



Minutes of the Ordinary Council Meeting held on Wednesday 23 February 2022 via Microsoft Teams Online at the Proserpine Council Chambers & Bowen Council Chambers

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

Councillors Present:

Bowen Boardroom: Andrew Willcox (Mayor/Chair) and Michael Brunner.

Proserpine Boardroom: Jan Clifford, Al Grundy, John Collins, Gary Simpson

Attending from Home: Michelle Wright

Council Officers Present:

Rod 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):

Troy Pettiford (Chief Operating Officer Whitsunday Water); Leah Bradley (Manager Financial Services); Scott Wilkinson (Manager Innovation and Technology); Matthew Darwen (IT Support Officer); John Gwydir (Executive Manager Roads and Drainage); Michael Downing (Coordinator Capital Protect Delivery)

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.07am

The meeting reconvened from morning tea at 10.30am

The meeting closed at 12.37pm

Note This meeting was held via teleconference with Councillors, ELT & Staff split up in locations between both Bowen & Proserpine due to a traffic accident closing the Bruce Highway.*

Whitsunday Regional Council
Minutes of the Ordinary Council Meeting held at
Council Chambers, 67 Herbert Street, Bowen on
Wednesday 23 February 2022 commencing at **9:00 AM**

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1 APOLOGIES/LEAVE OF ABSENCE

There were no apologies for this meeting.

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## **2 CONDOLENCES**

### **2.1 - Condolences Report**

#### **PURPOSE**

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

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

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

#### **RESOLUTION OM2022/02/23.1**

Moved By: CR M BRUNKER

Seconded By: CR M WRIGHT

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

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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3 DECLARATIONS OF INTEREST

There were no declarations made during this meeting.

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## **4 MAYORAL MINUTE**

There was no mayoral minute for this meeting.

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Since my last Council meeting on February 9th, 2022

Wednesday 9 February	• Council Meeting, in Proserpine • Internal training for Councillors
Thursday 10 February	• Recorded Monthly Mayoral Update for ABC Radio • Radio interview with ABC Radio discussing Proserpine Entertainment Centre • Attended Teams meeting for Regional Organisation of Councils (ROC) for Federal Election Campaign strategy • Participated in Teams meeting for Regional Queensland Council of Mayors (RQCoM)
Friday 11 February	• Attended LGAQ Policy Executive meeting via Teams
Monday 14 February	• That evening, attended Bowen Collinsville Enterprise meeting
Tuesday 15 February	• Interviewed by ABC radio to discuss Bonza Airline announcement • Called bingo for Bowen Flexi Care clients • Met with Coral Sea Marina owner Paul Darrouzet
Wednesday 16 February	• Briefing Session, in Bowen • Zoom Interview with Channel 7 to discuss local flooding issues • Recorded video for Regional Development Australia (MIW)'s Regional Roadmap Launch
Thursday 17 February	• Chaired GWCoM teleconference meeting • Met with Zero Emission Development's CEO Ahmed El Safti and Eco-Architects Pty Ltd CEO Ken Ingbritsen (Consultant for ZED) • Photo shoot for Whitsunday Life, in Proserpine • Teleconference with Mackay District Community Leaders for update on COVID-19 issues and plans
Friday 18 February	• Internal meetings
Monday 21 February	• Interviewed by Channel 7 at Whitsunday Coast Airport to discuss opening of borders for international travellers • Filmed Council Meeting Updates, in Proserpine • Attended first workshop for Fast Track Minds Guitar Workshop, in Bowen. This is a program funded by RADF grant
Tuesday 22 February	• Some personal meetings • Internal meetings • That evening, Tourism Whitsundays Networking Event, held at Shute Harbour Terminal

6.1 - Confirmation of Minutes

PURPOSE

At each Council meeting, the minutes of the previous meeting must be confirmed by the councillors present and signed by the person presiding at the later meeting. The Minutes of Council's Ordinary Council Meeting held on 9 February 2022 are provided for Councils review and confirmation.

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 9 February 2022.

