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Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
Mantra Club Croc, 240 Shute Harbour Rd, Cannonvale on
13 May 2020 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:

Jason Bradshaw (Acting Chief Executive Officer); Julie Wright (Director Community Services); Neil McGaffin (Director Development Services); Matthew Fanning (Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); Norman Garsden (Manager Governance & Administration); Tailah Jensen (Governance Administration Officer/Minute Taker)

Other Officers Present (Partial Attendance):

Adam Hagy (Deputy Director Infrastructure Services); Trevor Williams (Disaster Recover Project Director); Sarah Bon (Disaster Recovery Finance Officer); Peter Ahern (Disaster Recovery Project Officer); Kara Jeffrey (Disaster Recovery Project Officer); Troy Pettiford (COO Whitsunday Water); Craig Turner (Chief Operating Officer – Aviation and Tourism).

Other Details:

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.07am

The meeting reconvened from morning tea at 10.31am

The meeting closed at 11.45am

Whitsunday Regional Council

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13 May 2020 commencing at 9:00am

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1. Apologies

No Agenda items for this section.

2. Condolences

2.1 2020/05/13.01 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 G SIMPSON**

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 Mayoral Minute

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No Agenda items for this section.

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3.2 Mayoral Update

Since my last Council meeting on April 29, 2020

Wednesday 29 April	<ul style="list-style-type: none">• Council Meeting followed by Councillor Induction Workshop, in Bowen
Thursday 30 April	<ul style="list-style-type: none">• Teleconference for Greater Whitsunday Council of Mayors• Filmed Covid-19 update for easing of restrictions starting May Day weekend• Teleconference for Mackay DDMG Meeting – COVID19• That evening, Teleconference for Tourism Whitsunday's April Networking
Friday 1 May	<ul style="list-style-type: none">• I had a site visit at Shute Harbour with Federal Member for Dawson, George Christensen for start of pile driving• Teleconference with Mackay HHS - COVID-19 update
Monday 4 May	<ul style="list-style-type: none">• May Day Public Holiday
Tuesday 5 May	<ul style="list-style-type: none">• Teleconference for Whitsunday LDMG meeting
Wednesday 6 May	<ul style="list-style-type: none">• Briefing Session, in Bowen• Teleconference with Premier and Queensland Mayors for Covid-19 update• That evening, I lit a candle to pay tribute to "Domestic Violence Victims"
Thursday 7 May	<ul style="list-style-type: none">• Teleconference for Mackay DDMG Meeting – COVID19
Friday 8 May	<ul style="list-style-type: none">• Teleconference with Mackay HHS - COVID-19 update
Monday 11 May	<ul style="list-style-type: none">• Attended Councillor Workshop, in Proserpine• Teleconference for Whitsunday LDMG meeting• That evening had a teleconference with Bowen Collinsville Enterprise committee
Tuesday 12 May	<ul style="list-style-type: none">• Radio interview with Rachel from Hit FM• Radio interview with Jay & Dave from Triple M• Audit & Risk Committee Meeting, in Bowen• Meeting with ratepayer• Meeting with Superintendent of Police, Glenn Morris

4. Confirmation of Minutes

4.1 2020/05/13.02 CONFIRMATION OF MINUTES REPORT

SUMMARY

Council is required to confirm the minutes of the Ordinary Council Meeting Minutes held on 29 April 2020.

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 29 April 2020.

RESOLUTION

Moved by: **CR J CLIFFORD**

Seconded by: **CR G SIMPSON**

That Council confirms the Minutes of the Ordinary Meeting held on 29 April 2020.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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#### **5. Delegations**

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No agenda items for this section.

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6. Petitions

No agenda items for this section.

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#### **7. Notice of Motion**

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No agenda items for this section.

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8. Questions on Notice

No agenda items for this section.

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## 9. Questions from Public Gallery

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### PUBLIC QUESTION TIME

At this time in the meeting the opportunity is provided to members of the gallery to ask questions of the Council or to make statements about the Council and its operations. Under Council's Standing Orders the following applies in relation to this public question time:

1. In every Council 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. Questions from the Public Gallery will be taken on notice and may or may not be responded to at the Meeting and must be submitted in writing to Council prior to the Council Meeting in accordance with Council's Policy for Standing Orders – Meetings. The time allocated shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at any one (1) meeting. The right of any individual to address the Council during this period shall be at absolute discretion of the Council.
2. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
3. 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.

