



Minutes of the Ordinary Council Meeting held on Wednesday 12 July 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, Gary Simpson and Michael Bruner (via teleconference)

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); James Ngoroyemoto (Manager, Governance and Administration)

Other Officers Present (Partial Attendance):

Gary Warrener (Economic Development Manager); Peter Shuttlewood (Executive Manager Procurement, Property and Fleet)

Meeting Schedule:

The meeting commenced at 9.01am

The meeting adjourned for morning tea at 10.12am

The meeting reconvened from morning tea at 10.33am

The meeting closed at 11.31am

Whitsunday Regional Council
Minutes of the Ordinary Council Meeting held at
Council Chambers, 83-85 Main Street, Proserpine on
Wednesday 12 July 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 OM2023/07/12.1**

**Moved By: CR J CLIFFORD**

**Seconded By: CR M WRIGHT**

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

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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3 DECLARATIONS OF INTEREST

There were no declarations made at this time during the meeting.

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## **4 MAYORAL MINUTE**

There was no mayoral minute for this meeting.

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Wednesday 28 June	• Council Meeting, in Bowen • Internal meeting
Thursday 29 June	• Meeting in Airlie Beach with stakeholder, CEO Warren Bunker & COO Aviation & Tourism Craig Turner • Internal meetings, in Proserpine • Attended Tourism Whitsundays monthly board meeting • That afternoon toured the Shute Harbour Small Tourism Operators building project for Mayor's Ball update • That evening attending the Tourism Whitsundays Networking event
Friday 30 June	• Chaired the Special Budget Council Meeting, in Proserpine • Met with community member, in Proserpine
Saturday 1 July	• Attended Proserpine Lions Changeover Dinner
Monday 3 July	• Internal meetings, in Bowen • Met with Cait Bester from Office for Rural and Regional Queensland • Dialed in for video conference for Greater Whitsunday Stakeholder Advisory Committee
Tuesday 4 July	• Met with community member, in Proserpine • Internal meetings, in Proserpine
Wednesday 5 July	• Chaired the Conway & Wilson Beach Community Catch-up • Briefing Session, in Proserpine • Meeting with Mackay Resources Centre of Excellence CEO Steve Boxall
Thursday 6 July	• Recorded monthly Mayoral Talkback segment with ABC • Internal meetings, in Proserpine • Attended NAIDOC Week celebrations in Proserpine
Friday 7 July	• Meeting with Bowen Collinsville Enterprise to discuss Bowen Marina precinct • Toured Bowen TAFE campus • Recorded Mayoral Update on GemFM, in Bowen • Attended Girudala NAIDOC Event, in Bowen
Saturday 8 July	• Attended Smoking Ceremony and Welcome to Country for Talisman Sabre 2023 exercise • Attended NAIDOC Event, in Cannonvale • That evening, attended Rotary Club of Proserpine Changeover dinner
Sunday 9 July	• Travelled to Moranbah • Attended MIW Regional Community Forum welcome and networking function

Monday 10 July	• Attended Mackay Isaac Whitsunday Regional Community Forum, in Moranbah
Tuesday 11 July	• Filmed segment at Whitsunday Coast Airport to celebrate record passenger numbers • Met with QANTAS Regional Sales and Development Manager, Queensland Adam Humphries • Met with Whitsunday Arts Festival committee who presented Council with the art prize from 2022. • Internal meetings, in Proserpine

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 Meeting held on 28 June 2023 and Special Council Meeting held on 30 June 2023 are provided for Councils review and confirmation.

OFFICER'S RECOMMENDATION

That Council:

1. Confirms the minutes of the Ordinary Meeting held on 28 June 2023.
2. Confirms the minutes of the Special Meeting (Budget) held on 30 June 2023.

RESOLUTION OM2023/07/12.2

Moved By: CR J COLLINS

Seconded By: CR M WRIGHT

That Council confirms the minutes of the Ordinary Meeting held on 28 June 2023

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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**RESOLUTION OM2023/07/12.3**

**Moved By: CR J CLIFFORD**

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

**That Council Confirms the minutes of the Special Meeting (Budget) held on 30 June 2023.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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7 BUSINESS ARISING

There were no business arising matters for this meeting.

8 DEPUTATIONS

The Mayor advised that there was one deputation received however due to the submission not meeting time requirements in accordance with Councils standing orders, this deputation was refused. Correspondence was provided to the public member to deal with this.

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.

12 QUESTIONS FROM THE PUBLIC GALLERY

The Mayor advised that one public question that was submitted however the matter is being dealt with operationally and therefore no further public questions were present for this meeting.

13 OFFICERS REPORTS

13.1 Office of the Mayor and CEO

13.1.1 - Funding Opportunity - Local Roads and Community Infrastructure

PURPOSE

To confirm funding and project support for the Local Roads and Community Infrastructure Program Phase 4.

OFFICER'S RECOMMENDATION

That Council:

1. Approve the nomination of the Bicentennial Boardwalk Stages 2 and 3 as the preferred projects to use the allocated Local Roads and Community Infrastructure grant funding towards.
2. Confirm that the required co-contribution of (\$949,463 ex GST) was adopted as part of the 2023/2024 Capital Expenditure Budget on 30 June 2023 and;
3. Acknowledge that a contract has been awarded under the prior Council Resolution OM2022/12/14.32 to undertake the proposed Stages 2 and 3 of the Bicentennial boardwalk upgrades once grant funding was confirmed.