RESOLUTION OM2022/02/23.2

Moved By: CR M BRUNKER

Seconded By: CR J CLIFFORD

That Council confirms the Minutes of the Ordinary Meeting held on 9 February 2022.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 7 BUSINESS ARISING

There were no business arising matters for this meeting.

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8 DEPUTATIONS

There were no deputations for this meeting.

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## 9 PETITIONS

There were no petitions submitted for this meeting.

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10 NOTICES OF MOTION

There were no notice of motions for this meeting.

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## **11 QUESTIONS ON NOTICE**

There were no questions taken on notice for this meeting.

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12 QUESTIONS FROM THE PUBLIC GALLERY

There were no public questions submitted during this meeting.

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## **13 OFFICERS REPORTS**

13.1 Office of the Mayor and CEO

### **13.1.1 - Revised Full Time Equivalent Employee Numbers 2021/22**

#### **PURPOSE**

This report provides a recommendation to Council to increase the FTE employee numbers for the financial year 2021/22 by five (5) FTE to 376 FTE.

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

That Council approve the revised resourcing of Council's staff establishment to increase the Full Time Equivalent (FTE) count of employees to 376 FTE for the 2021-2022 financial year.

#### **RESOLUTION OM2022/02/23.3**

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

**That Council approve the revised resourcing of Council's staff establishment to increase the Full Time Equivalent (FTE) count of employees to 376 FTE for the 2021-2022 financial year.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.2.1 - Operational Plan 2021/22 Q2 Review

PURPOSE

The purpose of this report is to present a written assessment of Council's progress towards implementing the annual Operational Plan 2021/22 for the period ending 31 December 2021 (Quarter Two review).

OFFICER'S RECOMMENDATION

That Council receive the Operational Plan 2021/22 Quarter Two Progress Report.

RESOLUTION OM2022/02/23.4

Moved By: CR J COLLINS

Seconded By: CR A GRUNDY

That Council receive the Operational Plan 2021/22 Quarter Two Progress Report.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.2.2 - Q2 Budget Review

#### PURPOSE

To review the current budget and make amendments to better reflect the current and forecast financial position of Council and to confirm priorities for capital projects to be finalised in the 2021/22 financial year.

#### OFFICER'S RECOMMENDATION

That Council resolve:

- A. In accordance with section 170(3) of the *Local Government Regulation 2012*, to revise the Whitsunday Regional Council Budget adopted for the financial year 2021/22, 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 Appropriation 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 2021/22,
  - 6) the resulting Revised Long-Term Financial Forecast for the financial years 2021/22 through 2030/31, 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 2021/22:
- 1) \$ 2,885 from the Insurance Reserve to fund capital works projects, and
  - 2) \$737,431 from the Infrastructure Reserve to fund capital works projects, and
  - 3) a net transfer of \$ 11,009,892 from the Capital Works Reserve, as follows:
    - a) \$ 5,595,642 to the Capital Works Reserve, and
    - b) \$ 16,605,534 from the Capital Works Reserve to fund capital works projects.

#### RESOLUTION OM2022/02/23.5

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council resolve:

- A. In accordance with section 170(3) of the *Local Government Regulation 2012*, to revise the Whitsunday Regional Council Budget adopted for the financial year 2021/22, 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 Appropriation 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 2021/22,

6) the resulting Revised Long-Term Financial Forecast for the financial years 2021/22 through 2030/31, 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 2021/22:

1) \$ 2,885 from the Insurance Reserve to fund capital works projects, and

2) \$737,431 from the Infrastructure Reserve to fund capital works projects, and

3) a net transfer of \$ 11,009,892 from the Capital Works Reserve, as follows:

a) \$ 5,595,642 to the Capital Works Reserve, and

b) \$ 16,605,534 from the Capital Works Reserve to fund capital works projects.

#### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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13.2.3 - Donation of Records Plaques

PURPOSE

The report provides an opportunity to dispose of council assets by way of donation Council Building plaques that have some historical significance.

OFFICER'S RECOMMENDATION

That Council approve the disposal by way of donation of community building plaques to the Proserpine Historical Museum under Section 236 (1)(b)(ii) of the Local Government Regulation 2012.