**During this meeting there were three public questions. The Chief Executive Officer read out the public question time statement and then read each question followed by Council's response to those questions.**

### **QUESTION ONE**

**Name:** Clay Bauman

**Address:** 12 Eshelby Drive, Cannonvale

Dear Mr Bradshaw,

Please find below my question from the public gallery for the Council meeting planned for 13/5/20. In the interest of safety for Councillors and staff I request that this be read out on my behalf.

Hello Mr Mayor and Councillors.

I am Clay Bauman of 12 Eshelby Drive, Cannonvale.

The planning department have stated that only what the planning scheme says now sets the minimum lot size for a development application, not Council policy that would require both size and dimensions. The Port of Airlie subdivision applied for 13 lots.

3 of these lots did not meet minimum size in area required by the current Planning Scheme for a mixed use zone, being 800 square metres.

The code assessment development approval was given in breach of the Planning Act.

Section 45 (2) A categorising instrument states the category of assessment that must be carried out for the development.

The Whitsunday Planning Scheme required impact assessment and public notification.

Please advise me what Council will be doing to rectify this error.

Thank you for your time and I look forward to your response.

Clay Bauman

**Councils Response:**

*Please be advised that the land you are referring to is land that forms future public land, either road reserve or public open space, and does not need to comply with minimum lot size requirements.*

*Please note on this basis, there has been no error in the manner in which the application has been processed.*

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QUESTION TWO

Name: Cathy Shepherd

Address:

Dear Councillors

To be raised again at your next meeting 13 May 2020.

I am writing to refer you back to the letter I sent to council 3 months ago.

The growth that I was referring to is now, after such a short time, more than a metre high in many cases. I have attached photographs I took last week between my home at 50 Rose Bay Rd and the roundabout at the end of Rose Bay Road. There are also some which are just about 10 metres off the road along the 'crabbing track'. Most of this growth is now loaded with seed pods or flowering ready to sprout more. The before mentioned mature trees (2 to 3 m tall) are heavy with dry pods about the split and spread thousands more seeds into the reserve area.

I have also attached a photo taken on the same day along Queens Road where the Leucaena growth is out of control and a photo of the National Landcare sign which Council erected about 2 years ago. The sign and the uncontrolled infestation of Leucaena in such close proximity are totally opposing paradigms.

Zip file of Leucaena Outbreak 2 attached. Zip file of Leucaena Outbreak 1 to follow.

Could you please raise this issue again at your next council meeting to insure that, as I mentioned previously, Rose Bay Road (which goes through the middle of two nature reserves) does not end up like Queens Road in the very near future?

Thanking you for your time and attention.
Yours truly
Cathy Shepherd

Councils Response:

The main weeds identified in your photographs are Sesbania sp, Sesbania sesban, and Leucaena leucocephala. [Sesbania is not a restricted or prohibited pest plant under the Queensland Biosecurity Act 2014.](#) Leucaena is not a State Declared weed, as it is not listed in the Queensland Biosecurity Act 2014 as a restricted or prohibited plant.

Leucaena has been long recognised as a problem plant by the Whitsunday Regional Council. In June 2007, Leucaena was first declared as a nuisance weed and a Locally Declared weed under Council's Local Law. Whitsunday Regional Council was one of the first Councils in Queensland to locally declare Leucaena as a problem weed. This enables Council to:

- *Recognise the invasive nature of the plant,*
- *allocate resources towards its control, and*
- *work with landholders to control, reduce and manage infestations.*

Council will ensure that the Rose Bay Leucaena Infestation is included in the weed spraying schedule and continue to monitor the areas.

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**QUESTION THREE**

**Name:** Ross Newell – President Whitsunday Regional Residents Association Inc.

**Address:**

Dear Sir,

Re: Question on Notice for Wrc Meeting to be held 29 April 2020.

Following the Electoral Commission of Qld Divisional Review of Whitsunday Regional Council Divisions in 2019, would Council please provide a current breakdown in Dollar (\$) value of the total rates paid by each current separate and new Divisions 1 – 6 .

Thanking you for your assistance.

