



# **Minutes of the Ordinary Council Meeting held on Wednesday 9 November 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:**

Julie Hall (Mayor/Chair), Jan Clifford, 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); James Ngoroyemoto (Manager, Governance and Administration); Tailah Jensen (Governance Administration Officer/Minute Taker)

**Other Officers Present (Partial Attendance):**

Craig Turner (Chief Operating Officer – Aviation and Tourism); Gary Warrener (Economic Development Manager); Marianne Goldman (Administration Officer Aviation & Tourism); Amy Humphries (Terminals Officer - Aviation & Tourism)

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.02am

The meeting reconvened from morning tea at 10.37am

The meeting closed at 12.09pm

Whitsunday Regional Council  
**Minutes of the Ordinary Council Meeting held at  
Council Chambers, 83-85 Main Street, Proserpine on  
Wednesday 9 November 2022 commencing at 9:00 AM**

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## 1 APOLOGIES/LEAVE OF ABSENCE

There were no apologies/leaves of absence requests 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 OM2022/11/09.1

Moved By: CR J CLIFFORD

Seconded By: CR M BRUNKER

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

#### MEETING DETAILS

*Cr Brunker acknowledged the recent passing of Jack Webster, Bowen local community icon and fundraiser. Thoughts are with Shelly and the family.*

The motion was Carried 6 / 0.

CARRIED

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## 3 DECLARATIONS OF INTEREST

Cr Collins declared a prescribed conflict of interest in item 16.1.2 regarding Outstanding Rates and Charges - Sale of Land - Schedule 2 as defined by section 150EL of the *Local Government Act 2009*, due to some past business dealings with the landowner through Cr Collins' local business operations.

As a result of this conflict of interest, Cr Collins advised that he will leave the meeting and take no part in the discussion or decision making of this matter.

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## 4 MAYORAL MINUTE

There was no mayoral minute for this meeting.

|                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Wednesday<br/>26 October</b> | <ul style="list-style-type: none"> <li>• Meet &amp; Greet with Japanese Consul-general, Mr Masuo Ono at Bowen Council Chambers</li> <li>• Council Meeting, in Bowen</li> <li>• Meeting with ratepayer</li> </ul>                                                                                                                                                                                                                      |
| <b>Thursday<br/>27 October</b>  | <ul style="list-style-type: none"> <li>• Attended Storytime at Cannonvale Library which had a Halloween theme</li> <li>• Catch up with CEO, in Proserpine</li> <li>• Met with ratepayers, in Proserpine</li> </ul>                                                                                                                                                                                                                    |
| <b>Friday<br/>28 October</b>    | <ul style="list-style-type: none"> <li>• Attended Zonta Club's donation of books presentation at Cannonvale Library</li> <li>• Met with Officer in Charge of Whitsunday Police, Nathan Blain, in Cannonvale</li> <li>• Met with ratepayer, in Proserpine</li> <li>• Recorded video for Whitsunday Bushfire Resilience project</li> <li>• That afternoon, attended Tourism Whitsundays October board meeting, in Cannonvale</li> </ul> |
| <b>Saturday<br/>29 October</b>  | <ul style="list-style-type: none"> <li>• Attended morning tea for Ben &amp; Phyllis DeLuca to celebrate 60 years of operating the Bowen Summergarden Theatre</li> <li>• Travelled to Airlie Beach to attend Zonta's Derby Day luncheon</li> <li>• That evening attended Whitsunday Tourism Awards</li> </ul>                                                                                                                          |
| <b>Monday<br/>31 October</b>    | <ul style="list-style-type: none"> <li>• Catch up with CEO, in Bowen</li> <li>• Met with ratepayer, in Bowen</li> <li>• Internal meetings</li> <li>• That evening attended Urannah Project Information Night, in Collinsville</li> </ul>                                                                                                                                                                                              |
| <b>Tuesday<br/>1 November</b>   | <ul style="list-style-type: none"> <li>• Attended Real Mates Talk event at Hillery Group, in Bowen</li> <li>• Met with Bowen River Utilities, in Bowen</li> <li>• Attended video conference with Greater Whitsunday Council of Mayors (GWCoM) to brief on Bio Manufacturing</li> </ul>                                                                                                                                                |
| <b>Wednesday<br/>2 November</b> | <ul style="list-style-type: none"> <li>• Briefing Session, Proserpine</li> <li>• Travel to Gold Coast to attend Destination Q Forum</li> </ul>                                                                                                                                                                                                                                                                                        |
| <b>Thursday<br/>3 November</b>  | <ul style="list-style-type: none"> <li>• Attended Destination Q Forum 2022, at Gold Coast</li> <li>• That evening attended Networking Night after forum</li> </ul>                                                                                                                                                                                                                                                                    |
| <b>Friday<br/>4 November</b>    | <ul style="list-style-type: none"> <li>• Attended Tourism Whitsundays Catch up, at Gold Coast prior to awards</li> <li>• That evening attended Queensland Tourism Awards</li> </ul>                                                                                                                                                                                                                                                   |
| <b>Saturday<br/>5 November</b>  | <ul style="list-style-type: none"> <li>• Travelled home</li> </ul>                                                                                                                                                                                                                                                                                                                                                                    |