RESOLUTION OM2023/07/12.4

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council:

1. Approve the nomination of the Bicentennial Boardwalk Stages 2 and 3 as the preferred projects to use the allocated Local Roads and Community Infrastructure grant funding towards.
2. Confirm that the required co-contribution of (\$949,463 ex GST) was adopted as part of the 2023/2024 Capital Expenditure Budget on 30 June 2023 and;
3. Acknowledge that a contract has been awarded under the prior Council Resolution OM2022/12/14.32 to undertake the proposed Stages 2 and 3 of the Bicentennial boardwalk upgrades once grant funding was confirmed.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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*Cr Clifford declared a declarable conflict of interest in item 13.2.1 regarding Trustee Lease - Volunteer Marine Rescue Whitsunday & Whitsunday Game Fishing Club as defined by section 150EQ of the Local Government Act 2009, due to the following:*

*Nature of the Conflict of Interest: Cr Clifford advised she is a paid member of the Volunteer Marine Rescue (VMR) however does not sit on the committee or attend meetings other than social functions.*

*The name of the related party: Volunteer Marine Rescue*

*The nature of the relationship of the related party to the Councillor: Member of the VMR.*

*The nature of the related party's interests in the matter: Item is in relation to a lease with the VMR.*

*As a result of this conflict of interest, Cr Clifford determined that this interest is not of sufficient significance that it would lead them to make a decision on the matter that is contrary to the public interest and were of the view that they would best perform their responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on the matter.*

*Cr Simpson declared a declarable conflict of interest in item 13.2.1 regarding Trustee Lease - Volunteer Marine Rescue Whitsunday & Whitsunday Game Fishing Club as defined by section 150EQ of the Local Government Act 2009, due to the following:*

*Nature of the Conflict of Interest: Cr Simpson advised he is a financial member of the Volunteer Marine Rescue.*

*The name of the related party: Volunteer Marine Rescue*

*The nature of the relationship of the related party to the Councillor: Member of the VMR.*

*The nature of the related party's interests in the matter: Item is in relation to a lease with the VMR.*

*As a result of this conflict of interest, Cr Simpson determined that this interest is not of sufficient significance that it would lead them to make a decision on the matter that is contrary to the public interest and were of the view that they would best perform their responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on the matter.*

#### **RESOLUTION OM2023/07/12.5**

**Moved by: CR J COLLINS**

**Seconded by: CR M WRIGHT**

**That Council agree that it is in the public interest that Cr Clifford and Cr Simpson participates in the discussion, decision making and voting on item 13.2.1 – Trustee Lease - Volunteer Marine Rescue Whitsunday & Whitsunday Game Fishing Club, because no direct or indirect benefit or loss accrues to the Councillors.**

#### **MEETING DETAILS:**

*Cr Clifford and Cr Simpson remained in the meeting however did not participate in the voting in this matter.*

The motion was Carried 5 / 0

**CARRIED**

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13.2.1 - Trustee Lease - Volunteer Marine Rescue Whitsunday & Whitsunday Game Fishing Club

PURPOSE

To advise Council of Volunteer Marine Rescue Whitsunday's request for a new 30-year term trustee lease.

OFFICER'S RECOMMENDATION

That Council authorise the Chief Executive Officer to:

- a) Surrender the current lease (expiry 26 August 2029) with the Volunteer Marine Rescue Whitsunday Inc. and Whitsunday Game Fishing Club Inc. over the whole of land at Lot 100 on CPHR840168; and
- b) Enter into negotiations and execute a thirty (30) year peppercorn lease with the Volunteer Marine Rescue Whitsunday Inc. and Whitsunday Game Fishing Club Inc. for whole of the land at Lot 100 on CPHR840168 in accordance with Section 236(1) (b)(ii) and (c)(iii) of the Local Government Regulation 2012.

RESOLUTION OM2023/07/12.6

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council authorise the Chief Executive Officer to:

- a) Surrender the current lease (expiry 26 August 2029) with the Volunteer Marine Rescue Whitsunday Inc. and Whitsunday Game Fishing Club Inc. over the whole of land at Lot 100 on CPHR840168; and
- b) Enter into negotiations and execute a thirty (30) year peppercorn lease with the Volunteer Marine Rescue Whitsunday Inc. and Whitsunday Game Fishing Club Inc. for whole of the land at Lot 100 on CPHR840168 in accordance with Section 236(1) (b)(ii) and (c)(iii) of the Local Government Regulation 2012.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.2.2 - Lease - Collinsville Men's Shed**

#### **PURPOSE**

Collinsville Men's Shed has advised Council that they wish to renew their lease and continue their use of the land at 19 Conway Street, Collinsville.

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

That Council authorise the Chief Executive Officer to enter into negotiations and execute a ten (10) year peppercorn lease with the Collinsville Men's Shed for the whole of land being 19 Conway Street, Collinsville being Lot 3 on MPH 40217 in accordance with Section 236(1)(b)(ii) and (c)(iii) of the Local Government Regulation 2012.

