



Minutes of the Ordinary Council Meeting held on Wednesday 26 October 2022 at Council Chambers, 67 Herbert Street, Bowen

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 and Gary Simpson.

Council Officers Present:

Rod Ferguson (Chief Executive Officer); Julie Wright (Director Community Services); Matthew Twomey (Acting 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); James Ngoroyemoto (Manager, Governance and Administration); Rebekah Sinclair (Governance and Legal Coordinator)

Other Officers Present (Partial Attendance):

Leah Bradley (Manager Financial Services); Peter Shuttlewood (Executive Manager, Procurement Property and Fleet); Michael Downing (Coordinator Capital Project Delivery)

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.05am

The meeting reconvened from morning tea at 10.39am

The meeting closed at 11.20am

Whitsunday Regional Council
**Minutes of the Ordinary Council Meeting held at
Council Chambers, 67 Herbert Street, Bowen on
Wednesday 26 October 2022 commencing at 9:00 AM**

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1 APOLOGIES/LEAVE OF ABSENCE

RESOLUTION OM2022/10/26.1

Moved By: CR J COLLINS

Seconded By: CR M WRIGHT

That Council receives the apology from Cr Brunker.

MEETING DETAILS

The motion was Carried 4 / 1.

CARRIED

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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 OM2022/10/26.2**

**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 5 / 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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Wednesday 12 October	• Council Meeting, in Proserpine • That evening attended Fundraiser Cocktail Party organised to raise funds to build 4 tiny homes in region, in Airlie Beach
Thursday 13 October	• Recorded Monthly Mayoral Talkback Segment with ABC • Met with Economic Development Manager, in Proserpine • Met with QANTAS Regional Sales and Development Manager, in Proserpine • Met with Tourism Whitsunday's CEO, Rick Hamilton, in Proserpine • Met with developer, in Proserpine
Friday 14 October	• Met with Bowen Chamber of Commerce
Sunday 16 October	• Travelled to Cairns to attend LGAQ Annual Conference
Monday - Wednesday 17-19 October	• Attended LGAQ Annual Conference with Deputy Mayor Cr Gary Simpson and CEO Rod Ferguson
Thursday 20 October	• Travelled home from Cairns
Friday 21 October	• Internal meetings, in Bowen
Monday 24 October	• Meetings with ratepayers, in Bowen
Tuesday 25 October	• Attended Elected Members Update hosted by LGAQ, in Proserpine • That evening, attended Bowen Gumlu Growers Networking Function meeting the Japanese Consul-General Masuo Ono

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 12 October 2022 are provided for Councils review and confirmation.

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 12 October 2022.

RESOLUTION OM2022/10/26.3

Moved By: CR J COLLINS

Seconded By: CR M WRIGHT

That Council confirms the Minutes of the Ordinary Meeting held on 12 October 2022.

MEETING DETAILS

The motion was Carried 5 / 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

QUESTION ONE

Name: Clay Bauman

Question:

The Airlie Beach main street pedestrian debacle that has been going on for 9 years now, with shouting, horn blowing and near misses the entire time. You currently have possible solutions open for public consultation. While you include a fact sheet that says there is a choice of pedestrian right of way, vehicle right of way or a shared zone that would reduce the speed limit to 10 km/h. You decided to provide a survey that only lets us choose between two of the three options? So, I have to ask, why don't we get to choose from all the possibilities available?

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 Corporate Services

13.1.1 - 500.2022.0066 Provision of Cleaning Services

PURPOSE

This report presents to Council for consideration the evaluation panel's recommendation to award Contract 500.2022.0066 Provision of Cleaning Services.

OFFICER'S RECOMMENDATION

That Council award Contract 500.2022.0066 Provision of Cleaning Services as follows:

- a) Area 1 – Proserpine Region to The Trustee For The Pirlo Family Trust T/As Etwell Commercial Cleaners for the amount of \$1,201,757.34 (excluding GST) for the two-year contract period, and an additional \$600,878.67 (excluding GST) for the twelve-month extension period, at Council's sole discretion;
- b) Area 2 – Cannonvale/Airlie Beach to EMG Facility Services Pty Ltd T/As My Pathway Facility Services for the amount of \$215,540.69 (excluding GST) for the two-year contract period, and an additional \$111,542.31 (excluding GST) for the twelve-month extension period, at Council's sole discretion;
- c) Area 3 – Bowen Region to EMG Facility Services Pty Ltd T/As My Pathway Facility Services for the amount of \$342,014.22 (excluding GST) for the two-year contract period, and an additional \$176,992.36 (excluding GST) for the twelve-month extension period, at Council's sole discretion;
- d) Area 4 – Collinsville Region to The Trustee For Natalie Lee Family Trust T/As Cleanlee Cleaning Services for the amount of \$478,034.48 (excluding GST) for the two-year contract period, and an additional \$239,017.24 (excluding GST) for the twelve-month extension period, at Council's sole discretion;
- e) Area 5 – Dingo Beach / Hydeaway Bay Region to The Trustee For The Pirlo Family Trust T/As Etwell Commercial Cleaners for the amount of \$167,545.72 (excluding GST) for the two-year contract period, and an additional \$83,772.86 (excluding GST) for the twelve-month extension period, at Council's sole discretion; and
- f) Area 6 – Conway / Wilson Beach Region to Kerrie Leigh Stower for the amount of \$194,040.00 (excluding GST) for the two-year contract period, and an additional \$97,020.00 (excluding GST) for the twelve-month extension period, at Council's sole discretion.