Sincerely  
Ross Newell

**Councils Response:**

*Local government electoral divisions exist solely for electoral purposes, to ensure equitable democratic representation within a local government area (through the reasonable proportion of electors per division) and are not a relevant consideration when establishing the budget, including setting the rates and charges.*

*Council has established 41 categories for rating purposes; the rating categories are adopted annually by resolution at a Special Budget Meeting, to apply across the whole local government area (across all electoral divisions) to recognise that it is appropriate for different types of land use to contribute different amounts of rates. I note that the Local Government Act 2009 requires that Councillors serve the overall public interest of the whole local government area, i.e. not based on electoral divisions.*

*It is also noted that Electoral Divisions are reviewed (and possibly changed) on a quadrennial basis.*

*For these reasons, Council does not maintain information on rates generated per electoral Division.*

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10. Office of the Mayor and CEO

No agenda items for this section.

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**11. Corporate Services**

**11.1 2020/05/13.03 OPERATIONAL PLAN 2019/20 QUARTERLY REVIEW -  
QUARTER 3**

**SUMMARY**

Council's Operational Plan states how Council will progress the implementation of the 5-year Corporate Plan during the 2019/20 period.

**RECOMMENDATION**

That Council:

1. Adopt the amended Operational Plan 2019/20; and
2. Receive the Operational Plan 2019/20 Quarter Three Review Report.

**RESOLUTION**

**Moved by: CR M WRIGHT**

**Seconded by: CR J COLLINS**

**That Council:**

1. **Adopt the amended Operational Plan 2019/20; and**
2. **Receive the Operational Plan 2019/20 Quarter Three Review Report.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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The Operational Plan was amended to reflect the changes in the organisation structure that came into effect in December 2019.

12. Development Services

12.1 2020/05/13.04 20200048 – DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - MEDIUM IMPACT INDUSTRY - 27 DON STREET BOWEN - LOT 9 ON RP 745384 - T HICKMOTT & V HICKMOTT C/- VERIS

SUMMARY

The Applicant has lodged a development application for Medium Impact Industry development permit to be able to operate a panel beating and spray-painting workshop. Panel beating is a low impact industry activity, however, with the inclusion of spray painting the use increases to Medium Impact Industry.

The lot is currently zoned Low Residential Density and is adjoining a Medium Impact Industry Zone and gains access from Don Street.

Medium Impact Industry is not generally supported within the Low-Density Residential Zone due to the negative impacts the development could have on the surrounding residential amenity. However, the adjoining residential area has reduced amenity expectations being located adjacent to a Medium Impact Industry zone (Concrete Works).

There was one submission and the issues can be adequately dealt with by condition. It is recommended that the application be approved with relevant conditions.

RECOMMENDATION

That Council approve the application for Development Permit for Material Change of Use - Medium Impact Industry (Panel Beater & Spray Painting Workshop), made by V Hickmott & T Hickmott, on Lot 9 RP 745384 and located at 27 Don Street BOWEN, subject to the conditions outlined in Attachment 1.

RESOLUTION

Moved by: CR M BRUNKER

Seconded by: CR J COLLINS

That Council approve the application for Development Permit for Material Change of Use - Medium Impact Industry (Panel Beater & Spray Painting Workshop), made by V Hickmott & T Hickmott, on Lot 9 RP 745384 and located at 27 Don Street BOWEN, subject to the conditions outlined in Attachment 1.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**12. Development Services**

**12.2 2020/05/13.05 20191362 - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES - SERVICE STATION - JURGENS PLACE BOWEN - IOR PETROLEUM PTY LTD**

**SUMMARY**

The application is for a new un-manned service station at Jurgens Place, Bowen. The proponent seeks to develop two (2) long-haul freight refuelling pumps, one (1) combined diesel tank and one (1) ablution block. The application is recommended for approval, subject to reasonable and relevant conditions.

**RECOMMENDATION**

That Council approve the application for Development Application for Material Change of Use (Service Station), made by IOR Petroleum Pty Ltd, on L: 13 SP: 232114 and located at Jurgens Place BOWEN, subject to the conditions outlined in Attachment 1.

**RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR M BRUNKER**

**That Council approve the application for Development Application for Material Change of Use (Service Station), made by IOR Petroleum Pty Ltd, on L: 13 SP: 232114 and located at Jurgens Place BOWEN, subject to the conditions outlined in Attachment 1.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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12. Development Services

12.3 2020/05/13.06 20200035 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR SHORT TERM ACCOMMODATION - 17/119 BOTANICA DRIVE, WOODWARK - MURPHY C/- WHITSUNDAY HOLIDAY RENTALS

SUMMARY

The proposal is for Short-term Accommodation of an existing dwelling house located at 119 Botanica Drive, Woodwark, within the Botanica Estate Body Corporate.

The premises is zoned Rural Residential, triggering an impact assessable development application. The applicant has provided all necessary information required by the Short-term Accommodation Guideline with the addition of a Gate and Road Procedure to help guests understand the specifics of the Body Corporate Estate.

The development application attracted a total of twelve (12) submissions during the Public Notification period.

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

RECOMMENDATION

That Council approve the application for Development Application for Material Change of Use (Short Term Accommodation), made by C L Murphy, on L: 17 SP: 153781 CTS: COV EE and located at 119 Botanica Drive WOODWARK, subject to the conditions outlined in Attachment 1.

RESOLUTION

Moved by: CR A GRUNDY

Seconded by: CR G SIMPSON

That Council approve the application for Development Application for Material Change of Use (Short Term Accommodation), made by C L Murphy, on L: 17 SP: 153781 CTS: COV EE and located at 119 Botanica Drive WOODWARK, subject to the conditions outlined in Attachment 1.

PROCEDURAL MOTION

Moved by: CR M BRUNKER

That the matter lie on the table until the next Ordinary Council Meeting being held on the 27th May 2020.

MEETING DETAILS:

The procedural motion was Carried 7/0

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**CARRIED**

## **12. Development Services**

**12.4 2020/05/13.07 20191416 - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - SHOWROOM - 2-12 CENTRAL AVENUE CANNONVALE - YOOGALU PTY LTD**

### **SUMMARY**

This application is for a new showroom on Lot 1 in Central Avenue, Cannonvale. The proponent seeks to develop a new purpose-built Harvey Norman showroom displaying furniture, household electrical appliances goods and computer sales and service and includes an area for warehousing of goods and appliances available for purchase in the showroom. 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 Material Change of Use - Showroom, made by Yoogalu Pty Ltd, on L: 1 SP: 310407 T: & EMT B and located at 2-12 Central Avenue CANNONVALE, subject to the conditions outlined in Attachment 1.

### **RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

**That Council approve the application for Development Application for Development Permit for Material Change of Use - Showroom, made by Yoogalu Pty Ltd, on L: 1 SP: 310407 T: & EMT B and located at 2-12 Central Avenue CANNONVALE, subject to the conditions outlined in Attachment 1.**

### **PROCEDURAL MOTION**

**Moved by: CR A GRUNDY**

**That the application lie on the table as the applicant has 'Stopped the Clock' for a period of 60 days, to 8 July 2020.**

### **MEETING DETAILS:**

The procedural motion was Carried 7/0

**CARRIED**

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12. Development Services

12.5 2020/05/13.08 20140012 - REQUEST TO EXTEND CURRENCY PERIOD - RECONFIGURATION OF A LOT ONE (1) LOT INTO TWO (2) LOTS - 106 PATULLO ROAD, GREGORY RIVER - 12 RP744909

SUMMARY

The applicant has requested a second extension of the relevant period for the Development Permit for One into Two allotments at 106 Patullo Road, Gregory River, formally described as Lot 12 on RP 744909.

RECOMMENDATION

That Council resolve to refuse the request for an extension of currency period of the Development Permit for Reconfiguration of a Lot - One (1) Lot into Two (2) Lots lodged by Veris on behalf of G D Spivey on land described as L: 12 RP: 744909 T: N1349/97, 106 Patullo Road, Gregory River, on the following grounds:

- a) the approval has gone beyond the currency periods set by the *Planning Act 2016*, having had six (6) years to commence and complete the development and no works have commenced to date;
- b) the applicant's submission provides no demonstration that works are likely to commence within the requested two-year extension.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council resolve to refuse the request for an extension of currency period of the Development Permit for Reconfiguration of a Lot - One (1) Lot into Two (2) Lots lodged by Veris on behalf of G D Spivey on land described as L: 12 RP: 744909 T: N1349/97, 106 Patullo Road, Gregory River, on the following grounds:

- a) the approval has gone beyond the currency periods set by the *Planning Act 2016*, having had six (6) years to commence and complete the development and no works have commenced to date;
- b) the applicant's submission provides no demonstration that works are likely to commence within the requested two-year extension.

