget code JC: 2967.11074 – Community Donations (2967) / Donations (11074), to Emily McDiarmid to represent North Queensland in 11-12 years girl Rugby League State Championships in Townsville.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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- 15. Community Services**
15.4 2021/08/25.19 DONATION AND IN-KIND REQUESTS UP TO \$2,000.00
- JULY & AUGUST 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 months of July & August 2021, from budget code JC: 2967.11074 – Community Donations (2967) / Donations (11074), to the following recipients:

- a) Proserpine State School P&C Association – Plants from Bowen Work Camp Nursery – In-Kind (\$200.00)
- b) Bowen Neighbourhood Centre – 2021 R U OK Day Event - \$1,300.00
- c) Collinsville Community Association – 2021 Seniors Week Morning Tea - \$500.00

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR M WRIGHT

That Council endorse the Donations and In-Kind support provided for the months of July & August 2021, from budget code JC: 2967.11074 – Community Donations (2967) / Donations (11074), to the following recipients:

- a) Proserpine State School P&C Association – Plants from Bowen Work Camp Nursery – In-Kind (\$200.00)**
- b) Bowen Neighbourhood Centre – 2021 R U OK Day Event - \$1,300.00**
- c) Collinsville Community Association – 2021 Seniors Week Morning Tea - \$500.00**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.5 2021/08/25.20 DONATION ON COUNCIL FEES - AUGUST 2021**

*Cr Clifford advised the meeting of her position on the Whitsunday Neighbourhood Centre committee as a Council Representative who does not have a conflict of interest and therefore remained in the meeting to participate in the discussion and voting on this item.*

**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 the donation on Council fees, from budget code JC: 2967.11074. Community Donations (2967) / Donations (11074), for the following applicants:

- a) Collinsville Christian Fellowship – Class 3 Event Application Fee - \$407.00
- b) Bowen Neighbourhood Centre – Food Licence Renewal Fee - \$536.00
- c) Whitsunday Neighbourhood Centre – Development Application Fee - \$1,977.00

**RESOLUTION**

**Moved by: CR M WRIGHT**

**Seconded by: CR A GRUNDY**

**That Council approve the donation on Council fees, from budget code JC: 2967.11074. Community Donations (2967) / Donations (11074), for the following applicants:**

- a) Collinsville Christian Fellowship – Class 3 Event Application Fee - \$407.00**
- b) Bowen Neighbourhood Centre – Food Licence Renewal Fee - \$536.00**
- c) Whitsunday Neighbourhood Centre – Development Application Fee - \$1,977.00**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

**15.6 2021/08/25.21 REQUEST FOR AN INCREASE IN FUNDING FOR THE
NEXT THREE FINANCIAL YEARS - GREATER
WHITSUNDAY COMMUNITIES**

Cr Clifford advised the meeting of her position on the committee as a Council Representative who does not have a conflict of interest and therefore remained in the meeting to participate in the discussion and voting on this item.

SUMMARY

Council is approached from time to time to support organisation that wish to provide services and support to local community groups.

RECOMMENDATION

That Council approve a financial commitment of \$80,000.00 (plus GST) from JC: 7841.10668 – Regional Social Development Coalition (7841) / Strengthening Communities Project (10668) to the Greater Whitsunday Communities for the 2021/22 financial year only, pending a suitable written agreement is completed.

RESOLUTION

Moved by: CR M BRUNKER

Seconded by: CR J CLIFFORD

That Council approve a financial commitment of \$80,000.00 (plus GST) from JC: 7841.10668 – Regional Social Development Coalition (7841) / Strengthening Communities Project (10668) to the Greater Whitsunday Communities for the 2021/22 financial year only, pending a suitable written agreement is completed.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## **15. Community Services**

### **15.7 2021/08/25.22 WRITE-OFF PENALTY INFRINGEMENT NOTICES**

#### **SUMMARY**

A Penalty Infringement Notice (PIN) is issued to a person, which may include the registered owner of a vehicle, for offences defined by Whitsunday Regional Council's Local Laws and other relevant legislation.

