



Minutes of the Ordinary Council Meeting held on Wednesday 9 March 2022 at Council Chambers, 83-85 Main Street, Proserpine

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

Councillors Present:

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

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):

James Ngoroyemoto (Manager, Governance and Administration); Peter Shuttlewood (Executive Manager Procurement Property and Fleet); Leah Bradley (Manager Finance)

The meeting commenced at 9.00am

The meeting closed at 10.30am

Whitsunday Regional Council
**Minutes of the Ordinary Council Meeting held at
Council Chambers, 83-85 Main Street, Proserpine on
Wednesday 9 March 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's silence for the recently deceased.

#### **RESOLUTION OM2022/03/09.1**

**Moved By: CR J CLIFFORD**

**Seconded By: CR G SIMPSON**

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

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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3 DECLARATIONS OF INTEREST

Cr Wright declared a prescribed conflict of interest in item 13.4.3 regarding Sport & Recreation Club Grants - Bowen Swimming Pool, in accordance with section 150EL of the *Local Government Act 2009*, due to the following:

The name of any entity, other than the councillor, that has an interest in the matter: Wal Wright

The nature of the councillor's relationship with the entity: Husband

Details of the councillor's, and any other entity's, interest in the matter: Wal is the president of the Bowen Swimming Club, therefore holding an executive position on the committee as a close relation to Cr Wright.

As a result of this conflict of interest, Cr Wright advised that she intends to leave the meeting and take no part in the discussion or decision making of this matter.

Director Community Services, Julie Wright advised that she has a conflict of interest in item 13.4.3 regarding Sport & Recreation Club Grants - Bowen Swimming Pool as her son is on the executive committee of the Bowen Swimming Pool and advised the meeting that she will leave the room while this matter is being discussed and voted on.

4 MAYORAL MINUTE

There was no mayoral minute for this meeting.

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## Since my last Council meeting on February 23rd, 2022

|                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Wednesday<br/>23 February</b> | <ul style="list-style-type: none"> <li>• Capital Projects update meeting</li> <li>• Council Meeting, in Bowen</li> <li>• Zoom Interview with Channel 7 about E-scooter approval</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Thursday<br/>24 February</b>  | <ul style="list-style-type: none"> <li>• Attended the North Queensland Cowboys 2022 season launch, in Townsville</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Friday<br/>25 February</b>    | <ul style="list-style-type: none"> <li>• Attended an Evening with the Cowboys, in Mackay</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Monday<br/>28 February</b>    | <ul style="list-style-type: none"> <li>• Interview with Channel 7 about Urannah Dam</li> <li>• Phone linkup with Gilmour Space Co-founder James Gilmour</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Tuesday<br/>1 March</b>       | <ul style="list-style-type: none"> <li>• Teams Meeting with Australian Sugar Milling Council CEO Rachele Sheard</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Wednesday<br/>2 March</b>     | <ul style="list-style-type: none"> <li>• Presented the opening address for Australian Local Government Women's Association's (ALGWA) National and State Conference being held at Airlie Beach</li> <li>• Catch up with Council's CEO Rod Ferguson</li> <li>• Interview with ABC Mackay to reflect on 5 year anniversary of TC Debbie</li> <li>• Interview with ABC Mackay about social housing in Whitsunday region</li> <li>• Filmed for Council's story for new Ted Cunningham Bridge which is nearing completion</li> <li>• Filmed at Proserpine Entertainment Centre (PEC) to promote Community Open Day on Sunday 27 March 2022</li> </ul> |
| <b>Thurs-Mon<br/>3- 7 March</b>  | <ul style="list-style-type: none"> <li>• Annual leave to attend family wedding</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Tuesday<br/>8 March</b>       | <ul style="list-style-type: none"> <li>• Attended CQU BMA Digital Innovation Skills Hive Launch, in Mackay</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



## 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 23 February 2022 are provided for Councils review and confirmation.

### OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 23 February 2022.

### RESOLUTION OM2022/03/09.2

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council confirms the Minutes of the Ordinary Meeting held on 23 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.

## 13 OFFICERS REPORTS

### 13.1 Office of the Mayor and CEO

#### 13.1.1 - Funding Opportunity : Remote Airstrip Upgrade Program

##### PURPOSE

The purpose of this report is to inform Council of the opportunity to apply for funds to improve safety conditions at Collinsville Aerodrome and attain commitment for required co-contributions.

##### OFFICER'S RECOMMENDATION

That Council resolves to:

1. Receive the report and approve lodging an application for funding to the Remote Airstrip Upgrade Program (RAUP) Round 9 seeking \$225,000 for the Collinsville Aerodrome Sealing Project.
2. Support the proposed Council co-contribution, should the project application be successful, for \$225,000 from either the 2021/22 Quarter Three Budget Review or the upcoming 2022-2023 Capital budget.
3. Note the total project cost is \$450,000.
4. Continue to seek alternate external funding support to reduce Council's contribution for the project.

