



Minutes of the Ordinary Council Meeting held on Wednesday 26 July 2023 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, Clay Bauman, John Collins, Michelle Wright, Gary Simpson and Michael Brunker (Via teleconference)

Council Officers Present:

Warren Bunker (Chief Executive Officer); Julie Wright (Director Community Services); Neil McGaffin (Director Development Services); Peter Shuttlewood (Acting 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):

Leah Bradley (Manager Financial Services)

Meeting Schedule:

The meeting commenced at 9.00am

The meeting closed at 9.48am

Whitsunday Regional Council
**Minutes of the Ordinary Council Meeting held at
Council Chambers, 67 Herbert Street, Bowen on
Wednesday 26 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 OM2023/07/26.1**

**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 during this meeting.

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## **4 MAYORAL MINUTE**

Mayor acknowledged and thanked the community and staff for the successful Mayors Ball Event that was held on 22 July 2023.

|                              |                                                                                                                                                                                                                                                                   |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Wednesday<br/>12 July</b> | <ul style="list-style-type: none"> <li>• Council Meeting, in Proserpine</li> </ul>                                                                                                                                                                                |
| <b>Friday<br/>14 July</b>    | <ul style="list-style-type: none"> <li>• Met with Juru Enterprises CEO Ricky Dellachy, in Bowen</li> <li>• Internal meetings, in Bowen</li> <li>• That evening, met with Skytrans CEO Alan Milne, in Airlie Beach</li> </ul>                                      |
| <b>Monday<br/>17 July</b>    | <ul style="list-style-type: none"> <li>• Catchup with CEO</li> <li>• Internal meetings, in Bowen</li> </ul>                                                                                                                                                       |
| <b>Tuesday<br/>18 July</b>   | <ul style="list-style-type: none"> <li>• Myself and CEO met with Greater Whitsunday Alliance</li> <li>• Internal meetings, in Proserpine</li> <li>• Had a site tour of proposed Twin Creeks Eco Park with CEO, Cr Gary Simpson &amp; Cr Clay Bauman</li> </ul>    |
| <b>Wednesday<br/>19 July</b> | <ul style="list-style-type: none"> <li>• Briefing Session, in Bowen</li> <li>• That evening attended Greater Whitsunday Council of Mayors (GWCoM) Dinner, in Airlie Beach</li> </ul>                                                                              |
| <b>Thursday<br/>20 July</b>  | <ul style="list-style-type: none"> <li>• Attended GWCoM meeting, in Proserpine</li> <li>• Internal meetings, in Proserpine</li> </ul>                                                                                                                             |
| <b>Friday<br/>21 July</b>    | <ul style="list-style-type: none"> <li>• Travelled to Mackay to attend Leadership in Disaster Recovery Masterclass</li> </ul>                                                                                                                                     |
| <b>Saturday<br/>22 July</b>  | <ul style="list-style-type: none"> <li>• Hosted my inaugural Mayor's Charity Ball at Shute Harbour Marine Terminal</li> </ul>                                                                                                                                     |
| <b>Monday<br/>24 July</b>    | <ul style="list-style-type: none"> <li>• Invited as Guest Speaker to Whitsunday Probus Club</li> <li>• Internal meetings, in Bowen</li> <li>• That afternoon, I officially welcomed the United States Forces at the Bowen Chamber of Commerce Function</li> </ul> |
| <b>Tuesday<br/>25 July</b>   | <ul style="list-style-type: none"> <li>• Attended Audit and Risk Committee Meeting, in Bowen</li> <li>• Internal meetings</li> <li>• Attended the Don River Trust Improvement Meeting, in Bowen</li> </ul>                                                        |

## 6.1 - Confirmation of Minutes

### PURPOSE

At each Council meeting, the minutes of the previous meeting must be confirmed by the councillors present and signed by the person presiding at the later meeting. The Minutes of Council's Ordinary Council Meeting held on 12 July 2023 are provided for Councils review and confirmation.

### OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 12 July 2023.

### RESOLUTION OM2023/07/26.2

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

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

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## 8 DEPUTATIONS

Mayor advised that there was one deputation that was received however was refused on the grounds that it did not meeting Councils Standing Orders Policy and is also being treated as an Operational matter.

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9 PETITIONS

There were no petitions submitted for this meeting.

