



Minutes of the Ordinary Council Meeting held on Wednesday 10 May 2023 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), Gary Simpson (Deputy Mayor), Jan Clifford, Clay Bauman, John Collins, Michelle Wright, and Michael Brunker

Council Officers Present:

Warren Bunker (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); Anne Law (Governance and Risk Officer)

Other Officers Present (Partial Attendance):

Craig Turner (Chief Operating Officer – Aviation and Tourism)

The meeting commenced at 9.02am

The meeting adjourned for morning tea at 10.12am

The meeting reconvened from morning tea at 10.41am

The meeting closed at 10.53am

Whitsunday Regional Council
Minutes of the Ordinary Council Meeting held at
Council Chambers, 83-85 Main Street, Proserpine on
Wednesday 10 May 2023 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 OM2023/05/10.1

Moved By: CR J CLIFFORD

Seconded By: CR M BRUNKER

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

#### MEETING DETAILS

*Mayor Hall acknowledged the recent passing of Firefighter Izabella Nash who lost her life in the line of duty in a factory fire in Brisbane.*

*Cr Brunker acknowledged the recent passing of Arch Tudehope who was a committed trade unionist in Collinsville and an active community man for over 30 years.*

The motion was Carried 7 / 0.

**CARRIED**

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3 DECLARATIONS OF INTEREST

Mayor Hall advised the meeting that she was at a public function at Flagstaff and was approached by a group of public members who wanted to discuss the Lauriston Street Development that is on the agenda today. Mayor Hall confirmed with public members that there was no officer present and she could not discuss the topic, but listened to their concerns, no discussion took place and no questions were asked or answered.

Councillors did not believe Mayor Hall had a Conflict of Interest in this matter.

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### **4            MAYORAL MINUTE**

There was no mayoral minute for this meeting.

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Wednesday 26 April	<ul style="list-style-type: none"> • Council Meeting, in Bowen • That evening attended Bowen Collinsville Enterprise meeting
Thursday 27 April	<ul style="list-style-type: none"> • Travelled to Mt Coolon for our Community Catch-up
Friday 28 April	<ul style="list-style-type: none"> • Attended Bowen Collinsville Enterprise Breakfast Forum • Met with Tourism Whitsundays' CEO Rick Hamilton, in Bowen • Internal meetings, in Bowen
Tuesday 2 May	<ul style="list-style-type: none"> • Visited Foxdale Quarry and Lake Proserpine with CEO Warren Bunker
Wednesday 3 May	<ul style="list-style-type: none"> • Briefing Session, in Bowen • Spoke at a Candle Lighting Ceremony held at Town Square Bowen to remember those who have lost their lives as a result of domestic and family violence. • Attended and spoke at the launch of "Mental Health on the Land" which was hosted by Thankful4Farmers, Royal Flying Doctor Service and Bowen Gumlu Growers
Thursday 4 May	<ul style="list-style-type: none"> • Recorded my monthly Mayoral Talkback Segment with ABC Radio • Internal meetings, in Proserpine • Met with Sven Diga from Queensland Fire and Emergency Services for an update on the new Airlie Beach Fire Station • Met with Deborah Friend, the editor from Whitsunday Times
Friday 5 May	<ul style="list-style-type: none"> • Met with customers, in Bowen
Saturday 6 May	<ul style="list-style-type: none"> • Spoke at the Whitsunday Chaplaincy Community Prayer Breakfast, in Proserpine • Then travelled to Mackay to attend Mackay Regional Council's Mayor's Charity Ball
Monday 7 May	<ul style="list-style-type: none"> • Catch up with CEO, in Bowen • Internal meetings, in Bowen • Attended Bowen Collinsville Enterprise monthly meeting
Tuesday 8 May	<ul style="list-style-type: none"> • Met via Teams Meeting with Professor Rob Brown, Director for CQU Regional University • Attended filming for upcoming story about the Don River Dash on Channel 7 Weekender • Internal meetings, in Bowen • Attended onsite meeting with residents regarding development at Lauriston Street Delta

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 April 2023 are provided for Councils review and confirmation.