#### **RESOLUTION OM2023/07/12.7**

**Moved By: CR M WRIGHT**

**Seconded By: CR J COLLINS**

**That Council authorise the Chief Executive Officer to enter into negotiations and execute a ten (10) year peppercorn lease with the Collinsville Men's Shed for the whole of land being 19 Conway Street, Collinsville being Lot 3 on MPH 40217 in accordance with Section 236(1)(b)(ii) and (c)(iii) of the Local Government Regulation 2012.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.2.3 - Queensland Audit Office Report - Local Government 2022

PURPOSE

To present the Queensland Audit Office report on Local Government Audits for 2022.

OFFICER'S RECOMMENDATION

That Council receive the Queensland Audit Office Report - Local Government 2022 and note the outcomes and assessment from the Annual Audit Report for Whitsunday Regional Council.

RESOLUTION OM2023/07/12.8

Moved By: CR J CLIFFORD

Seconded By: CR J HALL (MAYOR)

That Council receive the Queensland Audit Office Report - Local Government 2022 and note the outcomes and assessment from the Annual Audit Report for Whitsunday Regional Council.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.2.4 - Annual Revaluation - Effective 30 June 2024

#### PURPOSE

This report is seeking Council's direction about the proposed Whole of Region revaluation for the upcoming 2024/25 financial year.

#### OFFICER'S RECOMMENDATION

That Council ask the Department of Resources to include the Whitsunday Regional Council local government area as part of the 2024 revaluation program to take effect on 30 June 2024.

#### RESOLUTION OM2023/07/12.9

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council ask the Department of Resources to include the Whitsunday Regional Council local government area as part of the 2024 revaluation program to take effect on 30 June 2024.

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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13.3.1 - 20230175 - Development Application for Preliminary Approval (Variation Request) for Material Change of Use for Thirteen (13) Dual Occupancy Lots - L: 200 SP: 244953 - Breeze 8 Pty Ltd C/- Veris

PURPOSE

To present the assessment of the development application.

OFFICER'S RECOMMENDATION

That Council approve the Development Application for Preliminary Approval (Variation Request to the Whitsunday Planning Scheme 2017) for Material Change of Use for Thirteen (13) Dual Occupancy Lots, made by Breeze 8 Pty Ltd, on L: 200 SP: 244953 and located at Valley Drive Cannonvale, subject to the conditions outlined in Attachment 2.

RESOLUTION OM2023/07/12.10

Moved By: CR G SIMPSON

Seconded By: CR M WRIGHT

That Council approve the Development Application for Preliminary Approval (Variation Request to the Whitsunday Planning Scheme 2017) for Material Change of Use for Thirteen (13) Dual Occupancy Lots, made by Breeze 8 Pty Ltd, on L: 200 SP: 244953 and located at Valley Drive Cannonvale, subject to the conditions outlined in Attachment 2.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.3.2 - 20221046 - Development Application for Development Permit for Reconfiguration of a Lot - One (1) Lot into Two (2) Lots - 65-67 Tucker Road, Riordanvale - Tucker C/- Wynne Planning & Development

#### PURPOSE

To present the assessment of the development application.

#### OFFICER'S RECOMMENDATION

That Council refuse the Development Application for Development Permit for Reconfiguration of a Lot - One (1) Lot into Two (2) Lots, made by N A Tucker & S M Tucker C/- Wynne Planning & Development, on L: 6 SP: 149502 and located at 65-67 Tucker Road Riordanvale, for the following reasons:

1. The proposal is not consistent with the State Planning Policy in respect of fragmentation of Agricultural Land Classification (ALC) Class A and Class B land.
2. The proposal is not consistent with the Mackay, Isaac and Whitsunday Regional Plan in respect of rural residential development in an area which is not identified as a rural living area, compromising the intent of the regional plan to protect productive agricultural land.
3. There has been no demonstration that an overriding community need exists for the proposed development.
4. The proposal conflicts with the Whitsunday Regional Council Planning Scheme 2017 and cannot be conditioned to comply. Specifically:
  - a) The Rural zone is the correct zone for this site, being the default zone for the majority of the planning scheme area which is not included in an urban zone.
  - b) The predicted demand and supply of rural residential land within the planning scheme area was modelled by the WRC Urban Growth Study and adequate land is zoned to accommodate predicted demand.
  - c) The proposal is not consistent with the Rural Zone code and Reconfiguration of a Lot Code, which specifies a minimum lot size of 100 hectares.
  - d) The proposal is not consistent with the agricultural land overlay, which does not support fragmentation of land.

#### RESOLUTION OM2023/07/12.11

Moved By: CR G SIMPSON

Seconded By: CR J COLLINS

That Council:

- a. resolves to approve the Development Permit for Reconfiguration of a Lot - One (1) Lot into Two (2) Lots – 20221046 – 65-67 Tucker Road Riordanvale, subject to the following conditions:

#### 1.0 ADMINISTRATION

- 1.1 The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

| Plan/Document Name | Prepared By                  | Plan Number  | Dated      |
|--------------------|------------------------------|--------------|------------|
| Proposal Plan      | Wynne Planning & Development | Tuckers Road | 14/09/2022 |

|                                          |                                    |          |            |
|------------------------------------------|------------------------------------|----------|------------|
| Effluent Design Report                   | SubTest                            | J-230922 | 28/10/2022 |
| Engineering Assessment / Response to RFI | Trevor Glasson Consulting Services | 23010    | 13/03/2023 |

- 1.2 The following further development permits are required prior to commencement of work on site or commencement of the use:
- Operational Works;
    - Erosion & Sediment Control; and
    - Access and Parking.