PROCEDURAL MOTION

Moved by: CR G SIMPSON

That the application lie on the table until the application is properly made.

MEETING DETAILS:

The procedural motion was Carried 7/0

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## **12. Development Services**

**12.6 2020/05/13.09 20140001 - REQUEST FOR EXTENSION OF CURRENCY PERIOD - DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT – ONE (1) LOT INTO SIX (6) LOTS - ALLAN ROAD CONWAY BEACH – L5 RP738979 - DELOMA PTY LTD**

### **SUMMARY**

The Applicant has requested an extension of their Development Permit for Reconfiguring of One (1) lot into six (6) lots, Allan Road CONWAY BEACH.

### **RECOMMENDATION**

That Council resolve to refuse the request for an extension of currency period (two (2) years) of the Development Application for Reconfiguration of One (1) Lot into Six (6) Lots - Request for Extension lodged by Veris on behalf of Deloma Pty Ltd on land described as L: 5 RP: 738979 T: N1207/239, Allan Road CONWAY BEACH on the following grounds:

- a) the inconsistency of the conditional approval with the current laws and policies applying to the development, specifically the site is zoned Rural with a minimum lot size of 100ha. Despite the Court approval of the application, Council elected not to include the site in the Rural Residential zone in the current planning scheme, adopted in 2017;
- b) the community is unaware of the development due to the time which has elapsed since it was first approved by Council;
- c) there may be new members of the community who would make a submission against the development were it to be readvertised;
- d) the approval has had four (4) years to commence and complete the development, which is the new currency period provided for in the *Planning Act 2016* and no works have commenced to date.
- e) The original Development Application was for Reconfiguration of one (1) lot into five (5) lots, however through the Sealed Court Order, this was increased to one (1) lot into six (6) lots, unbeknown to the public.

### **RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR M WRIGHT**

**That Council resolve to refuse the request for an extension of currency period (two (2) years) of the Development Application for Reconfiguration of One (1) Lot into Six (6) Lots - Request for Extension lodged by Veris on behalf of Deloma Pty Ltd on land described as L: 5 RP: 738979 T: N1207/239, Allan Road CONWAY BEACH on the following grounds:**

- a) **the inconsistency of the conditional approval with the current laws and policies applying to the development, specifically the site is zoned Rural with a minimum lot size of 100ha. Despite the Court approval of the application, Council elected not to include the site in the Rural Residential zone in the current planning scheme, adopted in 2017;**

- b) the community is unaware of the development due to the time which has elapsed since it was first approved by Council;
- c) there may be new members of the community who would make a submission against the development were it to be readvertised;
- d) the approval has had four (4) years to commence and complete the development, which is the new currency period provided for in the *Planning Act 2016* and no works have commenced to date.
- e) The original Development Application was for Reconfiguration of one (1) lot into five (5) lots, however through the Sealed Court Order, this was increased to one (1) lot into six (6) lots, unbeknown to the public.

#### PROCEDURAL MOTION

Moved: CR J COLLINS

That the application lie on the table until further advice is received from the applicant.

#### MEETING DETAILS:

The procedural motion was Carried 7/0

CARRIED

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12. Development Services

12.7 2020/05/13.10 20130972 - REQUEST FOR EXTENSION OF CURRENCY PERIOD - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - 102 ADDITIONAL ACCOMMODATION UNITS - 8296 BOWEN DEVELOPMENTAL ROAD COLLINSVILLE, SODEXO

SUMMARY

The applicant has requested a one (1) year extension to a current approval for 102 additional accommodation units to an existing Non-resident workforce accommodation camp in Collinsville. The applicant has taken significant steps to commence the development approval with a pre-start meeting held with Council Officers on 19 February 2020 enabling construction to commence and works completed in the second week of April 2020. Based on the applicant's representations and the completed site civil works, the development will likely proceed should an additional one (1) year extension be granted. On this basis the request is recommended for approval. In approving the request Council is required to issue an infrastructure charges notice calculated in accordance with the requirements of the Adopted Infrastructure Charges Resolution (No.1 of 2019).

