



Minutes of the Ordinary Council Meeting held on Wednesday 10 August 2022 at Mantra Club Croc Boardroom, 240 Shute Harbour Road, Cannonvale

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

Councillors Present:

John Collins (Acting Mayor/Chair), Jan Clifford, Al Grundy, 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); Troy Pettiford (Acting Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); James Ngoroyemoto (Manager Governance and Administration); Rebekah Sinclair (Governance and Legal Coordinator); Jack Flowerday (ICT Technical Support Officer); Tailah Jensen (Governance Administration Officer/Minute Taker)

Meeting Schedule:

The meeting commenced at 9.00am

The meeting closed at 9.44am

Whitsunday Regional Council
Minutes of the Ordinary Council Meeting held at
Mantra Club Croc Boardroom, 240 Shute Harbour Road, Cannonvale on
Wednesday 10 August 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 OM2022/08/10.1**

Moved By: CR M BRUNKER

Seconded By: CR J CLIFFORD

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

#### **MEETING DETAILS**

Cr Brunker acknowledged sincere condolences to the Schwartz and Tighe Family of Sutherland Station with the recent tragedy at Bogie.

The motion was Carried 6 / 0.

**CARRIED**

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3 DECLARATIONS OF INTEREST

There were no declarations made during this meeting.

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### **4 MAYORAL MINUTE**

There was no Mayoral Minute for this meeting.

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5 MAYORAL UPDATE

There was no Mayoral Update for this meeting.

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### **6 CONFIRMATION OF MINUTES**

#### **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 27 July 2022 are provided for Councils review and confirmation.

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

That Council confirms the Minutes of the Ordinary Meeting held on 27 July 2022.

#### **RESOLUTION OM2022/08/10.2**

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

**That Council confirms the Minutes of the Ordinary Meeting held on 27 July 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 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.

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**QUESTION ONE**

**Name:** Clay Bauman

**Question:**

Good morning Mr. Mayor and Councillors,

Thank you for fixing the introduction to these questions, I am glad that the Council has stopped wrongly telling people they have to give out their personal information.

Recently I asked the CEO why Council policy wasn't followed in their dealings with me, he had said my emails were taking up ratepayer resources and he had instructed staff not to respond to certain questions about our two proposed high-rises.

Council policy says if a customer's behavior consumes too many resources, they get a warning before contact is restricted. The CEO said that is only for unreasonable customers, so it appears your Council will give an unreasonable person a warning, but any reasonable customer can be simply cut off.

Policy also says that if my complaint about the planning department providing you with false information was considered trivial, frivolous or vexatious the CEO would tell me the implications of making no investigation. Apparently my complaint isn't any of these things, so the CEO can simply refuse to even look at the evidence I have offered to supply. No investigation, no proper explanation of the reasoning.

This action on my complaint appears to put the CEO's much delayed response in breach of section 44 of the Crime and Corruption Act.

I am just as aware as you are of your limited powers to deal with the company run by this man, however one of the most important things you do is approve the policies they are meant to operate under. It seems they need beefing up so bureaucratic back chat cannot circumvent the intent I think most of the public would expect when they come to you with a complaint.

The last time I came to a meeting I asked for proof of the allegations made against me. I didn't get any.

So my question for today is, will Council please provide me with copies of the emails where I have supposedly asked the same questions to multiple officers?

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.*

*The Chief Executive Officer advised that at no time has Mr Bauman's contact with Council, whether it be written or verbal have been restricted, no policies have been enacted. We simply put in place a process that deals with the numerous emails that Mr Bauman was lodging with Council officers and Councillors, so that it goes through central channel. If anything, this will improve the service to Mr Bauman, given we have missed the odd email here and there and therefore is a way of monitoring whats going on.*

*As always, if Mr Bauman has concerns about the process Council is using, the Ombudsman Office is there, as well as the Crime and Corruption Commission if Mr Bauman has any serious concerns about any dealings. I have no concerns about the dealings we have within this Council.*

## **13 OFFICERS REPORTS**

### **13.1 Corporate Services**

#### **13.1.1 - Ordinary Council Meeting Action Items - Quarterly Review**

##### **PURPOSE**

To provide Councillors with an update on the action's arising from the Ordinary Council Meetings.

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

That Council receives the progress report on the Ordinary Council Meeting Actions to the end of July 2022.

##### **RESOLUTION OM2022/08/10.3**

**Moved By: CR A GRUNDY**

**Seconded By: CR M BRUNKER**

**That Council receives the progress report on the Ordinary Council Meeting Actions to the end of July 2022.**

##### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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13.1.2 - 2021/22 Operational Plan Q4 Review

PURPOSE

The purpose of this report is to present a written assessment of Council's progress towards implementing the annual Operational Plan 2021/22 for the period ending 30th June 2022 (Quarter Four review).

OFFICER'S RECOMMENDATION

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

RESOLUTION OM2022/08/10.4

Moved By: CR M WRIGHT

Seconded By: CR M BRUNKER

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

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.1.3 - LGAQ Motion - E-Scooters

#### PURPOSE

A late notice of motion has been requested by Councillor Clifford for inclusion to the Local Government Association of Queensland (LGAQ) 2022 Annual Conference and Annual General Meeting (AGM).

#### OFFICER'S RECOMMENDATION

That Council submits the following motion to the Local Government Association of Queensland Annual Conference to be considered for inclusion in the Annual General Meeting (AGM) will be held on Monday 17 - Wednesday 19 October 2022:

E-scooters

That the Local Government Association of Queensland call on the State Government to clarify the regulation of e-scooters regarding approved use, speed limits and enforcement provisions to ensure safety and greater uniformity across the State.