All Operational Works, Plumbing and Drainage Works Development Permits must be obtained prior to the issue of a Building Works Development Permit.

- 1.3 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.
- 1.4 All conditions of this approval must be complied with in full to Council's satisfaction prior to the release of the survey plan.
- 1.5 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of sealing the Survey Plan.

## **2.0 CLEARING, LANDSCAPING AND FENCING**

- 2.1 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.
- 2.2 All vegetative waste cleared as part of the development of the site is to be either:
- a) stored neatly on site and shredded within sixty (60) days of clearing; or
  - b) removed off the site to an approved disposal location.
- 2.3 Any pruning works must be in accordance with AS 4373-1996 – Pruning of Amenity Tree.
- 2.4 No invasive plants (Biosecurity Act, 2014) or declared local pests (Local Law no.3) shall be planted on the site or allowed to invade the site and the site must be managed and maintained to exclude weeds.
- 2.5 To reduce the spread of weeds, all earthmoving equipment shall be free of soil and seed before being taken to the work site and again on completion of the project.

## **3.0 WATER INFRASTRUCTURE**

- 3.1 Design and construct a potable water supply to proposed Lot 5 in accordance with Council's Planning Scheme or Planning Policy applicable at the time. Such work must be in accordance with an approved detailed design at future building application stage.

## **4.0 ON-SITE EFFLUENT DISPOSAL**

- 4.1 At future building application stage the applicant is to Design and Construct an on-site sewerage treatment system to proposed Lot 5. Such work must be in accordance with Council's Planning Scheme applicable at the time and Queensland Plumbing and Wastewater code. The applicant will be required to supply a detailed site-specific Wastewater Report at building stage that complies with AS 1547:2012 and the Queensland Plumbing and Wastewater Code Version 1:2019. The Effluent Design Report by SubTest should be noted at future building stage.

## **5.0 ACCESS AND PARKING**

- 5.1 A Development Permit for Operational Works (External Access) must be obtained prior to commencement of work on site. Any application for Operational Works (External Access) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Council's Development Manual (current at the time of development) and this Decision Notice
- 5.2 The applicant must design and construct an external access from the sealed edge of Tucker Road to the property boundary of proposed Lot 5 and to a minimum of 3 meters wide and to a sealed standard so as to comply as a minimum with the levels, dimensions and specifications as shown on Council's current Standard Drawings and Whitsunday Regional Council's Development manual standard DG 1.17 and DG 1.30 Access to Allotments prior to the signing of the Plan of Survey.
- 5.3 The applicant must design and reconstruct an external access from the sealed edge of Tucker Road to the property boundary of proposed Lot 6 and to a minimum of 3 meters wide, to a sealed standard and with a minimum 450mm RCP, so as to comply as a minimum with the levels, dimensions and specifications as shown on Council's current Standard Drawings and Whitsunday Regional Council's Development manual standard DG 1.17 and DG 1.30 Access to Allotments prior to the signing of the Plan of Survey.
- 5.4 The applicant is to install road safety signage as per Driveway Access SISD Safe Intersection Sight Distance Plan 04B by Trevor Glasson Consulting Services dated 13/03/2023 and 2 additional 'CREST' signs on either side of the crest, prior to the signing of the Plan of Survey.
- 5.5 At completion of construction and prior to signing of plan of survey, the Supervising Engineer must provide certification that all earthworks/stormwater/roadworks & access works constructed on site comply with Council's Development Manual, and the Decision Notice of Approval.
- 5.6 The applicant is to remove the existing gravel driveway to 59 Tucker Road Riordanvale, prior to the signing of the Plan of Survey.

## **6.0 STORMWATER AND FLOODING**

- 6.1 Each allotment to be created must be provided with a lawful point of discharge prior to signing of the Survey Plan.
- 6.2 All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual current at the time of development and Council's Development Manual (current at the time of development).
- 6.3 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including Q100.

## **7.0 ROADWORKS**

- 7.1 The applicant is to provide rural property numbering to each allotment in accordance with Council's requirements (yellow post and reflective blue numbering) prior to the release of the survey plan.

## **8.0 INFRASTRUCTURE AGREEMENT**

- 7.1 Provide electricity and telecommunications connection to the proposed development to the requirements of the relevant authority. The application must submit to Council, either:
  - (a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the newly created lots; or
  - (b) a certificate of supply that the applicant has entered into an agreement with the authorized electricity supplier, Ergon, to provide electricity services to the newly

created lots, payment has been received and the connection will be completed at a date in the future.

If low-voltage electricity supply is unavailable to the newly created lots then the applicant must provide a certificate of supply of the proposed electricity connection date to all future property owners prior to entering into a contract of sale for the newly created lots prior to sealing of the Survey Plan.