##### RESOLUTION OM2022/03/09.3

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council resolves to:

1. Receive the report and approve lodging an application for funding to the Remote Airstrip Upgrade Program (RAUP) Round 9 seeking \$225,000 for the Collinsville Aerodrome Sealing Project.
2. Support the proposed Council co-contribution, should the project application be successful, for \$225,000 from either the 2021/22 Quarter Three Budget Review or the upcoming 2022-2023 Capital budget.
3. Note the total project cost is \$450,000; and
4. Continue to seek alternate external funding support to reduce Council's contribution for the project.

##### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

### **13.2.1 - Trustee Lease - Lot 53 Mt Aberdeen Road, Bowen - Lot 53 on DK124476 - Norman**

#### **PURPOSE**

To advise Council of an upcoming lease expiry and to consider the trustee lease renewal options.

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

That Council authorise the Chief Executive Officer to enter into negotiations and execute a whole of land trustee lease over Lot 53 on DK124476, Mt Aberdeen Road, Bowen with SJ & DM Norman for a 10-year term in accordance with Section 236(1)(c)(iii) of the Local Government Regulation 2012.

#### **RESOLUTION OM2022/03/09.4**

**Moved By: CR M WRIGHT**

**Seconded By: CR J COLLINS**

**That Council authorise the Chief Executive Officer to enter into negotiations and execute a whole of land trustee lease over Lot 53 on DK124476, Mt Aberdeen Road, Bowen with SJ & DM Norman for a 10-year term in accordance with Section 236(1)(c)(iii) of the Local Government Regulation 2012.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.2.2 - Trustee Lease - Lot 109 Mount Coolon Road, Collinsville - Lot 109 on DK111 - Hoare

PURPOSE

To advise Council that an offer has been received to enter into a trustee lease for Lot 109 Mount Coolon Road, Collinsville for the purpose of agistment.

OFFICER'S RECOMMENDATION

That Council authorise the Chief Executive Officer to enter into negotiations and execute a whole of land trustee lease over Lot 109 on DK111, Mt Coolon Road, Collinsville with Mr A Hoare for a 10-year term in accordance with Section 236(1)(e) of the Local Government Regulation 2012.

RESOLUTION OM2022/03/09.5

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

That Council authorise the Chief Executive Officer to enter into negotiations and execute a whole of land trustee lease over Lot 109 on DK111, Mt Coolon Road, Collinsville with Mr A Hoare for a 10-year term in accordance with Section 236(1)(e) of the Local Government Regulation 2012.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.2.3 - Electoral Boundaries Structure Review

#### PURPOSE

To reconsider reviewing the current electoral arrangements for Council and representation prior to the next local government election in 2024.

#### OFFICER'S RECOMMENDATION

That Council defer any review of the electoral arrangements of the local government area during the current 2020-2024 Council term.

#### RESOLUTION

That Council defer any review of the electoral arrangements of the local government area during the current 2020-2024 Council term.

#### PROCEDURAL MOTION - MATTER LIE ON THE TABLE OM2022/03/09.6

Moved by: CR M BRUNKER

That the matter lie on the table and a report be brought back regarding Community Consultation on Electoral Divisions.

#### MEETING DETAILS:

The procedural motion was Carried 7 / 0

**CARRIED**

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13.2.4 - 500.2021.0091 Preferred Suppliers Arrangement for Provision of Professional Legal Services

PURPOSE

This report presents to Council for consideration the Evaluation Panel's Recommendation to award Contract 500.2021.0091 Preferred Suppliers Arrangement for Provision of Professional Legal Services.

OFFICER'S RECOMMENDATION

That Council award Contract 500.2021.0091 Preferred Suppliers Arrangement for Provision of Professional Legal Services for the five-year contract period (with two additional twelve month extensions at Council discretion) to the following tenderers as per the relevant categories:

- a) Planning and Environment:
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers
 - 2. Colin Biggers & Paisley Pty Limited
- b) General Contracts and Commercial Law Matters:
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers
 - 2. Auxiom Pty Ltd T/As Auxlaw
- c) Property Law:
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers
 - 2. The Trustee For MBA Lawyers Unit Trust
- d) Employment and Industrial Relations:
 - 1. Colin Biggers & Paisley Pty Limited
 - 2. DWF Law Australia Pty Ltd T/As DWF (Australia)
- e) Regulatory/General Prosecutions:
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers
 - 2. McInnes Wilson Lawyers Pty Ltd
- f) General Litigation and Debt Recovery:
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers
 - 2. McInnes Wilson Lawyers Pty Ltd
- g) Administrative Law and Governance:
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers
 - 2. McKays NQ Pty Ltd
- h) Water Specific:
 - 1. Colin Biggers & Paisley Pty Limited
 - 2. McInnes Wilson Lawyers Pty Ltd
- i) Native Title and Indigenous Law:
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers
 - 2. McInnes Wilson Lawyers Pty Ltd
- j) Construction and Infrastructure Law:
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers
 - 2. MacDonnells Law Pty Ltd