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 26 April 2023.

RESOLUTION OM2023/05/10.2

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council confirms the Minutes of the Ordinary Meeting held on 26 April 2023.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

7 BUSINESS ARISING

There were no business arising matters for this meeting.

8 DEPUTATIONS

There were no deputations for this meeting.

9 PETITIONS

There were no petitions submitted for this meeting.

10 NOTICES OF MOTION

There were no notice of motions for this meeting.

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. The Mayor advised the meeting that there were no new public questions. A request was received to repeat the question from the 12 April 2023 Ordinary Meeting but as that matter is still under consideration, there is no need to repeat the question.

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13 OFFICERS REPORTS

13.1 Corporate Services

13.1.1 - Q3 Budget Review

PURPOSE

To review the current budget and make amendments to better reflect the current and forecast financial position of Council and to confirm priorities for capital projects to be finalised in the 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 21 Financial Ratios); and
- B. to make the following transfers to and from reserves for the financial year 2022/23:
- 1) \$ \$593,346 from the Infrastructure Reserve to fund capital works projects, and
 - 2) a net transfer of \$ \$444,738 from the Capital Works Reserve, as follows:
 - a) \$ 9,739,143 to the Capital Works Reserve, and
 - b) \$ 10,183,881 from the Capital Works Reserve to fund capital works projects.
 - 3) \$3,190,181 to the Disaster Resilience Reserve.

RESOLUTION OM2023/05/10.3

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

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 21 Financial Ratios); and

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

- 1) \$593,346 from the Infrastructure Reserve to fund capital works projects, and
- 2) a net transfer of \$444,738 from the Capital Works Reserve, as follows:
 - a) \$ 9,739,143 to the Capital Works Reserve, and
 - b) \$ 10,183,881 from the Capital Works Reserve to fund capital works projects.
- 3) \$3,190,181 to the Disaster Resilience Reserve.

MEETING DETAILS

Director Corporate Services Bradshaw advised of some minor administrative corrections to be made.

The motion was Carried 7 / 0.

CARRIED

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### 13.1.2 - Quarterly Financial Business Activities Report

#### PURPOSE

To inform Council on the Current Financial Performance, including a high-level summary of the Financial Position for Council's Business Units for the quarter ending 31 March 2023.

#### OFFICER'S RECOMMENDATION

That Council note the Quarterly Business Activities Report for the period ending 31 March 2023.

#### RESOLUTION OM2023/05/10.4

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council note the Quarterly Business Activities Report for the period ending 31 March 2023.

#### MEETING DETAILS

*Director Corporate Services Bradshaw advised of some minor administrative corrections to be made to the report tables for rounding and formatting.*

The motion was Carried 7 / 0.

**CARRIED**

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This matter was placed on the table at the meeting of the 26 April 2023 and the matter has now been brought back for a Council Decision.

13.2 Development Services

13.2.1 - 20210936 - Development Application for Development Permit for Material Change of Use - Transport Depot - Lauriston Street, Bowen - KHJ Group Pty Ltd

PURPOSE

To present the assessment of the development application.

OFFICER'S RECOMMENDATION

That Council approve the application for Development Permit for Material Change of Use of Premises - Transport Depot, made by KHJ Group Pty Ltd, on L: 3 RP: 705162 and located at Lauriston Street Delta, subject to the conditions outlined in Attachment 1.

The Mayor moved a motion from the Chair.

RESOLUTION OM2023/05/10.5

Moved By: **CR J HALL (MAYOR)**

Seconded By: **CR C BAUMAN**

That Council refuse the Development Application for Development Permit for Material Change of Use – Transport Depot, made by KHJ Group Pty Ltd on L: 3 RP: 705162 and located at Lauriston Street, Delta, for the following reasons:

1. The development does not comply with PO7 of the Transport and Parking Code (Table 9.4.7.3.1 Benchmarks for accepted and assessable development).
2. The development increases traffic volumes at the intersection of Lauriston Street and the Bruce Highway to an extent which is unsafe.
3. The development is inappropriate for the Rural zone.
4. Conditions of approval cannot be imposed to address non-compliances.
5. Availability of other alternate suitable sites in close proximity to the proposed site.