RESOLUTION OM2022/10/26.4

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council award Contract 500.2022.0066 Provision of Cleaning Services as follows:

- a) Area 1 – Proserpine Region to The Trustee For The Pirlo Family Trust T/As Etwell Commercial Cleaners for the amount of \$1,201,757.34 (excluding GST) for the two-year contract period, and an additional \$600,878.67 (excluding GST) for the twelve-month extension period, at Council's sole discretion;
- b) Area 2 – Cannonvale/Airlie Beach to EMG Facility Services Pty Ltd T/As My Pathway Facility Services for the amount of \$215,540.69 (excluding GST) for the two-year contract period, and an additional \$111,542.31 (excluding GST) for the twelve-month extension period, at Council's sole discretion;

- c) **Area 3 – Bowen Region to EMG Facility Services Pty Ltd T/As My Pathway Facility Services for the amount of \$342,014.22 (excluding GST) for the two-year contract period, and an additional \$176,992.36 (excluding GST) for the twelve-month extension period, at Council's sole discretion;**
- d) **Area 4 – Collinsville Region to The Trustee For Natalie Lee Family Trust T/As Cleanlee Cleaning Services for the amount of \$478,034.48 (excluding GST) for the two-year contract period, and an additional \$239,017.24 (excluding GST) for the twelve-month extension period, at Council's sole discretion;**
- e) **Area 5 – Dingo Beach / Hydeaway Bay Region to The Trustee For The Pirlo Family Trust T/As Etwell Commercial Cleaners for the amount of \$167,545.72 (excluding GST) for the two-year contract period, and an additional \$83,772.86 (excluding GST) for the twelve-month extension period, at Council's sole discretion; and**
- f) **Area 6 – Conway / Wilson Beach Region to Kerrie Leigh Stower for the amount of \$194,040.00 (excluding GST) for the two-year contract period, and an additional \$97,020.00 (excluding GST) for the twelve-month extension period, at Council's sole discretion.**

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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### 13.1.2 - Financial Sustainability Training Program

#### PURPOSE

This purpose of this report is to nominate Councillors to participate in the 2022-23 Financial Sustainability Training Program.

#### OFFICER'S RECOMMENDATION

That Council:

1. Nominate Mayor Hall, Councillor Clifford, and Councillor Simpson to enrol into the 2022-23 Financial Sustainability Training Program ('the Program').
2. Approve Mayor Hall, Councillor Clifford, and Councillor Simpson to attend the Financial Management in Practice to be held in Townsville on 9 November 2022.

#### RESOLUTION OM2022/10/26.5

Moved By: CR G SIMPSON

Seconded By: CR J CLIFFORD

That Council:

1. Nominate Mayor Hall, Councillor Clifford, and Councillor Simpson to enrol into the 2022-23 Financial Sustainability Training Program ('the Program').
2. Approve Mayor Hall, Councillor Clifford, and Councillor Simpson to attend the Financial Management in Practice.

#### MEETING DETAILS

The motion was Carried 4 / 1.

**CARRIED**

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13.1.3 - Business Units - Audited actuals for 2021-22

PURPOSE

To inform Council of the final audited result for Council's business units financial performance and position for the period ending 30 June 2022.

OFFICER'S RECOMMENDATION

That Council receive the Business Units Audited Financial Reports for the period ended 30 June 2022.

RESOLUTION OM2022/10/26.6

Moved By: **CR M WRIGHT**

Seconded By: **CR J CLIFFORD**

That Council receive the Business Units Audited Financial Reports for the period ended 30 June 2022.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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#### **13.1.4 - Finance Report - FY 2022-23 - Period ending September 2022**

##### **PURPOSE**

To inform Council of the current financial performance and position for the period to 30 September 2022.

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

That Council receive the Financial Report, Capital Delivery Report and Unaudited Financial Statements for the period ended 30 September 2022.