RESOLUTION OM2022/02/23.6

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council approve the disposal by way of donation of community building plaques to the Proserpine Historical Museum under Section 236 (1)(b)(ii) of the Local Government Regulation 2012.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.2.4 - Finance Report - FY 2021/22 - Period ending January 2022

#### PURPOSE

To inform Council of the current financial performance and position for the period to 31 January 2022.

#### OFFICER'S RECOMMENDATION

That Council receive the unaudited financial statements for the period ended 31 January 2022 for the Financial Year 2021/22.

#### RESOLUTION OM2022/02/23.7

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

**That Council receive the unaudited financial statements for the period ended 31 January 2022 for the Financial Year 2021/22.**

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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13.2.5 - Corporate Services Monthly Report - January 2022

PURPOSE

To provide an overview the Corporate Services Directorate for the month of January 2022.

OFFICER'S RECOMMENDATION

That Council receive the Corporate Services Monthly Report for January 2022.

RESOLUTION OM2022/02/23.8

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council receive the Corporate Services Monthly Report for January 2022.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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**13.3.1 - 20191424 – Development Application for Preliminary Approval (Variation Request) - 26-32 Port Drive, Airlie Beach**

**PURPOSE**

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

**OFFICER'S RECOMMENDATION**

That Council resolve to:

1. Approve the application for Development Application for Preliminary Approval (Variation Request) for Material Change of Use - Multiple Dwelling/Short Term Accommodation/Food & Drink Outlet/Shop/Office/Health Care Service/Community Use, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on L: 113 SP: 260211 T: & EMT E/SP260216 and located at 26-32 Port Drive AIRLIE BEACH, subject to the conditions outlined in Attachment 1; and
2. That Council delegate its power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the *Whitsunday Regional Council Planning Scheme 2017* due to the approval including a Preliminary Approval for a Variation Approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive of the State planning authority.

**RESOLUTION OM2022/02/23.9**

Moved By: CR J COLLINS

Seconded By: CR G SIMPSON

That Council resolve to:

1. Approve the application for Development Application for Preliminary Approval (Variation Request) for Material Change of Use - Multiple Dwelling/Short Term Accommodation/Food & Drink Outlet/Shop/Office/Health Care Service/Community Use, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on L: 113 SP: 260211 T: & EMT E/SP260216 and located at 26-32 Port Drive AIRLIE BEACH, subject to the conditions outlined in Attachment 1; and
2. That Council delegate its power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the *Whitsunday Regional Council Planning Scheme 2017* due to the approval including a Preliminary Approval for a Variation Approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive of the State planning authority.

## MEETING DETAILS

The motion was Carried 5 / 2.

**CARRIED**

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PROCEDURAL MOTION - ADJOURNMENT OM2022/02/23.10

Moved by: CR J CLIFFORD

Seconded by: CR M BRUNKER

That Council adjourn the meeting for the purpose of morning tea at 10.07am.

MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

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## PROCEDURAL MOTION - RECONVENE OM2022/02/23.11

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council reconvene the meeting from morning tea at 10.30am

## MEETING DETAILS:

The procedural motion was Carried 7 / 0

**CARRIED**

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13.3.2 - 20130884 - Other Change for Preliminary Approval and Development Permit for Reconfiguration of a Lot - 2-8 Ocean Road, Airlie Beach

PURPOSE

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

OFFICER'S RECOMMENDATION

That Council approve the application for Other Change for Preliminary Approval for Twelve (12) Dwelling Houses with Guest Accommodation and Ancillary Recreation Facilities and located at 2-6 Ocean Road Airlie Beach, subject to the conditions outlined in Attachment 1.