|                                      |                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Monday<br/>7 November</b></p>  | <ul style="list-style-type: none"> <li>• Catch up with CEO, in Bowen</li> <li>• Attended Economic Development Advisory Group meeting, in Bowen</li> <li>• Travelled to Cannonvale for update on Whitsunday Sailing Club Maritime Facility Building</li> <li>• Met with ratepayer, in Cannonvale</li> </ul>              |
| <p><b>Tuesday<br/>8 November</b></p> | <ul style="list-style-type: none"> <li>• Internal meetings, in Proserpine</li> <li>• Filmed Council Meeting update</li> <li>• Met with Mackay Hospital Foundation, in Proserpine</li> <li>• Chaired Whitsunday Disaster Management Group meeting, in Proserpine</li> <li>• Met with ratepayer, in Proserpine</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 26 October 2022 are provided for Councils review and confirmation.

### OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 26 October 2022.

### RESOLUTION OM2022/11/09.2

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council confirms the Minutes of the Ordinary Meeting held on 26 October 2022.

### MEETING DETAILS

The motion was Carried 6 / 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 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.



**QUESTION ONE**

**Name:** Clay Bauman

**Question:**

Good morning Madam Mayor and Councillors,

In Council's first consultation to introduce our current Planning Scheme, 88% of submissions were against the increase of building heights.

In the second Planning Scheme consultation, 86% of submissions were against the raised heights.

The Port of Airlie high-rise had over 2000 submissions – 100% against it.

The Shingley Beach proposal had over a thousand submissions. Everyone one against High-rise.

In the Airlie Beach Master Plan consultation, the most mentioned theme of all the replies was "No high rise in Airlie Beach"

And most recently, the Community Plan consultation had the top theme as low-rise built form.

In Council's own region wide telephone survey, so including people from each of your divisions, only 22% were in favour of increasing Airlie Beach heights from the 3, 4 and 5 storeys found in our old town plan.

Yet, in the October 12 meeting a Director seemed to be trying to convince you that people don't know what they want.

This is not surprising to me, that Director has a documented history of trying to circumvent community consultation.

I was very happy to read the CEO briefing pack, Madam Mayor, and see your promised strategic direction of real community consultation beginning to be implemented. I think you were right to question the validity of our community plan. I was a submitter and received the Council's feedback summary.

It stated that Consultation results have been integrated into the Plan. However, my review shows not one change had been made to include any theme mentioned by the public.

For all the feedback, only two intent statements were added, one said you might include climate risk in your decisions and the other says "We intend to develop a capable community able to welcome and support residents and visitors". This seems to show that Council sees us as the problem, not your current policies and plans that remain so out of touch with community sentiment.

For the members of the public who took the time to give you their opinions, the summary given to them then said;

Consultation results will be considered alongside the Plan by Council at an upcoming Council Meeting.

Both the agenda report and the Director's presentation in the meeting did not even mention the public consultation.

So, the consultation feedback about a plan that claims you wish to engage with the community in an open, transparent and genuine way, appears to show you are willing to mislead those that make the effort to reach out to you.

So, my question for today is. Why does it appear that Council constantly ignores so much of the public consultation responses it receives?

I thank you for your time

***A response will be provided to the customer in due course and included in the next available Ordinary Council Meeting agenda under the business arising section.***

## **13 OFFICERS REPORTS**

### **13.1 Office of the Mayor and CEO**

#### **13.1.1 - Funding Opportunity - School Transport Infrastructure Project and Australia Day**

##### **PURPOSE**

To seek funding support from the School Transport Infrastructure Project (STIP) 2022-23 Round 1 and Australia Day 2023 Community Grants programs.

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

That Council

1. Support the Gumlu State School Bus Shelter Project (cost \$78,500) for submission to the School Transport Infrastructure Project (STIP) 2022-23 Round 1 funding program.
2. Support Australia Day Celebration Community Breakfast (cost \$21,180) for submission to Australia Day 2023 Community Grants funding program.
3. Approve the proposed Council co-contributions should funding applications be successful for Australia Day Celebration Community Breakfast for \$4,580 from the 22/23 Community event budget.