##### **RESOLUTION OM2022/10/26.7**

**Moved By: CR J COLLINS**

**Seconded By: CR J CLIFFORD**

**That Council receive the Financial Report, Capital Delivery Report and Unaudited Financial Statements for the period ended 30 September 2022.**

##### **MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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13.1.5 - Corporate Services Monthly Report - September 2022

PURPOSE

To provide an overview the Corporate Services Directorate for the month of September 2022.

OFFICER'S RECOMMENDATION

That Council receive the Corporate Services Monthly Report for September 2022.

RESOLUTION OM2022/10/26.8

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council receive the Corporate Services Monthly Report for September 2022.

MEETING DETAILS

Cr Wright raised a question regarding the Collinsville football field lights, whether they can be upgraded and what would be involved in doing this. The question was taken on notice by the Director Corporate Services.

The motion was Carried 5 / 0.

CARRIED

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**13.2.1 - 20191416 - Development Application for Material Change of Use (Showroom) - 2 Central Avenue, Cannonvale**

**PURPOSE**

To present the assessment of the development application.

**OFFICER'S RECOMMENDATION**

That Council:

1. Approve the application for Development Application for Development Permit for Material Change of Use - Showroom, made by Yoogalu Pty Ltd, on L: 1 SP: 310407 T: & EMT B and located at 2-12 Central Avenue CANNONVALE, subject to the conditions outlined in Attachment 1.
2. Not approve the request to apply the Economic Development Incentives Policy to the applicable infrastructure charges for the development.

**RESOLUTION OM2022/10/26.9**

**Moved By: CR M WRIGHT**

**Seconded By: CR J COLLINS**

**That Council:**

1. **Approve the application for Development Application for Development Permit for Material Change of Use - Showroom, made by Yoogalu Pty Ltd, on L: 1 SP: 310407 T: & EMT B and located at 2-12 Central Avenue CANNONVALE, subject to the conditions outlined in Attachment 1.**
2. **Not approve the request to apply the Economic Development Incentives Policy to the applicable infrastructure charges for the development.**

**MEETING DETAILS**

The motion was Carried 4 / 1.

**CARRIED**

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13.3.1 - Sponsorship Request - Airlie Beach Festival of Music

PURPOSE

Council to consider a request for sponsorship from the Airlie Beach Festival of Music to assist with their annual event to be held Friday 4 to Sunday 6 November 2023.

OFFICER'S RECOMMENDATION

That Council approve a sponsorship of up to \$5,000 in-kind support only to assist the Airlie Beach Festival of Music organisers with their annual event to be held Friday 4 to Sunday 6 November 2022.

RESOLUTION OM2022/10/26.10

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council approve a sponsorship of up to \$5,000 in-kind and \$5,000 cash support to assist the Airlie Beach Festival of Music organisers with their annual event to be held Friday 4 to Sunday 6 November 2022.

MEETING DETAILS

Cr Simpson requested the mover and seconder for a change in resolution to include \$5,000 cash support.

Cr Clifford accepted the request and Cr Wright withdrew from seconding the proposed motion.

Cr Simpson then seconded the motion.

The motion was Carried 3 / 2.

CARRIED

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**PROCEDURAL MOTION - ADJOURNMENT OM2022/10/26.11**

**Moved by: CR J CLIFFORD**

**Seconded by: CR G SIMPSON**

**That the meeting be adjourned for the purpose of morning tea at 10.05am.**

**MEETING DETAILS:**

The procedural motion was Carried 5 / 0

**CARRIED**

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PROCEDURAL MOTION - RECONVENE OM2022/10/26.12

Moved by: CR J CLIFFORD

Seconded by: CR G SIMPSON

That the meeting be reconvened from morning tea at 10.39am.

MEETING DETAILS:

The procedural motion was Carried 5 / 0

CARRIED

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### 13.3.2 - Sponsorship Request - Mackay Hospital Foundation Giving Day 2022

#### PURPOSE

Council to consider a request for sponsorship from the Mackay Hospital Foundation to assist the 2022 Giving Day event to be held on Thursday 13 October 2022.

#### OFFICER'S RECOMMENDATION

That Council approve a sponsorship of \$10,000 to assist the Mackay Hospital Foundation organisers with the 2022 Giving Day event held on Thursday 13 October 2022, with the stipulation that the funds are utilised in the Whitsunday Regional Council area only.