RESOLUTION OM2022/02/23.12

Moved By: **CR M BRUNKER**

Seconded By: **CR G SIMPSON**

That Council approve the application for Other Change for Preliminary Approval for Twelve (12) Dwelling Houses with Guest Accommodation and Ancillary Recreation Facilities and located at 2-8 Ocean Road Airlie Beach, subject to the conditions outlined in Attachment 1.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.3.3 - 20210057 – Development Application for Reconfiguration of a Lot - One (1) Lot into Seven (7) Residential Lots and a Balance Lot - 24 Coconut Grove, Airlie Beach**

#### **PURPOSE**

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

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

That Council approve the application for Development Application for Development Permit for Reconfiguration of a Lot - One (1) Lot into Seven (7) Residential Lots and a Balance Lot, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on L: 105 SP: 232115 and located at 24 Coconut Grove Airlie Beach, subject to the conditions outlined in Attachment 1.

#### **RESOLUTION OM2022/02/23.13**

**Moved By: CR G SIMPSON**

**Seconded By: CR M BRUNKER**

**That Council approve the application for Development Application for Development Permit for Reconfiguration of a Lot - One (1) Lot into Seven (7) Residential Lots and a Balance Lot, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on L: 105 SP: 232115 and located at 24 Coconut Grove Airlie Beach, subject to the conditions outlined in Attachment 1.**

#### **MEETING DETAILS**

The motion was Carried 6 / 1.

**CARRIED**

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13.3.4 - 20210619 – Development Application for Preliminary Approval (Variation Request); Material Change of Use for Transport Depot, Outdoor Sales, Showroom and Caretaker's Accommodation & Reconfiguration of a Lot for Access Easements

PURPOSE

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

OFFICER'S RECOMMENDATION

PART A – That Council approve the application for Preliminary Approval that is a Variation Request to the Whitsunday Regional Council Planning Scheme 2017 to vary the zoning of Lot 8, 9 and 10 on RP706708 from the Low-medium Density Residential Zone to the Low-impact Industry Zone in accordance with the Site Plan 21083-PP-02 Rev. D by Vision Surveys (QLD) Pty Ltd dated 19/10/2021.

PART B – That Council approve the development application for Development Permit for Material Change of Use for a Transport Depot, Outdoor Sales, Showroom and Caretaker's Accommodation and Reconfiguration of Lot for Access Easements, made by Kurl Pty Ltd As TTE C/- Vision Surveys QLD, on L: 2 RP: 714981 T: N0771/217, L: 10 RP: 706708 T: N0289/086, L: 9 RP: 706708 T: N0281/189, L: 8 RP: 706708 T: N0312/128 and located at 162 Main Street PROSERPINE, 166 Main Street PROSERPINE, 168 Main Street PROSERPINE, 170 Main Street PROSERPINE, subject to the conditions outlined in Attachment 1.

RESOLUTION OM2022/02/23.14

Moved By: CR J COLLINS

Seconded By: CR M BRUNKER

PART A – That Council approve the application for Preliminary Approval that is a Variation Request to the Whitsunday Regional Council Planning Scheme 2017 to vary the zoning of Lot 8, 9 and 10 on RP706708 from the Low-medium Density Residential Zone to the Low-impact Industry Zone in accordance with the Site Plan 21083-PP-02 Rev. D by Vision Surveys (QLD) Pty Ltd dated 19/10/2021.

PART B – That Council approve the development application for Development Permit for Material Change of Use for a Transport Depot, Outdoor Sales, Showroom and Caretaker's Accommodation and Reconfiguration of Lot for Access Easements, made by Kurl Pty Ltd As TTE C/- Vision Surveys QLD, on L: 2 RP: 714981 T: N0771/217, L: 10 RP: 706708 T: N0289/086, L: 9 RP: 706708 T: N0281/189, L: 8 RP: 706708 T: N0312/128 and located at 162 Main Street PROSERPINE, 166 Main Street PROSERPINE, 168 Main Street PROSERPINE, 170 Main Street PROSERPINE, subject to the conditions outlined in Attachment 1.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.4.1 - E-scooters - Local Law Approval for Use on Council Controlled Areas

#### PURPOSE

To approve the applications to operate, for commercial hire bicycles and electric bicycles & tricycles on Council footpaths, cycle ways, foreshores and boardwalks between Cannonvale and Airlie Beach subject to conditions in accordance with relevant State legislation and Whitsunday Regional Council Local Law No. 1 (Administration) 2014 & Whitsunday Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014.