RECOMMENDATION

That Council:

1. Resolve to approve the request for an extension of currency period of the Development Permit for Material Change of Use - 102 Additional Accommodation Units - lodged by Sodexo on land described as L: 2 MPH: 30801, 8296 Bowen Developmental Road, Collinsville to 9 March 2021;
2. Council issue an Infrastructure Charges Notice to Sodexo under the Adopted Infrastructure Charges Resolution (No. 1 2019) of \$1,068,796.80; and
3. That Council request the Chief Executive Officer to write to Sodexo and partners requesting the installation and construction of a dual use footpath from construction camp through to the Collinsville town centre.

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR J CLIFFORD

That Council:

1. **Resolve to approve the request for an extension of currency period of the Development Permit for Material Change of Use - 102 Additional Accommodation Units - lodged by Sodexo on land described as L: 2 MPH: 30801, 8296 Bowen Developmental Road, Collinsville to 9 March 2021;**
2. **Council issue an Infrastructure Charges Notice to Sodexo under the Adopted Infrastructure Charges Resolution (No. 1 2019) of \$1,068,796.80; and**
3. **That Council request the Chief Executive Officer to write to Sodexo and partners requesting the installation and construction of a dual use footpath from construction camp through to the Collinsville town centre.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## 12. Development Services

12.8 2020/05/13.11 DEVELOPMENT SERVICES MONTHLY REPORT -  
MARCH 2020

## SUMMARY

Development Services Monthly Report is presented detailing the activity and statistics for the month of March 2020.

## RECOMMENDATION

That Council receive the Development Services Monthly Report for March 2020.

## RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR M BRUNKER

That Council receive the Development Services Monthly Report for March 2020.

## MEETING DETAILS:

The motion was Carried 7/0

**CARRIED**

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13. Community Services

13.1 2020/05/13.12 REQUEST FOR DONATION - RATES & SERVICES CHARGES - GIRUDALA COMMUNITY CO-OPERATIVE SOCIETY LTD

SUMMARY

Girudala Community Co-Operative Society Ltd is a not-for-profit organisation with charity status and is a direct supplier of social and affordable housing in the region.

RECOMMENDATION

That Council approve a donation of \$11,083.53 from budget code JC: 2967.10086.63150 - Community Donations (2967) / Rates & Services Charges Donations (10086), to the Girudala Community Co-Operative Society Ltd for the Rates & Services Charges for the 2019/2020 financial year, in accordance with Whitsunday Regional Council's Donations on Rates & Service Charges – Affordable Housing Organisations Policy.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR M BRUNKER

That Council approve a donation of \$11,083.53 from budget code JC: 2967.10086.63150 - Community Donations (2967) / Rates & Services Charges Donations (10086), to the Girudala Community Co-Operative Society Ltd for the Rates & Services Charges for the 2019/2020 financial year, in accordance with Whitsunday Regional Council's Donations on Rates & Service Charges – Affordable Housing Organisations Policy.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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### **13. Community Services**

**13.2 2020/05/13.13 DONATION ON COUNCIL FEES - APRIL 2020**

#### **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:

- a) donate the value of the fees, from budget code JC: 2967.11074 - Community Donations (2967) / Donations (11074), to the Proserpine Lions Club for Waste Disposal Fees of \$63.75,
- b) Furthermore, authorise the Chief Executive Officer to approve:
  - Request for Donation on Council Fee applications, and
  - Request for Donations, Sponsorships and In Kind Support applications up to the value of \$2,000.00, and
- c) approve the submission of a monthly report listing the applications processed.

#### **RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

That Council:

- a) **donate the value of the fees, from budget code JC: 2967.11074 - Community Donations (2967) / Donations (11074), to the Proserpine Lions Club for Waste Disposal Fees of \$63.75;**
- b) **Furthermore, authorise the Chief Executive Officer to approve:**
  - **Request for Donation on Council Fee applications, and**
  - **Request for Donations, Sponsorships and In Kind Support applications up to the value of \$2,000.00, and**
- c) **approve the submission of a monthly report listing the applications processed.**

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Infrastructure Services

No agenda items for this section.

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#### **15. Economic & Business Development**

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No agenda items for this section.

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16. General Business

There were a number of Operational Matters raised by Councillors, but no reports were requested back to Council.