##### **RESOLUTION OM2022/11/09.3**

Moved By: **CR M WRIGHT**

Seconded By: **CR J CLIFFORD**

That Council:

1. Support the Gumlu State School Bus Shelter Project (cost \$78,500) for submission to the School Transport Infrastructure Project (STIP) 2022-23 Round 1 funding program.
2. Support Australia Day Celebration Community event (cost \$21,180) for submission to Australia Day 2023 Community Grants funding program and provide some information to the community regarding the trial concept of Council hosting one regional Australia Day celebration.
3. Approve the proposed Council co-contributions should funding applications be successful for Australia Day Celebration Community event for \$4,580 from the 22/23 Community event budget.

##### **MEETING DETAILS**

The motion was Carried 4 / 2.

**CARRIED**

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### **13.1.2 - Quarterly Business Report - Aviation, Tourism & Economic Development (Unaudited)**

#### **PURPOSE**

The following report details the results of the September 2022 quarter for the Aviation, Tourism and Economic Development portfolio.

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

That Council receive the Quarterly Business Activity Report for Aviation, Tourism and Economic Development (Unaudited) for the first quarter 2022/23 from July to September 2022.

#### **RESOLUTION OM2022/11/09.4**

Moved By: **CR J CLIFFORD**

Seconded By: **CR G SIMPSON**

**That Council receive the Quarterly Business Activity Report for Aviation, Tourism and Economic Development (Unaudited) for the first quarter 2022/23 from July to September 2022.**

#### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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### 13.1.3 - Works for Queensland 21-24 - Variation of Project

#### PURPOSE

To seek approval to apply for a variation to the agreement with State Government to amend projects to be delivered under Works for Queensland (W4Q) 21-24.

#### OFFICER'S RECOMMENDATION

That Council approve a variation request to W4Q 21-24 as follows:

1. Remove:
  - a) Hydrotherapy above ground pool, Bowen \$75,000.00
  - b) Astro-Turfing of the Airlie Lagoon 'beach area' \$125,711.00
2. Include:
  - a) Denison Park Grandstand Replacement and Upgrade Project ~\$180,000.00

#### RESOLUTION OM2022/11/09.5

Moved By: CR M WRIGHT

Seconded By: CR G SIMPSON

That Council approve a variation request to W4Q 21-24 as follows:

1. Remove:
  - a) Hydrotherapy above ground pool, Bowen \$75,000.00
  - b) Astro-Turfing of the Airlie Lagoon 'beach area' \$125,711.00
2. Include:
  - a) Denison Park Grandstand Replacement and Upgrade Project ~\$180,000.00

#### MEETING DETAILS

The motion was Carried 5 / 1.

Cr Clifford voted against the motion.

**CARRIED**

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**PROCEDURAL MOTION - ADJOURNMENT OM2022/11/09.6**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M BRUNKER**

**That the meeting be adjourned for the purpose of morning tea at 10.02am.**

**MEETING DETAILS:**

The procedural motion was Carried 6 / 0

**CARRIED**

*During the meeting adjournment, the Mayor made presentations to Junior Elite Athletes and recognised the awards recently received by the Teams at Whitsunday Coast Airport and Shute Harbour Marine Terminal.*

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**PROCEDURAL MOTION - RECONVENE OM2022/11/09.7**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

**That the meeting be reconvened from morning tea at 10.37am.**

**MEETING DETAILS:**

The procedural motion was Carried 6 / 0

**CARRIED**

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### 13.2.1 - 2022/23 Operational Plan Q1 Review

#### PURPOSE

The purpose of this report is to present a written assessment of Council's progress towards implementing the annual Operational Plan 2022/23 for the period ending 30<sup>th</sup> September 2022 (Quarter 1 review).

#### OFFICER'S RECOMMENDATION

That Council receive the Operational Plan 2022/23 Quarter 1 Progress Report.

#### RESOLUTION OM2022/11/09.8

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council receive the Operational Plan 2022/23 Quarter 1 Progress Report.

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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### 13.2.2 - Q1 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 completed in the 2022/23 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 2022/23, 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 2022/23,
  - 6) the resulting revised Long-Term Financial Forecast for the financial years 2022/23 through 2031/32, inclusive,
  - 7) the revised Measures of Financial Sustainability (see Note 18 Financial Ratios); and
- b) to make the following transfers to and from reserves for the financial year 2022/23:
  - 1) \$ 5,610,208 from the Infrastructure Reserve to fund capital works projects, and
  - 2) \$ 21,192,498 from the Capital Works Reserve and
  - 3) \$3,190,181 to the Disaster Resilience Reserve.

#### RESOLUTION OM2022/11/09.9

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

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 2022/23, 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 2022/23,
  6. the resulting revised Long-Term Financial Forecast for the financial years 2022/23 through 2031/32, inclusive,



7. the revised Measures of Financial Sustainability (see Note 18 Financial Ratios); and

b. to make the following transfers to and from reserves for the financial year 2022/23:

1. \$ 5,610,208 from the Infrastructure Reserve to fund capital works projects, and
2. \$ 21,192,498 from the Capital Works Reserve and
3. \$3,190,181 to the Disaster Resilience Reserve.

## MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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### 13.2.3 - Representation on other Committees and Boards

#### PURPOSE

To provide Councillors the opportunity to nominate representatives on external Committees.

#### OFFICER'S RECOMMENDATION

That Council:

1. Appoint Mayor Julie Hall to the Whitsunday Regional Roads and Transport Group
2. Appoint Deputy Mayor, Cr Gary Simpson to the Audit and Risk Committee
3. Nominate the Deputy Mayor, Cr Gary Simpson to attend the meetings of the following Committees until Council has elected a new Councillor and appointed a Councillor representative to these committees:
  - a. Coastal Adaption Taskforce (C-CAT)
  - b. Local Authorities Waste Management Advisory Committee (LAWMAC)
  - c. Mackay Whitsunday Healthy Rivers to Reef Partnership
  - d. Reef Islands Initiative Whitsundays Project Advisory Group
  - e. Suicide Prevention Network Taskforce
  - f. Whitsunday Local Marine Advisory Committee
4. Appoint Councillor XXX to the Tourism Recovery Group
5. Appoint Councillor XXX to the Regional Development Australia Greater Whitsundays
6. Appoint Councillor XXX to the Greater Whitsunday Housing Project
7. Appoint Councillor XXX Clifford to the Whitsunday Headspace Committee

#### RESOLUTION OM2022/11/09.10

Moved By: **CR J COLLINS**

Seconded By: **CR G SIMPSON**

That Council:

1. Appoint Mayor Julie Hall to the Whitsunday Regional Roads and Transport Group
2. Appoint Deputy Mayor, Cr Gary Simpson to the Audit and Risk Committee
3. Nominate the Deputy Mayor, Cr Gary Simpson to attend the meetings of the following Committees until Council has elected a new Councillor and appointed a Councillor representative to these committees:
  - a. Coastal Adaption Taskforce (C-CAT)
  - b. Local Authorities Waste Management Advisory Committee (LAWMAC)
  - c. Mackay Whitsunday Healthy Rivers to Reef Partnership
  - d. Reef Islands Initiative Whitsundays Project Advisory Group
  - e. Suicide Prevention Network Taskforce
  - f. Whitsunday Local Marine Advisory Committee
4. Appoint Councillor Clifford to the Tourism Recovery Group until a new Councillor for Division 2 has been elected.
5. Appoint Councillor Clifford to the Regional Development Australia Greater Whitsundays
6. Appoint Councillor Clifford to the Greater Whitsunday Housing Project

## **7. Appoint Councillor Clifford to the Whitsunday Headspace Committee**

### **MEETING DETAILS**

The motion was Carried 5 / 1.

**CARRIED**

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### **13.3 Development Services**

#### **13.3.1 - 20220303 - Development Application for Material Change of Use (Short Term Accommodation) - 7 Pioneer Drive, Dingo Beach - KM WILLIS**

### **PURPOSE**

To present the assessment of the development application.

### **OFFICER'S RECOMMENDATION**

That Council approve the Development Application for Development Permit for Material Change of Use - Short Term Accommodation, made by K M Willis, on L: 106 D: 9353 T: N1218/53 and located at 7 Pioneer Drive Dingo Beach, subject to the conditions outlined in Attachment 1.

### **RESOLUTION OM2022/11/09.11**

**Moved By: CR J COLLINS**

**Seconded By: CR M BRUNKER**

**That Council approve the Development Application for Development Permit for Material Change of Use - Short Term Accommodation, made by K M Willis, on L: 106 D: 9353 T: N1218/53 and located at 7 Pioneer Drive Dingo Beach, subject to the conditions outlined in Attachment 1.**

### **MEETING DETAILS**

The motion was Carried 4 / 2.

**CARRIED**

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**13.3.2 - 20220708 - Development Application for Material Change of Use (Short-Term Accommodation) - 1 Mazlin Street, Airlie Beach - Britt Karl James As TTE C/- Wynne Planning And Development Pty Ltd**

**PURPOSE**

To present the assessment of the development application.

**OFFICER'S RECOMMENDATION**

That Council approve the Development Application for Development Permit for Material Change of Use – Short-Term Accommodation, made by Britt Karl James As TTE C/- Wynne Planning & Development Pty Ltd, on L: 608 A: 8595 and located at 1 Mazlin Street Airlie Beach, subject to the conditions outlined in Attachment 1.