#### OFFICER'S RECOMMENDATION

That Council, upon receipt of application, approve the following four businesses to operate a total of 10 E-vehicles per business (bicycles, electric bicycles, electric tricycles & electric scooters) for commercial hire on Council controlled footpaths, cycle ways, foreshores and boardwalks between Cannonvale and Airlie Beach:

1. Whitsunday Fun
2. Ocean Dynamics
3. Le Shack Whitsunday Adventure
4. Whitsunday Segway Tours

Subject to the following conditions in accordance with Whitsunday Regional Council Local Law No. 1 (Administration) 2014:

- a) the approval holder must comply with the standard public liability insurance condition;
- b) for the period of the licence, the approval holder must provide a copy of their current Public Liability Insurance Certificate of Currency;
- c) prohibit or limit activities under the approval during periods of poor visibility;
- d) the activities will be conducted to the specific location or to a specified area, as specified in the application;
- e) the holder of the approval will take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval;
- f) the holder of the approval will take specified measures to ensure that the activities authorised by the approval do not cause a nuisance;
- g) if the approval relates to an activity on a road—require the approval holder to indemnify the State;
- h) permit access to Local Government staff or contractors at all times to inspect or service facilities;
- i) carry out the activity in accordance with any standards of the Local Government applicable at the time of the approval;
- j) conduct the activity only on the days and times, and at the specific locations or areas, specified in the approval;
- k) display the approval in the ways stated in the approval and produce the approval for inspection on demand by an authorised person;
- l) comply with a requirement to submit the business, vehicle or premises to be inspected by an authorised person;

- m) comply with relevant workplace health and safety requirements;
- n) be responsible for any costs or expenses incurred by Local Government for rectifying any damage caused by the activity;
- o) ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;
- p) not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by Local Government;
- q) not erect any permanent or temporary buildings, signs or structures upon the approved activity area without the written consent of the Local Government;
- r) ensure that litter is collected and lawfully disposed at a Local Government waste transfer station;
- s) ensure that cleaning, maintaining or repairing any vehicle, except for emergency repairs, is prohibited;
- t) ensure that activities are not permitted within 30 metres of a deployed stinger net;
- u) only permit experienced and competent guides, agents or supervisors to oversee the operation of the activity;
- v) accept full responsibility for the safe transportation of customers and all other persons undertaking the activity;
- w) provide information, explanations, cautions and warnings to customers and all other persons undertaking the activity regarding the hazards likely to be encountered by them when the activity is undertaken;
- x) ensure that any motor vehicle used in connection with the activity, complies with all safety requirements and regulations and are operated in accordance with requirements, guidelines or recommendations published from time to time by the manufacturer or any State or Commonwealth authority;
- y) identify the points at which an operator is to access the site for the purpose of undertaking the commercial recreation activity;
- z) state the number of customers that may operate the vehicle at any one time;
- aa) the e-vehicle will operate at no more than 12 km/h plus reduced to 6km/h in defined areas;
- bb) all e-vehicles are to be governed by GPS technology;
- cc) all e-vehicles are to be clearly tagged with a number and company branding.

#### **RESOLUTION OM2022/02/23.15**

**Moved By: CR M WRIGHT**

**Seconded By: CR J CLIFFORD**

**That Council, upon receipt of application, approve the following four businesses to operate a total of 10 E-vehicles per business (bicycles, electric bicycles, electric tricycles & electric scooters) for commercial hire on Council controlled footpaths, cycle ways, foreshores and boardwalks between Cannonvale and Airlie Beach:**

- 1. Whitsunday Fun**
- 2. Ocean Dynamics**
- 3. Le Shack Whitsunday Adventure**

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#### **4. Whitsunday Segway Tours**

**Subject to the following conditions in accordance with Whitsunday Regional Council Local Law No. 1 (Administration) 2014:**