#### RESOLUTION OM2022/08/10.5

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council submits the following motion to the Local Government Association of Queensland Annual Conference to be considered for inclusion in the Annual General Meeting (AGM) will be held on Monday 17 - Wednesday 19 October 2022:

E-scooters

That the Local Government Association of Queensland call on the State Government to clarify the regulation of e-scooters regarding approved use, speed limits and enforcement provisions to ensure safety and greater uniformity across the State.

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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13.1.4 - LGAQ Annual Conference

PURPOSE

To nominate Councillor representatives to attend the LGAQ Annual Conference for 2022.

OFFICER'S RECOMMENDATION

That Council appoint Councillor/s XXXX to attend the Local Government Association of Queensland Annual Conference for 2022.

RESOLUTION OM2022/08/10.6

Moved By: CR M BRUNKER

Seconded By: CR M WRIGHT

That the item lie on the table until after the Mayoral Election.

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.2 Development Services

#### 13.2.1 - Development Services Monthly Report - July 2022

#### PURPOSE

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

#### OFFICER'S RECOMMENDATION

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

#### RESOLUTION OM2022/08/10.7

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

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

#### MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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13.3.1 - Financial Support for a Junior Elite Athlete - August 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) Akirra Muriata - Queensland State Championships 10-12 years Girls Football - \$250
- b) Beau Vella – National Youth Championships- Touch Football - \$250
- c) Catherine Maund - 2022 Fédération Internationale de Horseball, World Horseball Ranking World Cup - Saint Lo, Normandy, France - \$2,000

RESOLUTION OM2022/08/10.8

Moved By: CR M WRIGHT

Seconded By: CR A GRUNDY

That Council approve financial support for the following applicants:

- a) Akirra Muriata - Queensland State Championships 10-12 years Girls Football - \$250
- b) Beau Vella – National Youth Championships- Touch Football - \$250
- c) Catherine Maund - 2022 Fédération Internationale de Horseball, World Horseball Ranking World Cup - Saint Lo, Normandy, France - \$2,000

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.3.2 - Donation Request - Bowen - Out of School Hours Care

#### PURPOSE

Council to consider a request for donation from the Bowen Out of School Hours Care to purchase a commercial refrigerator.

#### OFFICER'S RECOMMENDATION

That Council approve a donation of \$3,400 to assist Bowen Out of School Hours Care purchase a commercial refrigerator.

#### RESOLUTION OM2022/08/10.9

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council approve a donation of \$3,400 to assist Bowen Out of School Hours Care purchase a commercial refrigerator.

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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13.3.3 - Sport & Recreation Club Grants - August 2022

Cr Grundy confirmed with the CEO that he does not have a conflict of interest with his kids involvement in the Whitsunday Proserpine Junior Rugby League as he is not on the executive or involved in that committee.

PURPOSE

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

OFFICER'S RECOMMENDATION

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

1. Proserpine Whitsunday Junior Rugby League Football Club Inc – Band 1 - \$5,500
2. Whitsunday Sporting Car Club Inc – Band 2 - \$3,000
3. Bowen Cricket Inc – Band 2 - \$3,000
4. Cannonvalley Pony Club Inc – Band 3 - \$1,500
5. Whitsunday Kyokushin Karate Club Proserpine Inc. – Band 3 - \$1,500
6. Club Outrigger Whitsunday Inc. – Band 3 - \$1,500
7. Airlie Beach Bridge Club Inc. – Band 4 - \$1,000
8. Bowen & Collinsville Lapidary Club Inc. – Band 4 - \$1,000
9. Bowen Chargers Inc. – Band 4 - \$1,000

RESOLUTION OM2022/08/10.10

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

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

1. Proserpine Whitsunday Junior Rugby League Football Club Inc – Band 1 - \$5,500
2. Whitsunday Sporting Car Club Inc – Band 2 - \$3,000
3. Bowen Cricket Inc – Band 2 - \$3,000
4. Cannonvalley Pony Club Inc – Band 3 - \$1,500
5. Whitsunday Kyokushin Karate Club Proserpine Inc. – Band 3 - \$1,500
6. Club Outrigger Whitsunday Inc. – Band 3 - \$1,500
7. Airlie Beach Bridge Club Inc. – Band 4 - \$1,000
8. Bowen & Collinsville Lapidary Club Inc. – Band 4 - \$1,000
9. Bowen Chargers Inc. – Band 4 - \$1,000

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.3.4 - Community Services Monthly Report - July 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 July 2022.

#### OFFICER'S RECOMMENDATION

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

#### RESOLUTION OM2022/08/10.11

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

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

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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14 MATTERS OF IMPORTANCE

MATTERS OF IMPORTANCE – THE NORMANBY GOLDFIELDS CEMETERY

RESOLUTION OM2022/08/10.12

Moved By: CR M WRIGHT

Seconded By: CR M BRUNKER

That Council recognise the recent tragedy in the Bogie area and take the following actions as a temporary measure as a form of respect to the families in the district:

- 1. Remove the Historical Cemetery sign from Bowen Developmental Road**
- 2. Lock the gate to the entrance to the Historical Cemetery on Normanby Road**

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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**MATTERS OF IMPORTANCE – MEDICARE SERVICES**

**RESOLUTION OM2022/08/10.13**

**Moved By: CR J CLIFFORD**

**Seconded By: CR A GRUNDY**

**That the Chief Executive Officer write to the Health Minister and the Member for Dawson regarding the lack of Medicare services within Proserpine, Cannonvale and Airlie Beach area, recognising the population growth within the Whitsunday region.**

**MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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15 LATE REPORT ITEMS

No late report items for this meeting.

16 CLOSURE OF MEETING

The Meeting closed at 9.44am.

Confirmed as a true and correct recording this 24 August 2022.

**Cr John Collins
ACTING MAYOR**