10 NOTICES OF MOTION

There were no notice of motions for this meeting.

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## **11 QUESTIONS ON NOTICE**

The Chief Executive Officer advised the meeting that the Public Questions being submitted are of operational nature and are being refused on the grounds that these can be dealt with operationally.

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12 QUESTIONS FROM THE PUBLIC GALLERY

The Mayor advised that there was one public question that was received however was refused on the grounds that the submission is of operational nature and will be taken offline and dealt with operationally.

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## **13 OFFICERS REPORTS**

### **13.1 Corporate Services**

#### **13.1.1 - Local Authority Waste Management Action Committee - Conference - August 2023**

##### **PURPOSE**

To inform Council of the upcoming Local Authority Waste Management Action Committee ('LAWMAC') event on 17<sup>th</sup> and 18<sup>th</sup> August 2023 and request that Councillor Bauman be nominated to attend.

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

That Council endorse Councillor Bauman to attend the Local Authority Waste Management Action Committee event to be held 17 and 18 August 2023.

##### **RESOLUTION OM2023/07/26.3**

**Moved By: CR J CLIFFORD**

**Seconded By: CR M WRIGHT**

**That Council endorse Councillor Bauman to attend the Local Authority Waste Management Action Committee event to be held 17 and 18 August 2023.**

##### **MEETING DETAILS**

The motion was Carried 6 / 1.

**CARRIED**

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13.1.2 - Local Government Association of Queensland 127th Annual Conference

PURPOSE

The purpose of this report is to nominate Councillor representatives to attend and nominate motions for submission to the Local Government Association of Queensland ('LGAQ') for the LGAQ 2023 Annual Conference and Annual General Meeting ('AGM').

OFFICER'S RECOMMENDATION

That Council:

1. Submits the following motions to the Local Government Association of Queensland Annual Conference to be considered for inclusion in the Annual General Meeting (AGM) which will be held on Monday 16 October 2023 to Wednesday 18 October 2023 at the Gladstone Entertainment Convention Centre:
 - a. That LGAQ calls on the State Government to mandate the 'councillor code of conduct' for all intending candidates from the period that they declare they are running for election, including the upcoming local government election in March 2024, and that the legislation be amended to provide a level playing field for all election candidates, noting that there is no control/regulation at present.
 - b. That LGAQ advocate the Department of Agriculture and Fisheries to assist local governments with funding to eradicate Yellow Crazy Ant infestations where the infestations are small and where eradication is feasible. In addition, the Department of Agriculture and Fisheries develop and implement a process for the movement of building, construction and landscaping material requires a "pest ant hygiene" declaration process from the supplier to the receiver to reduce the potential spread of pest ants from known pest ant locations.
 - c. That LGAQ seek a review of the roles and responsibilities of River Improvement Trusts under the '*River Improvement Trust Act 1940*' and the relationships with local government to deliver more integrated outcomes and foster closer relationships across the state in waterway management.
 - d. That LGAQ calls on the State Government to increase the funding to Road Maintenance Performance Contract annually by the published Council Cost Index (CCI).
2. Appoint the following Councillors to attend the Local Government Association of Queensland Annual Conference 2023
 - a. Mayor Julie Hall
 - b. Councillor Gary Simpson (Deputy Mayor)
 - c. Councillor Jan Clifford
 - d. Councillor Michael Brunner
 - e. Councillor Michelle Wright

RESOLUTION OM2023/07/26.4

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council:

- 1. Submits the following motions to the Local Government Association of Queensland Annual Conference to be considered for inclusion in the Annual General Meeting (AGM) which will be held on Monday 16 October 2023 to Wednesday 18 October 2023 at the Gladstone Entertainment Convention Centre:**
 - a. That LGAQ calls on the State Government to mandate the 'councillor code of conduct' for all intending candidates from the period that they declare they are running for election, including the upcoming local government election in March 2024, and that the legislation be amended to provide a level playing field for all election candidates, noting that there is no control/regulation at present.**
 - b. That LGAQ advocate the Department of Agriculture and Fisheries to assist local governments with funding to eradicate Yellow Crazy Ant infestations where the infestations are small and where eradication is feasible. In addition, the Department of Agriculture and Fisheries develop and implement a process for the movement of building, construction and landscaping material requires a "pest ant hygiene "declaration process from the supplier to the receiver to reduce the potential spread of pest ants from known pest ant locations.**
 - c. That LGAQ calls on the State Government to increase the funding to Road Maintenance Performance Contract annually by the published Council Cost Index (CCI).**
- 2. Appoint the following Councillors to attend the Local Government Association of Queensland Annual Conference 2023**
 - a. Mayor Julie Hall**
 - b. Councillor Gary Simpson (Deputy Mayor)**
 - c. Councillor Jan Clifford**
 - d. Councillor Michael Brunker**
 - e. Councillor Michelle Wright**

MEETING DETAILS

The motion was Carried 6 / 1.