- a. the approval holder must comply with the standard public liability insurance condition;**
- b. for the period of the licence, the approval holder must provide a copy of their current Public Liability Insurance Certificate of Currency;**
- c. prohibit or limit activities under the approval during periods of poor visibility;**
- d. the activities will be conducted to the specific location or to a specified area, as specified in the application;**
- e. the holder of the approval will take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval;**
- f. the holder of the approval will take specified measures to ensure that the activities authorised by the approval do not cause a nuisance;**
- g. if the approval relates to an activity on a road—require the approval holder to indemnify the State;**
- h. permit access to Local Government staff or contractors at all times to inspect or service facilities;**
- i. carry out the activity in accordance with any standards of the Local Government applicable at the time of the approval;**
- j. conduct the activity only on the days and times, and at the specific locations or areas, specified in the approval;**
- k. display the approval in the ways stated in the approval and produce the approval for inspection on demand by an authorised person;**
- l. comply with a requirement to submit the business, vehicle or premises to be inspected by an authorised person;**
- m. comply with relevant workplace health and safety requirements;**
- n. be responsible for any costs or expenses incurred by Local Government for rectifying any damage caused by the activity;**
- o. ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;**
- p. not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by Local Government;**
- q. not erect any permanent or temporary buildings, signs or structures upon the approved activity area without the written consent of the Local Government;**
- r. ensure that litter is collected and lawfully disposed at a Local Government waste transfer station;**
- s. ensure that cleaning, maintaining or repairing any vehicle, except for emergency repairs, is prohibited;**
- t. ensure that activities are not permitted within 30 metres of a deployed stinger net;**
- u. only permit experienced and competent guides, agents or supervisors to oversee the operation of the activity;**
- v. accept full responsibility for the safe transportation of customers and all other persons undertaking the activity;**

- w. provide information, explanations, cautions and warnings to customers and all other persons undertaking the activity regarding the hazards likely to be encountered by them when the activity is undertaken;
- x. ensure that any motor vehicle used in connection with the activity, complies with all safety requirements and regulations and are operated in accordance with requirements, guidelines or recommendations published from time to time by the manufacturer or any State or Commonwealth authority;
- y. identify the points at which an operator is to access the site for the purpose of undertaking the commercial recreation activity;
- z. state the number of customers that may operate the vehicle at any one time;
- aa. the e-vehicle will operate at no more than 12 km/h plus reduced to 6km/h in defined areas;
- bb. all e-vehicles are to be governed by GPS technology;
- cc. all e-vehicles are to be clearly tagged with a number and company branding.

## MEETING DETAILS

The motion was Carried 7 / 0.

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13.4.2 - Sport & Recreation Facility Management Grant - Whitsunday Sportspark Limited

Cr Clifford advised the meeting that she is on the management committee as an appointed Council representative and does not hold an executive position.

PURPOSE

For Council to consider the payment of the Facility Management Grant in accordance with Council's Facility Management Grant Guidelines.

OFFICER'S RECOMMENDATION

That Council approve the payment of a \$20,000.00 Sport & Recreation Facility Management Grant to Whitsunday Sportspark Limited.

RESOLUTION OM2022/02/23.16

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

That Council approve the payment of a \$20,000.00 Sport & Recreation Facility Management Grant to Whitsunday Sportspark Limited.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.4.3 - Donation Request - Supplementary Rates Notice - Bowen Men's Shed**

#### **PURPOSE**

For Council to consider a request from the Bowen Men's Shed for a donation and / or a concession on their Supplementary Rates Notice issued on 21 December 2021.

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

That Council approve a donation of \$4,844.08 to the Bowen Men's Shed which is equivalent to 100% of the additional Nett Rates levied for the period 1 November 2019 to 1 July 2021 as listed on the Supplementary Notice.

#### **RESOLUTION OM2022/02/23.17**

**Moved By: CR M WRIGHT**

**Seconded By: CR M BRUNKER**

**That Council approve a donation of \$4,844.08 to the Bowen Men's Shed which is equivalent to 100% of the additional Nett Rates levied for the period 1 November 2019 to 1 July 2021 as listed on the Supplementary Notice.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.4.4 - Request for Sponsorship - 2022 Bowen River Rodeo - Bowen River Rodeo and Campdraft Association Inc.