## **9.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP)**

- 8.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site. The Erosion Prevention and Sediment Control Plan must be prepared in accordance with Council's Development Manual and best Practice Erosion & Sediment Control – November 2008 (IECA White Book). The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g., turfed, concreted).
- 8.2 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 8.3 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.
- 8.4 The applicant must ensure that when undertaking any on-site or external works, including any filling and extraction, appropriate dust control measures are implemented in accordance with the Environmental Protection Act 1994 and complies with the relevant air quality objectives defined in the Environmental Protection (Air) Policy 2008.

## **10.0 DEVELOPER CONTRIBUTIONS**

- 10.1 The applicant must pay to Council a maintenance valuation fee per lot at the time of sealing of the survey plan at the rate applicable at the time of payment. The current rate is \$40.50 per lot.

## **11.0 MISCELLANEOUS**

- 11.1 If any item of cultural heritage is identified during site works, all work must cease and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.  
The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au)
- 11.2 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 11.3 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The on site supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 11.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Tucker Road or

adjoining land unless written permission from the owner of that land and Council is provided.

- 11.5 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean up of any litter or waste that is a result of the subject development.

## **12.0 ADVISORY NOTES**

### **12.1 Hours of work**

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays or Public Holidays.

### **12.2 Dust Control**

It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

### **12.3 Sedimentation Control**

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994 and Schedule 9 of the Environmental Protection Regulation 2008 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

### **12.4 Noise During Construction and Noise in General**

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994.

### **12.5 General Safety of Public During Construction**

It is the project manager's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.

It is the principal contractor's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.

It is the responsibility of the person in control of the workplace to ensure compliance with the Work Health and Safety Act 2011. It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

- 12.6 Enquiries relating to the aforementioned conditions should be directed to the Development Services Directorate who will direct the enquiry to the relevant officer.

## **b. progress with an amendment to the Whitsunday Regional Council Planning Scheme 2017 to rezone 65 – 67 Tucker Road Riordanvale to Rural residential.**

Reason for Decision:

In terms of section 254H(2) of the *Local Government Regulation, 2012*, and section 63(2)(f)(ii) of the *Planning Act, 2016*, Council's reasons for not adopting the recommendations or advice are as follows:

1. The proposal is consistent with the allotment sizes in the surrounding locality and has the characteristics of a Rural Residential premises.

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.3.3 - Development Services Monthly Report - June 2023

PURPOSE

This report presents information relating to the operations of the Development Services Directorate for the month of June 2023.

OFFICER'S RECOMMENDATION

That Council receives the Development Services Monthly Report for June 2023.

RESOLUTION OM2023/07/12.12

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council receives the Development Services Monthly Report for June 2023.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 13.4 Community Services

### 13.4.1 - Sponsorship Request - Proserpine Veteran Golfers Association Inc. - Wintersun Event

#### PURPOSE

Council to consider a request for sponsorship from the Proserpine Veteran Golfers Association Inc. to assist with their Wintersun Event.

#### OFFICER'S RECOMMENDATION

That Council approve a sponsorship of \$3,000 to assist with the Wintersun Event to be a major sponsor as requested by the Proserpine Veteran Golfers Association Inc.

#### RESOLUTION OM2023/07/12.13

Moved By: CR J COLLINS

Seconded By: CR C BAUMAN

That Council approve a sponsorship of \$3,000 to assist with the Wintersun Event to be a major sponsor as requested by the Proserpine Veteran Golfers Association Inc.

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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Cr Clifford declared a declarable conflict of interest in item 14.4.2 regarding Sponsorship Request - Airlie Beach Race Week as defined by section 150EQ of the Local Government Act 2009, due to the following:

Nature of the Conflict of Interest: Cr Clifford advised she is a social member of the sailing club but does not sit on any committees or hold any positions within the committee.

The name of the related party: Whitsunday Sailing Club

The nature of the relationship of the related party to the Councillor: Member of the club.

The nature of the related party's interests in the matter: Whitsunday Sailing Club is requesting sponsorship to assist in hosting the 2023 Airlie Beach Race Week Festival to be held 10-17 August 2023.

As a result of this conflict of interest, Cr Clifford determined that this interest is not of sufficient significance that it would lead them to make a decision on the matter that is contrary to the public interest and were of the view that they would best perform their responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on the matter.

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**RESOLUTION OM2023/07/12.14**

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

**Seconded by: CR G SIMPSON**

**That Council agree that it is in the public interest that Cr Clifford participates in the discussion, decision making and voting on item 13.4.2 – Sponsorship Request - Airlie Beach Race Week, because no direct or indirect benefit or loss accrues to Cr Clifford.**

**MEETING DETAILS:**

*Cr Clifford remained in the meeting but did not participate in the voting on this matter.*

The motion was Carried 6 / 0

**CARRIED**

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Cr Bauman declared a declarable conflict of interest in item 13.4.2 regarding Sponsorship Request - Airlie Beach Race Week as defined by section 150EQ of the Local Government Act 2009, due to the following:

Nature of the Conflict of Interest: Cr Bauman advised he has been a member of the sailing club for over 15 years and was previously on the executive - however changed the membership 10 years ago to back to a non-voting member. Cr Bauman currently stands as a racing member which includes having the necessary cover of insurance for racing purposes.