Each PIN has a prescribed penalty that requires payment by the offender. If the payment is not received, the Penalty Infringement Notice may be lodged with the State Penalties Enforcement Registry (SPER) for enforcement. However, fees apply to the enforcement of the PIN. Revenue from a PIN should only be recognised upon receipt of a payment by Council (full payment from the offender or part payments in accordance with an instalment plan administered by SPER). However, with the entry of each Infringement Notice into Council's Authority Infringement register, the Infringement Notice penalty is automatically recognised as revenue, even when payment has not been made. An unpaid Infringement Notice requires follow-up and enforcement after 28 days for the issue date of the Infringement Notice. Debt occurs when an Infringement Notice is not paid by the due date and accumulates each month depending on the number of unpaid Infringement Notices. Annual budget forecasts are not based upon the number of PINs issued but by Infringement Notice payments expected to be received.

In accordance with the State Penalties Enforcement Act 1999 - Part 3 Division 4 Section 28 - *An administering authority may withdraw an infringement notice at any time before the fine is satisfied in full.*

#### **RECOMMENDATION**

That Council resolves to:

1. Write-off debts arising from Penalty Infringement Notices that are overdue by sixty (60) days or more, amounting to a total of \$299,587.35 where the debtor is not a resident of Queensland (interstate registered vehicle);
2. Write-off debts recorded in Authority arising from Penalty Infringement Notices that are overdue by three (3) years or more that were lodged with the State Penalties Enforcement Registry (SPER), amounting to a total of \$252,601.54, where no payments have been collected from the debtor or not subject of an active instalment plan administered by SPER;
3. Delegate to the Chief Executive Officer (CEO) the authority to write-off, on a monthly basis, debts arising out of the non-payment of Penalty Infringement Notices issued to a person not a resident in Queensland, that become overdue by more than 60 days; and
4. Endorse the revised process for dealing with the collection of debts arising from the issue of Penalty Infringement Notices, as outlined in (Attachment 1).

## **RESOLUTION**

**Moved by: CR M BRUNKER**

**Seconded by: CR M WRIGHT**

**That Council resolves to:**

- 1. Write-off debts arising from Penalty Infringement Notices that are overdue by sixty (60) days or more, amounting to a total of \$299,587.35 where the debtor is not a resident of Queensland (interstate registered vehicle);**
- 2. Write-off debts recorded in Authority arising from Penalty Infringement Notices that are overdue by three (3) years or more that were lodged with the State Penalties Enforcement Registry (SPER), amounting to a total of \$252,601.54, where no payments have been collected from the debtor or not subject of an active instalment plan administered by SPER;**
- 3. Delegate to the Chief Executive Officer (CEO) the authority to write-off, on a monthly basis, debts arising out of the non-payment of Penalty Infringement Notices issued to a person not a resident in Queensland, that become overdue by more than 60 days; and**
- 4. Endorse the revised process for dealing with the collection of debts arising from the issue of Penalty Infringement Notices, as outlined in (Attachment 1).**

## **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.8 2021/08/25.23 POLICY REVIEW - LIBRARY VISITORS CONDITIONS OF ENTRY POLICY, ACCESS TO COMPUTERS, INTERNET & WIFI IN COUNCIL LIBRARIES POLICY AND COMMUNITY DONATIONS 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 following policies:
 - i. Library Patrons Conditions of Entry Policy LSP_C&ENV_09 – Adopted 22 August 2018, and
 - ii. Access to Computers, Internet & Wi-Fi in Council Libraries Policy LSP_C&ENV_10 – Adopted 22 August 2018.
- b) adopt the following policies:
 - i. Library Visitors Conditions of Entry Policy, and
 - ii. Access to Computers, Internet & Wi-Fi in Council Libraries Policy, and
 - iii. Community Donations Policy.

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR M WRIGHT

That Council:

- a) revoke the following policies:
 - i. Library Patrons Conditions of Entry Policy LSP_C&ENV_09 – Adopted 22 August 2018, and
 - ii. Access to Computers, Internet & Wi-Fi in Council Libraries Policy LSP_C&ENV_10 – Adopted 22 August 2018.
- b) adopt the following policies:
 - i. Library Visitors Conditions of Entry Policy, and
 - ii. Access to Computers, Internet & Wi-Fi in Council Libraries Policy, and
 - iii. Community Donations Policy.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.9 2021/08/25.24 OFF-STREET PARKING FEES - AIRLIE BEACH**

**SUMMARY**

Following Councillor requests regarding the changing of parking fees, this report has been provided to Council to recommend that Council continues with the Current 2021/2022 parking fees associated with all Whitsunday Regional Council's Off-Street Carparks in Airlie Beach.