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### Procedural Motion

2020/05/13.14      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 10.07am.

### MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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Procedural Motion

2020/05/13.15 PROCEDURAL MOTION - RECONVENE

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

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

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## **Procedural Motion**

**2020/05/13.16                    PROCEDURAL MOTION - CLOSURE OF MEETING**

**Moved by:                        CR J CLIFFORD**

**Seconded by:                  CR J COLLINS**

**That Council close the meeting to the public at 10.32am in accordance with Section 275 of the Local Government Regulations 2012, for the purpose of discussing employee or industrial matters, budget, rating concessions, contractual matters, legal proceedings, planning matters or other business likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.**

**17.3.1      20191165   –   INFRASTRUCTURE AGREEMENT FOR CONDITIONED STORMWATER QUALITY IMPROVEMENT DEVICES - 2-10 AND 24 COCONUT GROVE, AIRLIE BEACH – PORT OF AIRLIE**

- (c) the local government's budget
- (g) any action to be taken by the local government under the Planning Act 2016, including deciding applications made to it under that Act
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage

**17.3.2      PURCHASE OF LAND – CAR PARKING FOR PROSERPINE ADMIN BUILDING**

- (c) the local government's budget

**17.5.1      500.2019.0119 DRFA GRAVEL ROAD PACKAGE Y2 - COLLINSVILLE WEST - VARIATION**

- (e) contracts proposed to be made by it

**17.6.1      TENDER EVALUATION - 500.2020.0032 CANNONVALE WATER NETWORK AUGMENTATION STAGES 1A AND 1B**

- (e) contracts proposed to be made by it

**17.6.2      BUSINESS ACTIVITY REPORT - WHITSUNDAY COAST AIRPORT - MARCH 2020**

- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage

## **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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Procedural Motion

2020/05/13.17 PROCEDURAL MOTION – REOPEN OF MEETING

Moved by: CR J CLIFFORD

Seconded by: CR M BRUNKER

That Council reopen the meeting to the general public at 11.41am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**17.1      Confidential Matters – Office of the Mayor and CEO**

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No Agenda Items for this section.

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17.2 Confidential Matters – Corporate Services

No Agenda Items for this section.

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### **17.3 Confidential Matters – Development Services**

**17.3.1 2020/05/13.18 20191165 – INFRASTRUCTURE AGREEMENT FOR  
CONDITIONED STORMWATER QUALITY  
IMPROVEMENT DEVICES - 2-10 AND 24 COCONUT  
GROVE, AIRLIE BEACH – PORT OF AIRLIE**

#### **SUMMARY**

Council has approved a two into thirteen lot subdivision for mixed-use purposes at Port of Airlie. The applicant lodged a Negotiated Decision request in relation to stormwater quality improvement devices and has agreed to enter into an Infrastructure Agreement to bind the delivery of this infrastructure to building works stage for each proposed lot.

#### **RECOMMENDATION**

That Council:

- a) resolve to enter into an Infrastructure Agreement with Meridien Airlie Beach Pty Ltd (In Liquidation) (Receivers & Managers Appointed) and Meridien AB Pty Ltd (In Liquidation) (Receivers & Managers Appointed), applicant for the subdivision of land described as Lot 105 on SP232115 and Lot 106 on SP172255 in relation to proposed stormwater quality improvement devices.
- b) authorise the Chief Executive Officer to negotiate the terms of the Infrastructure Agreement.

#### **RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M BRUNKER**

**That Council:**

- a) **resolve to enter into an Infrastructure Agreement with Meridien Airlie Beach Pty Ltd (In Liquidation) (Receivers & Managers Appointed) and Meridien AB Pty Ltd (In Liquidation) (Receivers & Managers Appointed), applicant for the subdivision of land described as Lot 105 on SP232115 and Lot 106 on SP172255 in relation to proposed stormwater quality improvement devices.**
- b) **authorise the Chief Executive Officer to negotiate the terms of the Infrastructure Agreement.**

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17.3 Confidential Matters – Development Services

17.3.2 2020/05/13.19 PURCHASE OF LAND – CAR PARKING FOR PROSERPINE ADMIN BUILDING

SUMMARY

There is no certainty that Council is going to be able to achieve ownership of the QFES site in Proserpine in sufficient time and within suitable cost prior to the completion of the Proserpine Administration Building. If Council is successful in acquiring the land it may be faced with a significant demolition bill followed by the cost of any decontamination and construction of the carpark. Delays have already been encountered and the recent report into contamination on the site gives good reason for alternative carpark options to be considered. Options for alternative carparking are produced for discussion and decision of Council.