RESOLUTION OM2022/03/09.7

Moved By: **CR J CLIFFORD**

Seconded By: **CR A GRUNDY**

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That Council award Contract 500.2021.0091 Preferred Suppliers Arrangement for Provision of Professional Legal Services for the five-year contract period (with two additional twelve month extensions at Council discretion) to the following tenderers as per the relevant categories:

- a) Planning and Environment:**
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers**
 - 2. Colin Biggers & Paisley Pty Limited**
- b) General Contracts and Commercial Law Matters:**
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers**
 - 2. Auxiom Pty Ltd T/As Auxlaw**
- c) Property Law:**
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers**
 - 2. The Trustee For MBA Lawyers Unit Trust**
- d) Employment and Industrial Relations:**
 - 1. Colin Biggers & Paisley Pty Limited**
 - 2. DWF Law Australia Pty Ltd T/As DWF (Australia)**
- e) Regulatory/General Prosecutions:**
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers**
 - 2. McInnes Wilson Lawyers Pty Ltd**
- f) General Litigation and Debt Recovery:**
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers**
 - 2. McInnes Wilson Lawyers Pty Ltd**
- g) Administrative Law and Governance:**
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers**
 - 2. McKays NQ Pty Ltd**
- h) Water Specific:**
 - 1. Colin Biggers & Paisley Pty Limited**
 - 2. McInnes Wilson Lawyers Pty Ltd**
- i) Native Title and Indigenous Law:**
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers**
 - 2. McInnes Wilson Lawyers Pty Ltd**
- j) Construction and Infrastructure Law:**
 - 1. J.R Arklay & Others T/As McCullough Robertson Lawyers**
 - 2. MacDonnells Law Pty Ltd**

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.2.5 - Unconfirmed Minutes - Audit and Risk Committee Meeting**

#### **PURPOSE**

Council is required to review and consider the recommendations of the Audit & Risk Committee. The minutes will also be confirmed by this Committee at the next available meeting.

The Audit & Risk Committee does not have decision-making authority and any recommendations it makes must be endorsed and approved by Council resolution prior to implementation or action.

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

That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 21 February 2022.

#### **RESOLUTION OM2022/03/09.8**

**Moved By:** CR J COLLINS

**Seconded By:** CR J CLIFFORD

**That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 21 February 2022.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.3.1 - Development Services Monthly Report

PURPOSE

This report presents information relating to the operations of the Development Services Directorate for the month of February 2022.

OFFICER'S RECOMMENDATION

That Council notes the Development Services Monthly Report for February 2022.

RESOLUTION OM2022/03/09.9

Moved By: CR A GRUNDY

Seconded By: CR M WRIGHT

That Council notes the Development Services Monthly Report for February 2022.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.4.1 - Sport & Recreation Clubs Grant - March 2022

#### PURPOSE

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

#### OFFICER'S RECOMMENDATION

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

1. Airlie Beach Bowls Club Inc. – Band 2 - \$3,000.00
2. Proserpine Whitsunday Rugby Union Inc. – Band 2 - \$3,000.00
3. Airlie Beach Football Club Inc. – Band 2 - \$3,000.00
4. Bowen Football Association – Band 2 - \$3,000.00
5. Whitsunday Running Club Inc. – Band 3 - \$1,500.00
6. Bowen Rugby Union Inc. – Band 3 - \$1,500.00
7. Airlie Beach Bridge Club Inc. – Band 4 - \$1,000.00
8. Whitsunday Coast 4x4 Club Inc. – Band 4 - \$1,000.00

#### RESOLUTION OM2022/03/09.10

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

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

1. Airlie Beach Bowls Club Inc. – Band 2 - \$3,000.00
2. Proserpine Whitsunday Rugby Union Inc. – Band 2 - \$3,000.00
3. Airlie Beach Football Club Inc. – Band 2 - \$3,000.00
4. Bowen Football Association – Band 2 - \$3,000.00
5. Whitsunday Running Club Inc. – Band 3 - \$1,500.00
6. Bowen Rugby Union Inc. – Band 3 - \$1,500.00
7. Airlie Beach Bridge Club Inc. – Band 4 - \$1,000.00
8. Whitsunday Coast 4x4 Club Inc. – Band 4 - \$1,000.00

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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13.4.2 - Financial Support for a Junior Elite Athlete - March 2022

PURPOSE

For Council to consider the application for Financial Support for a Junior Elite Athlete.