The name of the related party: Whitsunday Sailing Club

The nature of the relationship of the related party to the Councillor: Racing member of the club

The nature of the related party's interests in the matter: Whitsunday Sailing Club is requesting sponsorship to assist in hosting the 2023 Airlie Beach Race Week Festival to be held 10-17 August 2023.

As a result of this conflict of interest, Cr Bauman determined that this interest is not of sufficient significance that it would lead them to make a decision on the matter that is contrary to the public interest and were of the view that they would best perform their responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on the matter.

Cr Simpson advised the meeting that he acknowledges the long standing relationship with Cr Bauman's involvement in the Sailing Club and therefore would be comfortable with Cr Bauman remaining in the meeting room, but not participating in the voting on this matter.

The Chief Executive Officer advised that there are the two options, either Cr Bauman voluntarily leaves the room or alternatively the remaining Councillors vote as to whether Cr Bauman can remain in the meeting to participate in the discussions and voting on the item.

RESOLUTION OM2023/07/12.15

Moved by: CR G SIMPSON

Seconded by: CR J COLLINS

That Council agree that it is in the public interest that Cr Bauman does not participate and vote on item 13.4.2 – Sponsorship Request - Airlie Beach Race Week.

MEETING DETAILS:

Cr Bauman remained in the meeting room but did not participate in the voting on this matter.

The motion was Carried 5 / 1

CARRIED

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*Cr Bauman left the meeting room at 10.10am as per his declaration.*

### **13.4.2 - Sponsorship Request - Airlie Beach Race Week**

#### **PURPOSE**

Council to consider a request for sponsorship from the organisers of the 2023 Airlie Beach Race Week – Whitsundays Festival of Sailing.

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

That Council approve:

1. A monetary sponsorship of \$5,000.00 and;
2. In-kind support up to the value of \$5,000.00 to assist the Whitsunday Sailing Club to host the 2023 Airlie Beach Race Week Festival of Sailing to be held 10-17 August 2023, with the in-kind sponsorship including:
  - a. Installation and removal of Banner Sites and placement in the Airlie Beach Main Street and Whitsunday Airport inclusive of additionally required traffic control.
  - b. Provision of additional waste services (excluding dump fees)
  - c. 30 x boat and trailer parking permits for Port of Airlie (Note: Permits do not guarantee parking)
  - d. 12 x boat and trailer parking permits for Abell Point Marina (Note: Permits do not guarantee parking)
  - e. Relaxation of off-street parking fees in the Coconut Grove Carpark.

#### **RESOLUTION OM2023/07/12.16**

**Moved By: CR G SIMPSON**

**Seconded By: CR J CLIFFORD**

That Council approve:

1. A monetary sponsorship of \$5,000.00 and;
2. In-kind support up to the value of \$5,000.00 to assist the Whitsunday Sailing Club to host the 2023 Airlie Beach Race Week Festival of Sailing to be held 10-17 August 2023, with the in-kind sponsorship including:
  - a. Installation and removal of Banner Sites and placement in the Airlie Beach Main Street and Whitsunday Airport inclusive of additionally required traffic control.
  - b. Provision of additional waste services (excluding dump fees)
  - c. 30 x boat and trailer parking permits for Port of Airlie (Note: Permits do not guarantee parking)
  - d. 12 x boat and trailer parking permits for Abell Point Marina (Note: Permits do not guarantee parking)
  - e. Relaxation of off-street parking fees in the Coconut Grove Carpark.

#### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

*Cr Bauman returned to the meeting at 10.11am.*

**PROCEDURAL MOTION - ADJOURNMENT OM2023/07/12.17**

**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**

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PROCEDURAL MOTION - RECONVENE OM2023/07/12.18

Moved by: CR J HALL (MAYOR)

Seconded by: CR C BAUMAN

That the meeting be reconvened from morning tea at 10.33am

MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

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*Cr Bauman declared a declarable conflict of interest in item 13.4.3 regarding Donation of Council Fees - June 2023 as defined by section 150EQ of the Local Government Act 2009, due to the following:*

*Nature of the Conflict of Interest: Cr Bauman advised that he was previously a member of the Whitsunday Conservation Council.*

*The name of the related party: Whitsunday Conversation Council*

*The nature of the relationship of the related party to the Councillor: Non-member to the group, but was a member in the past.*

*The nature of the related party's interests in the matter: Whitsunday Conservation Council Donation Fees by Council for Local Law License Fee \$275.00*

*As a result of this conflict of interest, Cr Bauman determined that this interest is not of sufficient significance that it would lead them to make a decision on the matter that is contrary to the public interest and were of the view that they would best perform their responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on the matter.*

#### **RESOLUTION OM2023/07/12.19**

**Moved by: CR J CLIFFORD**

**Seconded by: CR J HALL (MAYOR)**

**That Council agree that it is in the public interest that Cr Bauman participates and votes on item 13.4.3 – Donation of Council Fees - June 2023, because no direct or indirect benefit or loss accrues to Cr Bauman.**

#### **MEETING DETAILS:**

*Cr Bauman remained in the meeting but did not participate in the voting on this matter.*

The motion was Carried 6 / 0

**CARRIED**

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13.4.3 - Donation of Council Fees - June 2023

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 of Council fees for the following applicants.