CARRIED

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### 13.1.3 - ALGWA Queensland State Conference 2023

#### PURPOSE

To inform Council of the upcoming Australian Local Government Women's Association ('ALGWA') Queensland State Conference 2023 on 3<sup>rd</sup> and 4<sup>th</sup> August 2023 and request that Councillor Clifford be nominated to attend.

#### OFFICER'S RECOMMENDATION

That Council nominate Councillor Clifford to attend ALGWA Queensland State Conference 2023 to be held on the 3<sup>rd</sup> and 4<sup>th</sup> August 2023 in Brisbane.

#### RESOLUTION OM2023/07/26.5

Moved By: CR M WRIGHT

Seconded By: CR C BAUMAN

That Council nominate Councillor Clifford to attend ALGWA Queensland State Conference 2023 to be held on the 3<sup>rd</sup> and 4<sup>th</sup> August 2023 in Brisbane.

#### MEETING DETAILS

The motion was Carried 6 / 1.

**CARRIED**

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13.1.4 - Financial Report - Unaudited FY 2022-23 Period ending June 2023

PURPOSE

To inform Council of the current unaudited financial performance and position for the period to 30 June 2023.

OFFICER'S RECOMMENDATION

That Council receive the Financial Report, Capital Expenditure Report and the Unaudited Financial Statements 2022/23 for the period ended 30 June 2023.

RESOLUTION OM2023/07/26.6

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council receive the Financial Report, Capital Expenditure Report and the Unaudited Financial Statements 2022/23 for the period ended 30 June 2023.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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#### 13.1.5 - Corporate Services Monthly Report - June 2023

##### PURPOSE

To provide an overview the Corporate Services Directorate for the month of June 2023.

##### OFFICER'S RECOMMENDATION

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

##### RESOLUTION OM2023/07/26.7

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

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

##### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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13.2.1 - 20220379 - Development Application for Development Permit for Material Change of Use - Transport Depot - Tropic Isle Retail Stores Pty Ltd c/- Wynne Planning & Development

PURPOSE

To present the assessment of the development application.

OFFICER'S RECOMMENDATION

That Council approve the Development Application for Development Permit for Material Change of Use - Transport Depot, made by Tropic Isle Retail Stores Pty Ltd, on L: 2 RP: 746319 and located at Bruce Highway Hamilton Plains, subject to the conditions outlined in Attachment 2.

RESOLUTION OM2023/07/26.8

Moved By: CR J COLLINS

Seconded By: CR G SIMPSON

That Council approve the Development Application for Development Permit for Material Change of Use - Transport Depot, made by Tropic Isle Retail Stores Pty Ltd, on L: 2 RP: 746319 and located at Bruce Highway Hamilton Plains, subject to the conditions outlined in Attachment 2.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### **13.3.1 - Donation Request - Collinsville Connect Telecentre**

#### **PURPOSE**

Council to consider a request for donation from the Collinsville Connect Telecentre to provide free internet and computer access to members of the community.

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

That Council approve a donation of \$3,000 to assist Collinsville Connect Telecentre in providing free internet and computer access to members of the community.

#### **RESOLUTION OM2023/07/26.9**

**Moved By: CR M WRIGHT**

**Seconded By: CR J CLIFFORD**

**That Council approve a donation of \$3,000 to assist Collinsville Connect Telecentre in providing free internet and computer access to members of the community.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.3.2 - Sponsorship Requests - Paul Bowman Challenge

PURPOSE

Council to consider a request for sponsorship from the Paul Bowman Challenge to assist with their annual event to be held 16 to 17 September 2023.

OFFICER'S RECOMMENDATION

That Council approve sponsorship of \$5,000 to assist the Paul Bowman Challenge organisers with their annual event to be held on 16 to 17 September 2023.