OFFICER'S RECOMMENDATION

That Council approve financial support for the following Junior Elite Athletes:

- a) Regan O'Loughlin – Representing North Queensland at the Swimming Queensland Sprint Championships – Brisbane - \$250.00
- b) Kayden Muir – Representing North Queensland at the Queensland State Swimming Championships – Brisbane - \$250.00.

RESOLUTION OM2022/03/09.11

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council approve financial support for the following Junior Elite Athletes:

- a) Regan O'Loughlin – Representing North Queensland at the Swimming Queensland Sprint Championships – Brisbane - \$250.00
- b) Kayden Muir – Representing North Queensland at the Queensland State Swimming Championships – Brisbane - \$250.00.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.4.3 - Sport & Recreation Club Grants - Bowen Swimming Club

*Director Community Services, Julie Wright and Cr M Wright left the meeting at 9.53am taking no part in the debate or voting in this matter.*

#### **PURPOSE**

For Council to consider the payment of the Sport & Recreation Clubs Grant to the Bowen Swimming Club in accordance with Council's Sport & Recreation Grant Guidelines.

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

That Council approve the payment of a Sport & Recreation Club Grant of \$3,000.00 to the Bowen Swimming Club for meeting the criteria of a Band 2 Club.

#### **RESOLUTION OM2022/03/09.12**

**Moved By: CR M BRUNKER**

**Seconded By: CR A GRUNDY**

**That Council approve the payment of a Sport & Recreation Club Grant of \$3,000.00 to the Bowen Swimming Club for meeting the criteria of a Band 2 Club.**

#### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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13.4.4 - Request for Sponsorship - 2022 Collinsville Rodeo - Collinsville Rodeo Association

Director Community Services, Julie Wright and Cr M Wright returned to the meeting at 9.54am.

PURPOSE

Council to consider a request for sponsorship from the Collinsville Rodeo Association to host the 2022 Collinsville Rodeo to be held on 25 June 2022.

OFFICER'S RECOMMENDATION

That Council approve a gold level of sponsorship of \$1,500 to the Collinsville Rodeo Association to assist with the annual event to be held in late June 2022.

RESOLUTION OM2022/03/09.13

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council approve a gold level of sponsorship of \$1,500 to the Collinsville Rodeo Association to assist with the annual event to be held in late June 2022.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.4.5 - Request for Sponsorship - Henry Snell "The Bowen Bullet" - The Dunlop Supersoft 300 Series**

#### **PURPOSE**

Council to consider a request for sponsorship assistance for Henry Snell "The Bowen Bullet" to compete in the Dunlop Supersoft 300 Series.

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

That Council approve a cash sponsorship of \$2,500 to assist Henry Snell in the Dunlop Supersport 300 Series motorcycle competition which includes eight rounds of racing held at circuits across Australia.

#### **RESOLUTION OM2022/03/09.14**

**Moved By: CR M WRIGHT**

**Seconded By: CR J CLIFFORD**

**That Council approve a cash sponsorship of \$5,000 to assist Henry Snell in the Dunlop Supersport 300 Series motorcycle competition which includes eight rounds of racing held at circuits across Australia.**

#### **MEETING DETAILS**

*With permission of the mover and seconder, Cr Brunner requested the sponsorship amount be changed to reflect the bronze sponsorship of \$5,000.*

The motion was Carried 7 / 0.

**CARRIED**

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13.4.6 - Community Services Monthly Report - February 2022

PURPOSE

The purpose of the report is to set out an account of statistics pertaining to the functions of each branch within the Community Services Directorate for the month of February 2022.

OFFICER'S RECOMMENDATION

That Council receive the Community Services Monthly Report for February 2022.

RESOLUTION OM2022/03/09.15

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council receive the Community Services Monthly Report for February 2022.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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**14 MATTERS OF IMPORTANCE**

**RESOLUTION OM2022/03/09.16**

**Moved By: CR J COLLINS**

**Seconded By: CR J CLIFFORD**

**That Whitsunday River Improvement Trust be included in future correspondence in regards to development and future planning with Hamilton Plains and Googanga Plains.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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Cr Clifford would like to thank Australian Local Government Womens Association, both State and National for their support and encouragement in the recent conference held in Airlie Beach.

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**15 LATE REPORT ITEMS**

*No Agenda items for this section.*

**16 CLOSURE OF MEETING**

***The meeting closed at 10.30am***

Confirmed as a true and correct recording this 23 March 2022.

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**Cr Michael Brunker  
Deputy Mayor**