1. Coalface Experience – Class 3 Event Application Fee - \$430.00
2. Whitsunday Conservation Council – Local Law Licence Fee - \$275.00

RESOLUTION OM2023/07/12.20

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

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

1. Coalface Experience – Class 3 Event Application Fee - \$430.00
2. Whitsunday Conservation Council – Local Law Licence Fee - \$275.00

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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#### **13.4.4 - Donation Request - St Mary's Catholic School - 150th Year Celebration**

##### **PURPOSE**

Council to consider a request for donation to the St Mary's Catholic School P&C Association for their 150<sup>th</sup> Anniversary Celebrations.

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

That Council approve a donation of \$5,000 to assist the St Mary's Catholic School Parents and Citizens Association with their 150<sup>th</sup> Anniversary Celebrations to be held 9 September 2023.

##### **RESOLUTION OM2023/07/12.21**

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

**That Council approve a donation of \$5,000 to assist the St Mary's Catholic School Parents and Citizens Association with their 150<sup>th</sup> Anniversary Celebrations to be held 9 September 2023.**

##### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.4.5 - Donation Request - Whitsundays Hospital Ball

PURPOSE

Council to consider a request for donation from the Proserpine Hospital for the 2023 Whitsundays Hospital Ball.

OFFICER'S RECOMMENDATION

That Council approve a \$2,000 in-kind donation for the venue hire, equipment and ticketing plus a cash sponsorship of \$5,000 to assist with the Proserpine Hospital in hosting the 2023 Hospital Ball with event costs such as cleaning, security and staffing, of the Proserpine Entertainment Centre to be held 7 October 2023.

RESOLUTION OM2023/07/12.22

Moved By: **CR J CLIFFORD**

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

That Council approve a \$2,000 in-kind donation for the venue hire, equipment and ticketing plus a cash sponsorship of \$5,000 to assist with the Proserpine Hospital in hosting the 2023 Hospital Ball with event costs such as cleaning, security and staffing, of the Proserpine Entertainment Centre to be held 7 October 2023.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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*Cr Bauman declared a declarable conflict of interest in item 13.4.6 regarding Sport & Recreation Club Grants - 12 July 2023 as defined by section 150EQ of the Local Government Act 2009, due to the following:*

*Nature of the Conflict of Interest: Cr Bauman advised that he has volunteered for Sailability in the past and continues to visit and has visited activities as recently as last month. He also acknowledged that he is friends with volunteers and officials due to many being from the sailing fraternity.*

*The name of the related party: Sailability Whitsunday Inc.*

*The nature of the relationship of the related party to the Councillor: Previous volunteer and friendly relations with volunteers and officials.*

*The nature of the related party's interests in the matter: Sailability is receiving a donations of a Sport & Rec Club Grant from Council*

*As a result of this conflict of interest, Cr Bauman determined that this interest is not of sufficient significance that it would lead them to make a decision on the matter that is contrary to the public interest and were of the view that they would best perform their responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on the matter.*

#### **RESOLUTION OM2023/07/12.23**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

**That Council agree that it is in the public interest that Cr Bauman participates and votes on item 13.4.6 – Sport & Recreation Club Grants - 12 July 2023, because no direct or indirect benefit or loss accrues to Cr Bauman.**

#### **MEETING DETAILS:**

*Cr Bauman remained in the meeting but did not participate in the voting on this matter.*

The motion was Carried 6 / 0

**CARRIED**

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13.4.6 - Sport & Recreation Club Grants - 12 July 2023

PURPOSE

For Council to consider the payment of the Sport & Recreation Club Grants for July 2023 in accordance with Council's Sport & Recreation Grant Guidelines.

OFFICER'S RECOMMENDATION

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

1. Molongle Creek Boat Club Inc. – Band 1 - \$5,500
2. Whitsunday Moto Sports Club Inc. – Band 2 - \$3,000
3. Whitsunday Touch Association – Band 2 - \$3,000
4. Gloucester Sports & Recreation Association Inc. – Band 2 - \$3,000
5. Ports Denison Sailing Club Inc. – Band 3 - \$1,500
6. Wangaratta Bowls Club Inc. – Band 3 - \$1,500
7. Collinsville Barebow Hunters Club Inc. – Band 4 - \$1,000
8. Sailability Whitsunday Inc. – Band 4 - \$1,000

RESOLUTION OM2023/07/12.24

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

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

1. Molongle Creek Boat Club Inc. – Band 1 - \$5,500
2. Whitsunday Moto Sports Club Inc. – Band 2 - \$3,000
3. Whitsunday Touch Association – Band 2 - \$3,000
4. Gloucester Sports & Recreation Association Inc. – Band 2 - \$3,000
5. Ports Denison Sailing Club Inc. – Band 3 - \$1,500
6. Wangaratta Bowls Club Inc. – Band 3 - \$1,500
7. Collinsville Barebow Hunters Club Inc. – Band 4 - \$1,000
8. Sailability Whitsunday Inc. – Band 4 - \$1,000

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.4.7 - Financial Support for a Junior Elite Athlete - 12 July 2023**

#### **PURPOSE**

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

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

That Council approve financial support for the following applicants:

1. Diesel Bonds - Northern Region School Sport Representation 11-12yrs Rugby League Team Championships - \$250
2. Nicholas Philipson - Northern Region School Sport Representation 10 -12yrs Football (Soccer) State Championships - \$250

#### **RESOLUTION OM2023/07/12.25**

Moved By: **CR M WRIGHT**

Seconded By: **CR J CLIFFORD**

That Council approve financial support for the following applicants:

1. Diesel Bonds - Northern Region School Sport Representation 11-12yrs Rugby League Team Championships - \$250
2. Nicholas Philipson - Northern Region School Sport Representation 10 - 12yrs Football (Soccer) State Championships - \$250

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.4.8 - Extension to Temporary Closure - Kings Beach, Bowen - 17 August to 30 September 2023

PURPOSE

To extend the temporary closure of Kings Beach, Bowen from the mouth of Sandhill Creek from Thursday, 17 August 2023 to Saturday, 30 September 2023, in accordance with *Whitsunday Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014* to enable the area to be used by the Department of Defence to conduct Exercise Talisman Sabre 2023 activities including a Joint Logistics Over The Shore (JLOTS) exercise to move cargo from vessels onto land which are too large to enter locally available or preferred established ports.

OFFICER'S RECOMMENDATION

That Council extend the temporary closure of Kings Beach, Bowen from the mouth of Sandhill Creek from Thursday, 17 August 2023 to Saturday, 30 September 2023 in accordance with *Whitsunday Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014* to conduct Exercise Talisman Sabre 2023 activities.

RESOLUTION OM2023/07/12.26

Moved By: CR J COLLINS

Seconded By: CR M WRIGHT

That Council extend the temporary closures of Kings Beach, Bowen from the mouth of Sandhill Creek and Denison Park Botanical Gardens Bowen from Thursday, 17 August 2023 to Saturday, 30 September 2023 in accordance with *Whitsunday Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2014* to conduct Exercise Talisman Sabre 2023 activities.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.4.9 - Community Services Monthly Report - June 2023

#### 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 June 2023.

#### OFFICER'S RECOMMENDATION

That Council receive the Community Services Monthly Report for June 2023.

#### RESOLUTION OM2023/07/12.27

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council receive the Community Services Monthly Report for June 2023.

#### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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14 MATTERS OF IMPORTANCE

Mayor Hall acknowledged and thanked the Mackay Hospital Foundation for sending through a plaque for Councils generous support for 2022.

Mayor Hall also acknowledged that herself and Cr Wright attended a Welcome to Country by our local traditional owners Juru - who presented in front of the officers and personnel of the US Army which consisted of about 200 people. Council was also presented with a Talisman Sabre 2023 plaque at the time. Council thanks Jim Gaston for the welcome to country and Lieutenant Kronen for all his help in organising this.

Cr Clifford acknowledged and thanked those involved in the outreach of her recent incidents.

15 LATE REPORT ITEMS

There were no late items for this meeting.

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## 16 CONFIDENTIAL MATTERS

### PROCEDURAL MOTION - CLOSURE OF MEETING (CONFIDENTIAL SESSION) OM2023/07/12.28

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council close the meeting to the public at 10.59am 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 - Disposal of Land – Bowen Community Centre

- (g) *negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.*

#### MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

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PROCEDURAL MOTION - REOPEN MEETING OM2023/07/12.29

Moved by: CR J HALL (MAYOR)

Seconded by: CR J CLIFFORD

That Council reopen the meeting to the general public at 11.29am.

MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

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### 16.1.1 - Disposal of Land – Bowen Community Centre

#### 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—*
  - (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.***

#### **PURPOSE**

Council has received a request for a donation of land for the purpose of building housing for front line and professional workers in Bowen.

#### **RECOMMENDATION**

That Council provide in-principle support for the donation of land in accordance with Section 236 (1)(a)(i) and Section 236 (1)(b)(ii) of the Local Government Regulation 2012 to the Bowen Community Centre for Lot 5 King Street, Bowen (Lot 5 on RP712941) for the purpose of building housing for front line workers and professionals on the following conditions:

- a. Grant funding is received in the current round of the Growing Regions Grant;
- b. The Bowen Community Centre has the funds available to match the 50/50 contribution of the Growing Regions Grant; and
- c. All relevant planning and development permits and approvals are obtained.

#### **RESOLUTION OM2023/07/12.30**

**Moved By: CR M WRIGHT**

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

**That Council provide in-principle support for the Chief Executive Officer to negotiate the donation of land in accordance with Section 236 (1)(a)(i) and Section 236 (1)(b)(ii) of the Local Government Regulation 2012 to the Bowen Community Centre for Lot 5 King Street, Bowen (Lot 5 on RP712941) for the purpose of building housing for front line workers and professionals on the following conditions:**

- a. Grant funding is received in the current round of the Growing Regions Grant;**
- b. The Bowen Community Centre has the funds available to match the 50/50 contribution of the Growing Regions Grant; and**
- c. All relevant planning and development permits and approvals are obtained.**

- d. that should the Bowen Community Centre dispose of the land, that the proceeds of sale of the land be returned to the Council.

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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The Meeting closed at 11.31am

Confirmed as a true and correct recording this 26 July 2023.

**Cr Julie Hall
MAYOR**