RECOMMENDATION

That Council:

- a) Delegate to the Chief Executive Officer to negotiate and purchase the land, to develop the site for the purpose of carparking associated with the Proserpine Administration Building;
- b) Delegate to the Chief Executive Officer the authority to finalise, advertise and determine the Development Application; and
- c) Delegate to the Chief Executive Officer the authority to amend the Decision Notice Approval 20190698.

RESOLUTION

Moved by: **CR J COLLINS**

Seconded by: **CR A GRUNDY**

That Council:

- a) **Endorse option four as presented and delegate to the Chief Executive Officer to negotiate and purchase the land, to develop the site for the purpose of carparking associated with the Proserpine Administration Building;**
- b) **Delegate to the Chief Executive Officer the authority to finalise, advertise and determine the associated Development Application; and**
- c) **Delegate to the Chief Executive Officer the authority to amend the Decision Notice Approval 20190698.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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#### **17.4. Confidential Matters – Community Services**

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No Agenda Items for this section.

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17.5 Confidential Matters – Infrastructure Services

17.5.1 2020/05/13.20 500.2019.0119 DRFA GRAVEL ROAD PACKAGE Y2 - COLLINSVILLE WEST - VARIATION

SUMMARY

Whitsunday Regional Council (Council) resolved to award the 500.2019.0119 DRFA Package Y2 – Collinsville West Contract to LD & LJ Hillery Pty Ltd T/As Hillery Group on the 11th December, 2019 for the amount of \$9,767,622.42 (excluding GST) with a 20% contingency of \$1,953,524.48 (excluding GST) added making the final amount \$11,721,146.90 (excluding GST).

COMMENDATION

That Council resolves to accept the Scartwater Road variation of \$974,278.35 (excluding GST) to LD & LJ Hillery Pty Ltd T/As Hillery Group in accordance with 500.2019.0119 DRFA Package Y2 – Collinsville West Contract, amending the contract sum for a total amount of \$12,695,425.25 (excluding GST).

RESOLUTION

Moved by: CR M BRUNKER

Seconded by: CR J CLIFFORD

That Council resolves to accept the Scartwater Road variation of \$974,278.35 (excluding GST) to LD & LJ Hillery Pty Ltd T/As Hillery Group in accordance with 500.2019.0119 DRFA Package Y2 – Collinsville West Contract, amending the contract sum for a total amount of \$12,695,425.25 (excluding GST).

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**17.6 Confidential Matters – Economic & Business Development**

**17.6.1 2020/05/13.21 TENDER EVALUATION - 500.2020.0032 CANNONVALE  
WATER NETWORK AUGMENTATION STAGES 1A  
AND 1B**

**SUMMARY**

Whitsunday Regional Council (Council) called for tenders for the supply and installation of watermain at various locations in Cannonvale.

**RECOMMENDATION**

That Council award contract 500.2020.0032 Cannonvale Water Network Augmentation Stages 1A and 1B to Roebuck Civil Pty Ltd for the amount of \$889,109.00 (excluding GST).

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR A GRUNDY**

**That Council award contract 500.2020.0032 Cannonvale Water Network Augmentation Stages 1A and 1B to Roebuck Civil Pty Ltd for the amount of \$889,109.00 (excluding GST).**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17.6 Confidential Matters – Economic & Business Development

**17.6.2 2020/05/13.22 BUSINESS ACTIVITY REPORT - WHITSUNDAY COAST
AIRPORT - MARCH 2020**

SUMMARY

The March 2020 Whitsunday Coast Airport Business Unit Activity Report are presented detailing activity and statistics for the month.

RECOMMENDATION

That Council receive the Whitsunday Coast Airport Business Unit Activity Report for March 2020.

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR J COLLINS

That Council receive the Whitsunday Coast Airport Business Unit Activity Report for March 2020.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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***The meeting closed at 11.45am.***

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Confirmed as a true and correct recording this 27 May 2020.

**Cr Andrew Willcox
MAYOR**