PURPOSE

Council to approve a request for sponsorship from the Bowen River Rodeo and Campdraft Association Inc. to host the 134th Bowen River Rodeo to be held from 10 – 12 June 2022.

OFFICER'S RECOMMENDATION

That Council approve a cash sponsorship of \$10,000.00 to the Bowen River Rodeo and Campdraft Association Inc. to assist with expenses to host a three-day Rodeo and Campdraft along with additional junior bush sporting events.

RESOLUTION OM2022/02/23.18

Moved By: **CR M WRIGHT**

Seconded By: **CR M BRUNKER**

That Council approve a cash sponsorship of \$10,000.00 to the Bowen River Rodeo and Campdraft Association Inc. to assist with expenses to host a three-day Rodeo and Campdraft along with additional junior bush sporting events.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.4.5 - Request for Sponsorship - 2022 Queensland Track and Dirt Track State Championships -Whitsunday Dirt Riders Club**

#### **PURPOSE**

Council to consider a request for sponsorship from the Whitsunday Dirt Riders Club to host the 2022 Queensland Dirt Track and Track Championships to be held in Proserpine over the Easter long weekend in April 2022.

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

That Council approve a major sponsorship of \$2,500.00 and an additional \$2,500.00 to assist with the hiring of equipment to the Whitsunday Dirt Riders Club to assist in hosting the 2022 Queensland Dirt Track and Track Championships.

#### **RESOLUTION OM2022/02/23.19**

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council approve a major sponsorship of \$2,500.00 and an additional \$2,500.00 to assist with the hiring of equipment to the Whitsunday Dirt Riders Club to assist in hosting the 2022 Queensland Dirt Track and Track Championships.

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.4.6 - Request for Sponsorship - Arts Acquisition Program - 2022 Whitsundays Arts Festival

PURPOSE

Council to consider a request for sponsorship from the Whitsundays Arts Festival committee to provide monetary support for the 2022 Arts Acquisition Program in conjunction with the annual Whitsundays Arts Festival held in Airlie Beach on 24-25 September 2022.

OFFICER'S RECOMMENDATION

That Council approve a cash sponsorship of \$5,000.00 to the Whitsunday Arts Festival committee for the 2022 Arts Acquisition Program for the Whitsunday Art Prize which is in conjunction with the annual Whitsundays Arts Festival to be held in Airlie Beach on 24-25 September 2022.

RESOLUTION OM2022/02/23.20

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

That Council approve a cash sponsorship of \$5,000.00 to the Whitsunday Arts Festival committee for the 2022 Arts Acquisition Program for the Whitsunday Art Prize which is in conjunction with the annual Whitsundays Arts Festival to be held in Airlie Beach on 24-25 September 2022.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.4.7 - Request for Financial Assistance - Bowen Seagulls Junior Rugby League**

#### **PURPOSE**

For Council to consider a request for financial assistance from Bowen Seagulls Junior Rugby League to assist with the establishment of a senior team to participate in the Townsville District Rugby League competition.

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

That Council approve financial assistance of \$10,000.00 to Bowen Seagulls Junior Rugby League to assist with the start-up and operational costs associated with the establishment of a senior team in 2022.

#### **RESOLUTION OM2022/02/23.21**

**Moved By: CR M WRIGHT**

**Seconded By: CR M BRUNKER**

**That Council approve financial assistance of \$10,000.00 to Bowen Seagulls Junior Rugby League to assist with the start-up and operational costs associated with the establishment of a senior team in 2022.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.5.1 - Operational Report - Infrastructure Services - January 2022

PURPOSE

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

OFFICER'S RECOMMENDATION

That Council receive the Infrastructure Services Operational Report for the month of January 2022.

RESOLUTION OM2022/02/23.22

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council receive the Infrastructure Services Operational Report for the month of January 2022.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.5.2 - Disaster Recovery Funding Arrangements (DRFA) and Shute Harbour Project - November and December 2021**

#### **PURPOSE**

To inform Council on progress of Capital Projects being undertaken during the 2021/2022 financial year for the months of November and December 2021.