RESOLUTION OM2023/07/26.10

Moved By: CR G SIMPSON

Seconded By: CR J COLLINS

That Council approve sponsorship of \$5,000 to assist the Paul Bowman Challenge organisers with their annual event to be held on 16 to 17 September 2023.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.3.3 - Sponsorship Request - 2023 Great Barrier Reef Festival

#### PURPOSE

Council to consider a request for sponsorship from the organisers of the 2023 Great Barrier Reef Festival.

#### OFFICER'S RECOMMENDATION

That Council approve a gold sponsorship for the 2023 Great Barrier Reef Festival through:

1. A monetary sponsorship of \$5,000.00 to assist with the festival opening Welcome to Country event and Fireworks on the Foreshore.
2. In-kind support up to the value of \$5,000.00 to assist Great Barrier Reef Festival organisers to host the event to be held 3 - 6 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. Movie event – Licensing, staff and security costs required for the screening of Finding Nemo on Friday 4 August as part of the Eat Street event.

#### RESOLUTION OM2023/07/26.11

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council approve a gold sponsorship for the 2023 Great Barrier Reef Festival through:

1. A monetary sponsorship of \$5,000.00 to assist with the festival opening Welcome to Country event and Fireworks on the Foreshore.
2. In-kind support up to the value of \$5,000.00 to assist Great Barrier Reef Festival organisers to host the event to be held 3 - 6 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. Movie event – Licensing, staff and security costs required for the screening of Finding Nemo on Friday 4 August as part of the Eat Street event.

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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14 MATTERS OF IMPORTANCE

There were no matters of importance for this meeting.

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## 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) OM2023/07/26.12

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council close the meeting to the public at 9.37am 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 - Acquisition of Land - Sale of Land Rate Arrears

– (d) *rating concessions.*

MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

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### PROCEDURAL MOTION - REOPEN MEETING OM2023/07/26.13

Moved by: CR J HALL (MAYOR)

Seconded by: CR J CLIFFORD

That Council reopen the meeting to the general public at 9.47am.

#### MEETING DETAILS:

The motion was Carried 7 / 0

CARRIED

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16.1.1 - Acquisition of Land - Sale of Land Rate Arrears

CONFIDENTIAL

S254J Local Government Regulation 2012 - Closed Meetings

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

PURPOSE

Council has continued to undertake rates recovery action on properties with outstanding rates as set out in Council's Rates and Charges Recovery Policy. Periodically, Officers review the progress of all properties with outstanding rates.

As a result of this review, it is recommended for Council to consider the commencement of acquiring land for outstanding rates and charges against two (2) buffer-zoned properties in accordance with the provisions in the Local Government Regulation 2012.

RECOMMENDATION

That Council:

1. Proceed to commence acquiring land for Assessment 1109728 for overdue rates and charges in accordance with section 148 (e)(i)(A) of the Local Government Regulation 2012 as the total amount of the overdue rates or charges is more than the value of the land and the land is considered to be valueless.
2. Write off the total outstanding Rates and Utility charges as at the date of acquisition for Assessment 1109728 in accordance with section 151 of the *Local Government Regulation 2012*.
3. Proceed to commence acquiring land for Assessment 1111154 for overdue rates and charges in accordance with section 148 (e)(ii) of the Local Government Regulation 2012.
4. Write off the total outstanding Rates and Utility charges as at the date of acquisition for Assessment 1111154 in accordance with section 151 of the Local Government Regulation 2012.

RESOLUTION OM2023/07/26.14

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council:

- 1. Proceed to commence acquiring land for Assessment 1109728 for overdue rates and charges in accordance with section 148 (e)(i)(A) of the Local Government Regulation 2012 as the total amount of the overdue rates or charges is more than the value of the land and the land is considered to be valueless.**
- 2. Write off the total outstanding Rates and Utility charges as at the date of acquisition for Assessment 1109728 in accordance with section 151 of the *Local Government Regulation 2012*.**
- 3. Proceed to commence acquiring land for Assessment 1111154 for overdue rates and charges in accordance with section 148 (e)(ii) of the Local Government Regulation 2012.**

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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The Meeting closed at 9.48am

Confirmed as a true and correct recording this 9 August 2023

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**Cr Julie Hall  
MAYOR**