**RECOMMENDATION**

That Council make no changes and continues with the 2021/2022 parking fees associated with all Whitsunday Regional Council's Off-Street Carparks in Airlie Beach.

*Cr Clifford moved option 2 provided in the report and did not move the original recommendation.*

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR A GRUNDY**

**That Council calibrate the meters in all Council controlled car parks in Airlie Beach to correlate to the first two hours to be charged at \$2.00 per hour i.e., 0-1 hours \$2.00 and 1.01-2 hours \$4.00.**

**MEETING DETAILS:**

The motion was Carried 5/2

**CARRIED**

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16. Infrastructure Services

16.1 2021/08/25.25 OPERATIONAL REPORT - INFRASTRUCTURE SERVICES - JULY 2021

SUMMARY

This report provides Council with information regarding the performance by Council's Roads & Drainage, Mechanical Workshops, and Parks & Gardens operational teams over the month of July 2021 and proposed works for August 2021. The report also provides an update from Council's Disaster Management Co-ordinator quarterly for the calendar year to date.

RECOMMENDATION

That Council receive the Roads & Drainage, Mechanical Workshops, Parks & Gardens, and Disaster Management progress report for the month of July 2021.

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR G SIMPSON

That Council receive the Roads & Drainage, Mechanical Workshops, Parks & Gardens, and Disaster Management progress report for the month of July 2021.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**16. Infrastructure Services**

**16.2 2021/08/25.26 INFRASTRUCTURE SERVICES CAPITAL PROGRESS  
REPORT - JULY 2021**

**SUMMARY**

The report provides a summary of key Capital projects underway during the 2021/2022 financial year. The report also includes multi-year projects that remain active and carry over to the 2021/2022 financial year.

Current Financial Progress of Major Projects, W4Q programs, Infrastructure Capital Delivery is \$463,653 actual out of a \$42.1 million overall budget.

Other Capital Projects such as Shute Harbour, DRFA works, and Water & Wastewater are the subject of separate reports.

**RECOMMENDATION**

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

**RESOLUTION**

**Moved by: CR M BRUNKER**

**Seconded by: CR J CLIFFORD**

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

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Infrastructure Services

16.3 2021/08/25.27 BUSINESS ACTIVITY REPORT – FOXDALE QUARRY – JULY 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 July 2021.

RECOMMENDATION

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

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR J CLIFFORD

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

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**16. Infrastructure Services**

**16.4 2021/08/25.28 TENDER EVALUATION – 500.2021.0066 – DRFA  
STORMWATER PIPE REPLACEMENT - GOLF VIEW  
COURT, CANNONVALE**

**SUMMARY**

Whitsunday Regional Council (Council) was seeking a qualified and experienced Civil Contractor to replace a section of concrete stormwater pipe damaged by Ex-Tropical Cyclone Imogen January 2021.

There has been a significant washout and other erosion related damage resulting from the weather event at the terminal end of Golf Views Court, Cannonvale. These damages are attributed to the separation of a 450mm RCP stormwater pipe, which is connected to an inlet pit with a grate cover. The pipe traverses a Council easement between No 7, Lot 162 on SP163599 and No 10, Lot 163 SP163599.

The tender and proposed works have been prioritised and brought forward to ensure the works are completed before further significant rainfall to reduce the risk associated with the current infrastructure and its condition.

**RECOMMENDATION**

That Council award contract 500.2021.0066 – DRFA Stormwater Pipe Replacement – Golf View Court, Cannonvale to Adam Stroud Enterprises Pty Ltd for the amount of \$335,800.00 (excluding GST) noting the following:

- a) The project is currently unfunded in the 2021/2022 Capital Works budget and is the subject of a current submission to the Queensland Reconstruction Authority (QRA) for funding as restoration works, with funding likely to be confirmed in the coming months;
- b) Should the project not be funded through Disaster Recovery Funding Arrangements, the project will be funded through Council general revenue;
- c) The budget allocation and sources of funding will be updated through the 2021/2022 Quarter 1 budget review pending the outcome of the QRA funding submission.
- d) Given the significant risk of additional failure during further rain events (upcoming wet season) and due to the nature of the works required to rectify the separated stormwater pipes and the ongoing risks for further damage, the awarding of the tender has been prioritised and will allow for the works to be undertaken prior to the onset of the upcoming wet season.