MEETING DETAILS

Cr Brunker spoke against the motion and foreshadowed a motion to approve the Development Application with inclusion of conditions to widen the road.

The motion was Carried 4 / 3.

CARRIED

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*This matter was placed on the table at the meeting of the 26 April 2023 and the matter has now been brought back for a Council Decision.*

### **13.2.2 - Whitsunday Planning Scheme Major Amendment**

#### **PURPOSE**

To inform Council of the outcome of the Whitsunday Planning Scheme Major Amendment Public Consultation and seek endorsement to progress to the next step in the Amendment process.

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

That Council:

- 1) Endorse the Major Amendment and Administrative Local Government Infrastructure Plan Amendment of the Whitsunday Planning Scheme V4.5, including Mapping.
- 2) Give Notice of Request to Adopt the proposed amendment to the Minister, in accordance with Chapter 2, Part 4, Section 21.1 of the Ministers Guidelines and Rules 2020.
- 3) Provide the Minister with the Major Amendment, a timestamped package of the Major Amendment Mapping and the Administrative Local Government Infrastructure Plan Amendment of the Whitsunday Planning Scheme V4.5.
- 4) Endorse the Whitsunday Planning Scheme Major Amendment Consultation & Submission Analysis Report and:
  - a. provide a copy to the Minister;
  - b. provide a copy to each person who made a properly made submission;
  - c. make a copy available to view and download on Council's website; and
  - d. make a copy available to inspect and purchase in each of Council's offices.
- 5) Report back to the community on the consultation outcomes.
- 6) Adopt the amended Local Heritage Placecards for display on Council's website and use in the planning assessment process, effective immediately.

*The Mayor moved a motion from the Chair.*

#### **RESOLUTION OM2023/05/10.6**

**Moved By: CR J HALL (MAYOR)**

**Seconded By: CR J CLIFFORD**

**That Council:**

- 1) **Endorse the Major Amendment and Administrative Local Government Infrastructure Plan Amendment of the Whitsunday Planning Scheme, including Mapping.**

**Subject to the Planning Scheme being varied to:**

- (i) **to have the term 'Maximum building height' remain in the planning scheme.**
- (ii) **to have the Airlie Beach Local Plan overall outcome 2(a), as exhibited the draft major amendment, remain in the planning scheme,**

including minor necessary adjustments in the Whitsunday Planning Scheme Major Amendment Consultation & Submission Analysis Report.

- 2) Give Notice of Request to Adopt the proposed amendment to the Minister, in accordance with Chapter 2, Part 4, Section 21.1 of the Ministers Guidelines and Rules 2020.
- 3) Provide the Minister with the Major Amendment, a timestamped package of the Major Amendment Mapping and the Administrative Local Government Infrastructure Plan Amendment of the Whitsunday Planning Scheme.
- 4) Endorse the Whitsunday Planning Scheme Major Amendment Consultation & Submission Analysis Report and:
  - a. provide a copy to the Minister;
  - b. provide a copy to each person who made a properly made submission;
  - c. make a copy available to view and download on Council's website; and
  - d. make a copy available to inspect and purchase in each of Council's offices.
- 5) Report back to the community on the consultation outcomes.
- 6) Adopt the amended Local Heritage Placecards for display on Council's website and use in the planning assessment process, effective immediately.

#### Reason for decision

(In case) This decision varies with the recommendation and advice given as Council believes the changes are minor.

#### **MEETING DETAILS**

*Councillor Collins raised a Point of Order on the Conflict of Interest for Cr Bauman on this item.*

*Councillor Collins also raised concerns on the timing of a recent media article related to this item.*

*The questions raised by Cr Collins were responded to by the Chief Executive Officer and the discussion continued.*

The motion was Carried 5 / 2.

**CARRIED**

Cr Bauman called for a Division.