**RESOLUTION OM2022/11/09.12**

**Moved By: CR G SIMPSON**

**Seconded By: CR J COLLINS**

**That Council approve the Development Application for Development Permit for Material Change of Use – Short-Term Accommodation, made by Britt Karl James As TTE C/- Wynne Planning & Development Pty Ltd, on L: 608 A: 8595 and located at 1 Mazlin Street Airlie Beach, subject to the conditions outlined in Attachment 1**

**MEETING DETAILS**

The motion was Carried 4 / 2.

**CARRIED**

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### 13.3.3 - Non-Residential Development Infrastructure Charges Payment Plan

#### PURPOSE

For Council to consider payment of Infrastructure charges over a period of up to three years if deemed appropriate by the Chief Executive Officer.

#### OFFICER'S RECOMMENDATION

That Council allow Residential and Non-Residential development to enter into an Infrastructure Agreement for the payment of infrastructure charges over a maximum period of up to 3 years, if deemed appropriate by Chief Executive Officer.

#### RESOLUTION OM2022/11/09.13

Moved By: CR J CLIFFORD

Seconded By: CR J HALL (MAYOR)

That Council allow Residential and Non-Residential development to enter into an Infrastructure Agreement for the payment of infrastructure charges over a maximum period of up to 3 years, if deemed appropriate by Chief Executive Officer.

#### MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.3.4 - Development Services Monthly Report - October 2022

#### PURPOSE

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

#### OFFICER'S RECOMMENDATION

That Council receives the Development Services Monthly Report for October 2022.

#### RESOLUTION OM2022/11/09.14

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council receives the Development Services Monthly Report for October 2022.

#### MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.4

#### Community Services

This is page 21 of the Minutes of Council's Ordinary Council Meeting - 9 November 2022

### **13.4.1 - Donation Request - Mt Coolon Community Christmas Tree**

#### **PURPOSE**

Council to consider a request for donation from the Isolated Children's Parent's Association Queensland Inc. Belyando/Mt Coolon Branch to provide entertainment for the Mt Coolon Community Christmas Tree.

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

That Council approve a donation of \$3,615 to assist the Isolated Children's Parents Association Queensland Inc Belyando/ Mt Coolon Branch to provide entertainment for the Mt Coolon Community Christmas Tree.

#### **RESOLUTION OM2022/11/09.15**

**Moved By: CR M WRIGHT**

**Seconded By: CR M BRUNKER**

**That Council approve a donation of \$3,615 to assist the Isolated Children's Parents Association Queensland Inc Belyando/ Mt Coolon Branch to provide entertainment for the Mt Coolon Community Christmas Tree.**

#### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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### 13.4.2 - Donation and In-Kind Requests - September and October 2022

#### PURPOSE

To advise Council of the donations and in-kind support up to \$2,000 provided for the month of September and October 2022.

#### OFFICER'S RECOMMENDATION

That Council note the donations and in-kind support provided for the month of September and October 2022 to the following recipients:

- a) Proserpine Canegrowers – Donation Sugar Cane Exhibit - \$100
- b) St Catherines Catholic College – 2022 Community Carnival - \$1,000
- c) Whitsunday Swimming Club – LC Transition Swimming Meet Awards - \$1,000
- d) Whitsunday Probus Club – Senior Week Bus Hire - \$1,000
- e) Proserpine State School – Community Christmas Carols - \$1,000
- f) Bowen Ministers Fraternal – Community Christmas Carols - \$1,000
- g) Bowen State High School – F1 State Final Sponsorship - \$1,500

#### RESOLUTION OM2022/11/09.16

Moved By: CR J COLLINS

Seconded By: CR M WRIGHT

That Council note the donations and in-kind support provided for the month of September and October 2022 to the following recipients:

- a) Proserpine Canegrowers – Donation Sugar Cane Exhibit - \$100
- b) St Catherines Catholic College – 2022 Community Carnival - \$1,000
- c) Whitsunday Swimming Club – LC Transition Swimming Meet Awards - \$1,000
- d) Whitsunday Probus Club – Senior Week Bus Hire - \$1,000
- e) Proserpine State School – Community Christmas Carols - \$1,000
- f) Bowen Ministers Fraternal – Community Christmas Carols - \$1,000
- g) Bowen State High School – F1 State Final Sponsorship - \$1,500

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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### 13.4.3 - Financial Support for a Junior Elite Athlete - November 2022

#### PURPOSE

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

#### OFFICER'S RECOMMENDATION

That Council approve financial support for the following applicants:

- a) Aliyah Palmer – NQ Track & Field Championships - \$250
- b) Charlie Williams – NQ Track & Field Championships- \$250
- c) Shailee Mewha – NQ Track & Field Championships - \$250
- d) Maxwell O'Keefe – Australian Representative Futsal Tour – \$2,000
- e) Reef Peel – Australian Representative Futsal Tour - \$2,000

#### RESOLUTION OM2022/11/09.17

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council approve financial support for the following applicants:

- a) Aliyah Palmer – NQ Track & Field Championships - \$250
- b) Charlie Williams – NQ Track & Field Championships- \$250
- c) Shailee Mewha – NQ Track & Field Championships - \$250
- d) Maxwell O'Keefe – Australian Representative Futsal Tour – \$2,000
- e) Reef Peel – Australian Representative Futsal Tour - \$2,000

#### MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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#### 13.4.4 - Sport & Recreation Club Grants - November 2022

##### **PURPOSE**

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

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

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

1. Bowen Bowls Inc. – Band 3 - \$1,500
2. Bowen Hockey Association Inc. – Band 3 - \$1,500

##### **RESOLUTION OM2022/11/09.18**

**Moved By: CR M WRIGHT**

**Seconded By: CR M BRUNKER**

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

- 1. Bowen Bowls Inc. – Band 3 - \$1,500**
- 2. Bowen Hockey Association Inc. – Band 3 - \$1,500**

##### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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### 13.4.5 - Donation on Council Fees October 2022

#### PURPOSE

Council to consider providing financial support for Not-for-Profit organisations to enable their event and facilities to continue to be an invaluable resource to our local communities.

#### OFFICER'S RECOMMENDATION

That Council approve the donation on Council fees for the following applicants.

1. Bowen Cricket Inc – Class 5 Event Application Fee - \$137
2. VMR Whitsundays – Local Law Licence Renewal - \$208
3. Alpha Epsilon Branch Inc – Local Law Licence Renewal - \$208
4. Whitsunday Community Gardens Inc – Local Law Licence Renewal - \$208
5. Save the Children Australia – Local Law Licence Renewal - \$208
6. Phoenix Tai Chi Bowen – Local Law Licence Renewal - \$208
7. Bowen Ministers Fraternal – Class 3 Event Application - \$407
8. Rotary Club of Airlie Beach – Class 3 Event Application Fee - \$407
9. Collinsville Lions Club Inc – Class 3 Event Application Fee - \$407
10. Queens Beach State School – Class 3 Event Application Fee - \$407
11. Coalface Experience – Class 3 Event Application Fee - \$407
12. Youth With a Mission – Class 3 Event Application Fee - \$407

#### RESOLUTION OM2022/11/09.19

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council approve the donation on Council fees for the following applicants.

1. Bowen Cricket Inc – Class 5 Event Application Fee - \$137
2. VMR Whitsundays – Local Law Licence Renewal - \$208
3. Alpha Epsilon Branch Inc – Local Law Licence Renewal - \$208
4. Whitsunday Community Gardens Inc – Local Law Licence Renewal - \$208
5. Save the Children Australia – Local Law Licence Renewal - \$208
6. Phoenix Tai Chi Bowen – Local Law Licence Renewal - \$208
7. Bowen Ministers Fraternal – Class 3 Event Application - \$407
8. Rotary Club of Airlie Beach – Class 3 Event Application Fee - \$407
9. Collinsville Lions Club Inc – Class 3 Event Application Fee - \$407
10. Queens Beach State School – Class 3 Event Application Fee - \$407
11. Coalface Experience – Class 3 Event Application Fee - \$407
12. Youth With a Mission – Class 3 Event Application Fee - \$407

#### MEETING DETAILS

*Cr Clifford advised that she is a financial member of the VMR Whitsunday and Rotary Club of Airlie Beach, however does not hold an executive position within either of these organisations.*

The motion was Carried 6 / 0.

**CARRIED**

### **13.4.6 - Sport & Recreation Facility Management Grant - Bowen Sporting Complex Co-ordinating Association Inc.**

#### **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 Sport & Recreation Facility Management Grant to Bowen Sporting Complex Co-ordinating Association Inc.

#### **RESOLUTION OM2022/11/09.20**

**Moved By: CR M WRIGHT**

**Seconded By: CR M BRUNKER**

**That Council approve the payment of a \$20,000 Sport & Recreation Facility Management Grant to Bowen Sporting Complex Co-ordinating Association Inc.**

#### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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### 13.4.7 - Whitsunday Regional Council Sustainable Events Guide

#### PURPOSE

The purpose of this report is to seek Council endorsement of the Whitsunday Regional Council Sustainable Events Guide for two weeks community consultation.

#### OFFICER'S RECOMMENDATION

That Council endorse for community consultation the Whitsunday Regional Council Sustainable Events Guide.

#### RESOLUTION OM2022/11/09.21

Moved By: CR G SIMPSON

Seconded By: CR J CLIFFORD

That Council endorse for community consultation the Whitsunday Regional Council Sustainable Events Guide.

#### MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.4.8 - Community Services Monthly Report - October 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 October 2022.