## **RESOLUTION**

**Moved by: CR G SIMPSON**

**Seconded by: CR J CLIFFORD**

**That Council award contract 500.2021.0066 – DRFA Stormwater Pipe Replacement – Golf View Court, Cannonvale to Adam Stroud Enterprises Pty Ltd for the amount of \$335,800.00 (excluding GST) noting the following:**

- a) The project is currently unfunded in the 2021/2022 Capital Works budget and is the subject of a current submission to the Queensland Reconstruction Authority (QRA) for funding as restoration works, with funding likely to be confirmed in the coming months;**
- b) Should the project not be funded through Disaster Recovery Funding Arrangements, the project will be funded through Council general revenue;**
- c) The budget allocation and sources of funding will be updated through the 2021/2022 Quarter 1 budget review pending the outcome of the QRA funding submission.**
- d) Given the significant risk of additional failure during further rain events (upcoming wet season) and due to the nature of the works required to rectify the separated stormwater pipes and the ongoing risks for further damage, the awarding of the tender has been prioritised and will allow for the works to be undertaken prior to the onset of the upcoming wet season.**

## **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Infrastructure Services

16.5 2021/08/25.29 TENDER EVALUATION - 500.2021.0073 AUDIO-VISUAL & THEATRE EQUIPMENT FIT-OUT - PROSERPINE ENTERTAINMENT CENTRE (PEC)

SUMMARY

Whitsunday Regional Council (Council) is seeking a specialised Supplier for the supply of AV & theatre equipment and fit-out. This includes fit-out equipment for sound, stage lighting, stage lighting control and stage communications systems.

Specifically, it is for the supply of fit-out equipment such as speaker systems, loose audio equipment, stage luminaires, dimmers, AV control systems, control consoles, mixers, cables, stands, projectors, screens etc.

RECOMMENDATION

That Council award contract 500.2021.0073 Audio-visual & Theatre Equipment Fit-Out – Proserpine Entertainment Centre (PEC) to Videopro Pty Ltd for the amount of \$538,467.28 (excluding GST).

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR J COLLINS

That Council award contract 500.2021.0073 Audio-visual & Theatre Equipment Fit-Out – Proserpine Entertainment Centre (PEC) to Videopro Pty Ltd for the amount of \$538,467.28 (excluding GST).

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**17. Matters of Importance**

**17.1 2021/08/25.30 LOCAL JOBS AND CHANGES TO NORTH QUEENSLAND BULK PORTS CORPORATION ABBOTT POINT**

**Moved by: CR M BRUNKER**

**Seconded by: CR J CLIFFORD**

**That Council write to the CEO of North Queensland Bulk Ports Corporation expressing Councils concerns over the situation around the changeover of tug service providers operating out of Bowen that will result in the loss of numerous local jobs whereas earlier advice was that local employment numbers would be maintained.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17. Matters of Importance

17.2 2021/08/25.31 AFFORDABLE HOUSING CRISIS

Cr Clifford advised the meeting of a declarable conflict of interest (as per section 150EQ) of the Local Government Act 2009, as a consequence of her position on the Whitsunday Housing Company as chairperson. This may be perceived as creating a conflict between the personal interests of a related party and the public interest.

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

Cr Clifford left the meeting at 11.53am.

Moved by: CR M BRUNKER

Seconded by: CR M WRIGHT

That Council facilitate a summit to discuss the concerns regarding the affordable housing crisis within the region.

MEETING DETAILS:

The motion was Carried 6/0

CARRIED

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*Cr Clifford returned to the meeting at 11.58am.*



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The meeting closed at 12.07pm.
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Confirmed as a true and correct recording this 8 September 2021.

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**Cr Andrew Willcox  
MAYOR**