For the motion: Cr Wright, Cr Bauman, Cr Clifford, Mayor Hall, Cr Collins

Against the motion: Cr Simpson, Cr Brunner

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PROCEDURAL MOTION - ADJOURNMENT OM2023/05/10.7

Moved by: CR J HALL (MAYOR)

Seconded by: CR J CLIFFORD

That the meeting be adjourned for the purpose of morning tea at 10.12am.

MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

Elite Athlete presentations occurred during morning tea.

PROCEDURAL MOTION - RECONVENE OM2023/05/10.8

Moved by: CR J HALL (MAYOR)

Seconded by: CR J CLIFFORD

That the meeting be reconvened from morning tea at 10.41am.

MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

13.3 Community Services

13.3.1 - Sponsorship Requests - Bowen River Rodeo

PURPOSE

Council to consider a request for sponsorship from the Bowen River Rodeo and Campdraft Association Inc. to host the 135th Bowen River Rodeo to be held from 9 – 11 June 2023.

OFFICER'S RECOMMENDATION

That Council approve a cash sponsorship of \$10,000 to the Bowen River Rodeo and Campdraft Association Inc. to assist with expenses to host a three-day Rodeo and Campdraft along with additional junior bush sporting events.

RESOLUTION OM2023/05/10.9

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council approve a cash sponsorship of \$10,000 to the Bowen River Rodeo and Campdraft Association Inc. to assist with expenses to host a three-day Rodeo and Campdraft along with additional junior bush sporting events.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

13.3.2 - Request for Donation - Freemasons Queensland Kennedy Lodge Bowen

PURPOSE

For Council to consider a \$5,000 donation request from Kennedy Lodge of Freemasons Bowen for assistance with insurance premiums on their building.

OFFICER'S RECOMMENDATION

That Council decline the request for a \$5,000 donation to Kennedy Lodge of Freemasons Bowen for assistance with insurance premiums on their building.

RESOLUTION OM2023/05/10.10

Moved By: CR G SIMPSON

Seconded By: CR J CLIFFORD

That Council decline the request for a \$5,000 donation to Kennedy Lodge of Freemasons Bowen for assistance with insurance premiums on their building.

MEETING DETAILS

Cr Wright originally moved the recommendation but withdrew from being the mover.

The motion was Carried 7 / 0

CARRIED

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### 13.3.3 - Financial Support for a Junior Elite Athlete - 10 May 2023

#### 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) Ljay Barton – Northern Region School Sport 10-12yrs Boys Touch Team - \$250
- b) Katie Maund – PCQ State Jumping Equitation & Show Jumping Championships - \$250
- c) Jamie Henderson – QRSS State 10-12yrs Basketball Championships - \$250
- d) Holly Perrin – National Qualifier Age Swimming Championships - \$500

#### RESOLUTION OM2023/05/10.11

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council approve financial support for the following applicants:

- a) Ljay Barton – Northern Region School Sport 10-12yrs Boys Touch Team \$250
- b) Katie Maund – PCQ State Jumping Equitation & Show Jumping Championships - \$250
- c) Jamie Henderson – QRSS State 10-12yrs Basketball Championships - \$250
- d) Holly Perrin – National Qualifier Age Swimming Championships - \$500

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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

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 Whitsunday Sportspark Limited.

Cr Clifford advised the meeting that she is a Council Representative on the committee and does not hold an executive position.

Cr Simpson questioned his interest in the matter due to Mr. Justin Butler (who is involved in the committee) being Cr Simpsons personal financial adviser. The remaining Councillors did not believe there was a conflict of Interest.

RESOLUTION OM2023/05/10.12

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council approve the payment of a \$20,000 Sport & Recreation Facility Management Grant to Whitsunday Sportspark Limited.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 14 MATTERS OF IMPORTANCE

*Cr Collins acknowledged Director Julie Wright for the Proserpine Pool heating works being successfully completed, after receiving positive community feedback.*

*Cr Collins requested an update on the Wilsons Beach swimming enclosure.*

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15 LATE REPORT ITEMS

There were no late items for this meeting.

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The Meeting closed at 10:53am.

Confirmed as a true and correct recording this 24 May 2023.

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**Cr Julie Hall  
MAYOR**