#### OFFICER'S RECOMMENDATION

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

#### RESOLUTION OM2022/11/09.22

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

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

#### MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.5.1 - Memorial Request for Stirling Edwards-Bland

#### PURPOSE

This report is seeking approval regarding the memorial requests for the late Stirling Edwards-Bland.

#### OFFICER'S RECOMMENDATION

That Council:

1. Approve the request from Stirling Edwards-Bland Family and friends to purchase the following for installation at Bicentennial Park Cannonvale as it meets the main criteria of the Memorials in Council Parks, Gardens, Open Spaces & Road Reserve Policy;
  - a) Memorial Plaque;
  - b) Pet Friendly Drinking Fountain
  - c) Dog Exercise equipment; and
2. Approve the installation of the purchased items using Council staff.

#### RESOLUTION OM2022/11/09.23

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council:

1. Approve the request from Stirling Edwards-Bland Family and friends to purchase the following for installation at Bicentennial Park Cannonvale as it meets the main criteria of the Memorials in Council Parks, Gardens, Open Spaces & Road Reserve Policy;
  - a) Memorial Plaque;
  - b) Pet Friendly Drinking Fountain
  - c) Dog Exercise equipment; and
2. Approve the installation of the purchased items using Council staff.

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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### 13.5.2 - Foxdale Quarry Business Activity Report (Unaudited)- September 2022

#### PURPOSE

This report presents the financial and operational performance of the Foxdale Quarry.

#### OFFICER'S RECOMMENDATION

That Council receive the Foxdale Quarry Business Activity Report (Unaudited) for September 2022.

#### RESOLUTION OM2022/11/09.24

Moved By: CR G SIMPSON

Seconded By: CR J COLLINS

That Council receive the Foxdale Quarry Business Activity Report (Unaudited) for September 2022.

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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#### 14 MATTERS OF IMPORTANCE

At this time in the meeting, Councillors have the opportunity to raise any matters of importance.

The following items were raised during matters of importance:

1. Cr Wright: Bowen Cemetery Maintenance
2. Cr Brunker: Horseshoe Bay House Removal & workshop discussion

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#### 15 LATE REPORT ITEMS

No late reports items for this meeting.

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**PROCEDURAL MOTION - CLOSURE OF MEETING (CONFIDENTIAL SESSION)  
OM2022/11/09.25****Moved by: CR J CLIFFORD****Seconded by: CR G SIMPSON**

**That Council close the meeting to the public at 11.42am in accordance with Section 254J of the Local Government Regulations 2012 for closed meetings, for the purpose of discussing the following items and the reasons for going into closed session:**

- **16.1.1 – Outstanding Rates and Charges - Sale of Land - Schedule 1**  
*(d) rating concessions*
- **16.1.2 – Outstanding Rates and Charges - Sale of Land - Schedule 2**  
*(d) rating concessions*
- **16.2.1 – Planning & Environment Court Appeal No. 124 of 2022**  
*(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.*

**MEETING DETAILS:**

The procedural motion was Carried 6 / 0

**CARRIED**

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**PROCEDURAL MOTION - REOPEN MEETING OM2022/11/09.26****Moved by: CR J CLIFFORD****Seconded by: CR G SIMPSON**

**That Council reopen the meeting to the general public at 12.00pm.**

**MEETING DETAILS:**

The motion was Carried 6 / 0

**CARRIED**

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### 16.1.1 - Outstanding Rates and Charges - Sale of Land - Schedule 1

#### CONFIDENTIAL

#### S254J Local Government Regulation 2012 - Closed Meetings

- (1) A local government may resolve that all or part of a meeting of the local government be closed to the public.
- (3) However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—
- (d) rating concessions.

#### RESOLUTION OM2022/11/09.27

Moved By: CR G SIMPSON

Seconded By: CR M BRUNKER

That Council proceed to commence the sale of land proceedings for the properties listed in Schedule 1 attached and below for overdue rates and charges in accordance with section 140 of Local Government Regulation 2012:

| No | Assessment | RPD                             | Total Balance |
|----|------------|---------------------------------|---------------|
| 1  | 1205942    | L 102-103 MPH 13504, L 1 MPH 21 | \$135,335.73  |
| 2  | 1206119    | L 2 P PT A RP 732399            | \$25,532.05   |
| 3  | 1206244    | L 2 MPH 20113                   | \$16,471.88   |
| 4  | 1206359    | L 79 MPH 13504                  | \$17,106.67   |
| 5  | 1206108    | L 100 MPH 13504                 | \$16,601.91   |
| 6  | 1206188    | L 7 MPH 20101                   | \$12,503.67   |
| 7  | 1205459    | L 30 MPH 13508                  | \$12,599.74   |
| 8  | 1206470    | L 25 MPH 13515                  | \$13,916.06   |
| 9  | 1205941    | L 115 MPH 13504                 | \$18,476.49   |
| 10 | 1200755    | L 27 RP 721980                  | \$31,439.04   |
| 11 | 1203380    | L 6 B 66126                     | \$21,739.90   |
| 13 | 1204678    | L 1 RP 740796                   | \$6,662.22    |
| 14 | 1207955    | L 7 RP 866543                   | \$30,111.65   |
| 15 | 1200763    | L 35 RP 721978                  | \$21,246.28   |
| 16 | 1300116    | L 58 SP 237700 CTS 41080        | \$17,968.19   |
| 17 | 1300123    | L 96 SP 237700 CTS 41080        | \$17,968.19   |
| 18 | 1300672    | L 93 SP 248755 CTS 41080        | \$17,968.19   |
| 19 | 1300665    | L 61 SP 248755 CTS 41080        | \$43,213.21   |
| 20 | 1300740    | L 9 SP 253053                   | \$41,322.94   |
| 21 | 1300732    | L 1 SP 253053                   | \$39,092.57   |
| 22 | 1209684    | L 2 RP 700056                   | \$87,931.49   |
| 23 | 1300180    | L 1 SP 239768                   | \$17,859.76   |



| No    | Assessment | RPD                                 | Total Balance |
|-------|------------|-------------------------------------|---------------|
| 25    | 1201635    | L 181 RP 705709                     | \$22,522.02   |
| 26    | 1104335    | L 28 RP 705788                      | \$24,970.37   |
| 27    | 1104030    | L 23 RP 716641                      | \$16,542.05   |
| 28    | 1109728    | L 21 SP 198028                      | \$19,313.33   |
| 29    | 1111154    | L 702 SP 219982                     | \$31,672.79   |
| 30    | 1107502    | L 5 RP 723740                       | \$8,275.77    |
| 31    | 1106200    | L 71 SP 129590                      | \$20,743.31   |
| 32    | 1100026    | L 5 RP 721259                       | \$19,143.79   |
| 33    | 1102424    | L 5 A 8597                          | \$54,420.67   |
| 34    | 1100071    | L 154 SP 211503                     | \$29,469.05   |
| 35    | 1108090    | L 127 SP 100988 T EMT<br>B/SP100987 | \$20,058.82   |
| 36    | 1101006    | L 65 BUP 70971                      | \$16,612.78   |
| 37    | 1106556    | L 10 RP 737361                      | \$12,497.33   |
| 38    | 1301694    | L 404 SP 265780 CTS & EMT D         | \$14,729.43   |
| 39    | 1102728    | L 36 RP 907473                      | \$20,146.12   |
| Total |            |                                     | \$994,185.46  |

## MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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*Cr Collins declared a prescribed conflict of interest as per section 150EL of the Local Government Act 2009 due to past business dealings and left the meeting at 12.04pm.*

*Cr Clifford declared a perceived conflict of interest as per section 150EQ of the Local Government Act 2009 due to previous dealings with the landowner and left the meeting at 12.04pm.*

## **16.1.2 - Outstanding Rates and Charges - Sale of Land - Schedule 2**

### **CONFIDENTIAL**

#### **S254J Local Government Regulation 2012 - Closed Meetings**

- (1) *A local government may resolve that all or part of a meeting of the local government be closed to the public.*
- (3) *However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—*
- (d) rating concessions.*

#### **RESOLUTION OM2022/11/09.28**

**Moved By: CR M BRUNKER**

**Seconded By: CR G SIMPSON**

**That Council proceed to commence the sale of land proceedings for the property listed in Schedule 2 attached and below for overdue rates and charges in accordance with section 140 of Local Government Regulation 2012:**

No	Assessment	RPD	Total Balance
1	1103866	L 17 RP 724069	\$110,421.58
TOTAL			\$110,421.58

#### **MEETING DETAILS**

The motion was Carried 4 / 0.

**CARRIED**

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*Cr Collins returned to the meeting at 12.05pm*  
*Cr Clifford returned to the meeting at 12.05pm.*

### 16.2.1 - Planning & Environment Court Appeal No. 124 of 2022

#### CONFIDENTIAL

#### **S254J Local Government Regulation 2012 - Closed Meetings**

- (1) *A local government may resolve that all or part of a meeting of the local government be closed to the public.*
- (3) *However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—*
  - (e) *legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.*

#### RESOLUTION OM2022/11/09.29

Moved By: CR M WRIGHT

Seconded By: CR G SIMPSON

**That Council delegate to the Chief Executive Officer future decisions on behalf of Council regarding Planning and Environment Court Appeal No. 124 of 2022.**

#### MEETING DETAILS

The motion was Carried 5 / 1.

**CARRIED**

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#### 17 CLOSURE OF MEETING

The Meeting closed at 12.09pm

Confirmed as a true and correct recording this 23 November 2022

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**Cr Julie Hall  
MAYOR**