#### RESOLUTION OM2022/10/26.13

Moved By: CR G SIMPSON

Seconded By: CR J CLIFFORD

**That Council approve a sponsorship of \$10,000 to assist the Mackay Hospital Foundation organisers with the 2022 Giving Day event held on Thursday 13 October 2022, with the stipulation that the funds are utilised in the Whitsunday Regional Council area only.**

#### MEETING DETAILS

*Cr Collins raised a question regarding the van that was previously donated and whether it is still in use and/or is being used currently. The question was taken on notice by Director Community Services.*

The motion was Carried 5 / 0.

**CARRIED**

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13.4.1 - 500.2022.0069 Regional Reseal and Rehab Package 2022/2023

PURPOSE

This report presents to Council for consideration the evaluation panel's recommendation to award Contract 500.2022.0069 Regional Reseal and Rehab Package 2022/2023.

OFFICER'S RECOMMENDATION

That Council award Contract 500.2022.0069 Regional Reseal and Rehab Package 2022/2023 to RPQ Mackay Pty Ltd for the amount of \$1,806,990.70 (excluding GST).

RESOLUTION

That Council award Contract 500.2022.0069 Regional Reseal and Rehab Package 2022/2023 to RPQ Mackay Pty Ltd for the amount of \$1,806,990.70 (excluding GST).

Cr Wright moved to table the resolution.

PROCEDURAL MOTION - MATTER LIE ON THE TABLE OM2022/10/26.14

Moved by: CR M WRIGHT

That the item lie on the table pending further information be provided regarding the roads identified for the reseal program.

MEETING DETAILS:

The procedural motion was Lost 1 / 4

LOST

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*The tabled motion was unsuccessful, so the original motion was dealt considered.*

#### RESOLUTION OM2022/10/26.15

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council award Contract 500.2022.0069 Regional Reseal and Rehab Package 2022/2023 to RPQ Mackay Pty Ltd for the amount of \$1,806,990.70 (excluding GST).

#### MEETING DETAILS

The motion was Carried 4 / 1.

Cr Wright voted against the motion.

CARRIED

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13.4.2 - Operational Report - Infrastructure Services September 2022

PURPOSE

The report is to provide Council with information regarding the operational performance in relation to services supplied by the Roads & Drainage, Disaster Management and Parks & Gardens Teams.

OFFICER'S RECOMMENDATION

That Council receive the Infrastructure Services Operational Report for September 2022.

RESOLUTION OM2022/10/26.16

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council receive the Infrastructure Services Operational Report for September 2022.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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### **13.4.3 - Disaster Recovery Funding Arrangements (DRFA) Progress Report - September 2022**

#### **PURPOSE**

This report presents the progress of 2022/2023 Disaster Recovery Funding Arrangements Capital Projects for September 2022.

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

That Council receive the Disaster Recovery Funding Arrangements (DRFA) Progress Report for September 2022.

#### **RESOLUTION OM2022/10/26.17**

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council receive the Disaster Recovery Funding Arrangements (DRFA) Progress Report for September 2022.

#### **MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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13.4.4 - Whitsunday Water and Waste Unaudited Business Activity Report September 2022

PURPOSE

To provide Council with information on the operational performance of the Whitsunday Water and Waste business activity.

OFFICER'S RECOMMENDATION

That Council receive the unaudited Whitsunday Water and Waste Business Activity Report for September 2022.

RESOLUTION OM2022/10/26.18

Moved By: **CR G SIMPSON**

Seconded By: **CR M WRIGHT**

That Council receive the unaudited Whitsunday Water and Waste Business Activity Report for September 2022.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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### 13.4.5 - Infrastructure Services Capital Progress Report - September 2022

#### PURPOSE

This report presents the progress of 2022/2023 Capital Projects up until 30 September 2022.

#### OFFICER'S RECOMMENDATION

That Council receives the Infrastructure Services Capital Progress Report for September 2022.

#### RESOLUTION OM2022/10/26.19

Moved By: CR J CLIFFORD

Seconded By: CR J COLLINS

That Council receives the Infrastructure Services Capital Progress Report for September 2022.

#### MEETING DETAILS

The motion was Carried 5 / 0.

**CARRIED**

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14 MATTERS OF IMPORTANCE

The following items were raised during matters of importance and were taken on notice for actioning:

- Cleaning of weeds and dead vines within the approach into Airlie Beach (Cr Jan Clifford)
- Report to be brought back regarding the possibility of re-opening Gravel Pits (Cr Michelle Wright)
- Investigate and contact DTMR regarding the road surface from Airlie Beach PCYC to Jubilee Pocket Rd (Cr Jan Clifford)

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#### 15 LATE REPORT ITEMS

No late items for this meeting.

#### 16 CLOSURE OF MEETING

The Meeting closed at 11.20am.

Confirmed as a true and correct recording this 9 November 2022.

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**Cr Julie Hall  
MAYOR**