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

That Council receive the Disaster Recovery Funding Arrangements (DRFA) and Shute Harbour Project Capital Progress Report for November and December 2021.

#### **RESOLUTION OM2022/02/23.23**

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council receive the Disaster Recovery Funding Arrangements (DRFA) and Shute Harbour Project Capital Progress Report for November and December 2021.

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.5.3 - Disaster Recovery Funding Arrangements (DRFA) and Shute Harbour Project - January 2022

PURPOSE

To inform Council on progress of Capital Projects being undertaken during the 2021/2022 financial year for the month of January 2022.

OFFICER'S RECOMMENDATION

That Council receive the Disaster Recovery Funding Arrangements (DRFA) and Shute Harbour Project Capital Progress Report for January 2022.

RESOLUTION OM2022/02/23.24

Moved By: CR M WRIGHT

Seconded By: CR M BRUNKER

That Council receive the Disaster Recovery Funding Arrangements (DRFA) and Shute Harbour Project Capital Progress Report for January 2022.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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#### **13.5.4 - Foxdale Quarry Business Activity Report - January 2022**

##### **PURPOSE**

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

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

That Council receive the Business Activity Report for the Foxdale Quarry for the month of January 2022.

##### **RESOLUTION OM2022/02/23.25**

Moved By: CR A GRUNDY

Seconded By: CR G SIMPSON

That Council receive the Business Activity Report for the Foxdale Quarry for the month of January 2022.

##### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.5.5 - Infrastructure Services Capital Progress Report - January 2022

PURPOSE

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

OFFICER'S RECOMMENDATION

That Council receives the Infrastructure Services Capital Progress Report for the month of January 2022.

RESOLUTION OM2022/02/23.26

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council receives the Infrastructure Services Capital Progress Report for the month of January 2022.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.5.6 - Whitsunday Water and Waste Business Activity Report - January 2022

#### PURPOSE

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

#### OFFICER'S RECOMMENDATION

That Council receive the Whitsunday Water and Waste Business Activity Report for January 2022.

#### RESOLUTION OM2022/02/23.27

Moved By: CR M WRIGHT

Seconded By: CR A GRUNDY

That Council receive the Whitsunday Water and Waste Business Activity Report for January 2022.

#### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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14 MATTERS OF IMPORTANCE

Cr Brunker foreshadowed a motion that Council delegate to the CEO to change the zoning of vacant land, from low impact industrial to residential as a matter of priority by the end of February.

After further discussions with Council, Cr Brunker withdrew his foreshadowed motion and the Director Development Services advised that this will be taken offline and dealt with as a matter of priority.

MATTERS OF IMPORTANCE – REUSABLE PRODUCTS PROGRAM

RESOLUTION OM2022/02/23.28

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

That a report be brought back to Council for consideration in the 2022/23 budget, the provision of funding to allow for a community funding program and public consultation on the replacing of disposable nappies and other sanitary items with reusable products.

MEETING DETAILS

The motion was Carried 6 / 1.

CARRIED

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**MATTERS OF IMPORTANCE – HAMILTON PLAINS UPGRADE PROJECT – PROGRESS UPDATE**

**RESOLUTION OM2022/02/23.29**

**Moved By: CR J COLLINS**

**Seconded By: CR J CLIFFORD**

**That Council receive a verbal report from the Director of Infrastructure Services and furthermore request the Chief Executive Officer to write to the Director General of Transport and Main Roads for an update on the progress on the Hamilton Plains upgrade project.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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MATTERS OF IMPORTANCE – PROSERPINE HOSPITAL PARKING

RESOLUTION OM2022/02/23.30

Moved By: CR M BRUNKER

Seconded By: CR J COLLINS

That a report be brought back to Council regarding the parking around the Proserpine Hospital.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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**15 LATE REPORT ITEMS**

No late agenda items for this meeting.

**16 CLOSURE OF MEETING**

The Meeting closed at 12.37pm.

Confirmed as a true and correct recording this 9 March 2022.

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**Cr Andrew Willcox**

**MAYOR**