



Minutes of the Ordinary Council Meeting held on Wednesday 24 January 2024 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, and Michelle Wright

Council Officers Present:

Warren Bunker (Chief Executive Officer); Julie Wright (Director Community Services and Facilitation); Neil McGaffin (Director Regional Strategy and Planning); Jason Bradshaw (Director Corporate Services); Michael Downing (Acting Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); James Ngoroyemoto (Manager Governance and Administration); Madeleine Bailey (Councillor Support Officer//Minute Taker)

Other Officers Present (Partial Attendance):

Craig Turner (Director Commercial Businesses); Shaun Cawood (Manager Aviation and Tourism); Troy Pettiford (Chief Operating Officer Whitsunday Water); Peter Shuttlewood (Executive Manager Procurement, Property and Fleet); Jonathan Cutting (Coordinator Engagement and Place)

The meeting commenced at 9:02am

The meeting adjourned for morning tea at 10:29am

The meeting reconvened from morning tea at 10:56am

The meeting closed at 11:50am

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Mayor Hall started the meeting at 9:02am.

Mayor Hall left the meeting at 9:04am to attend to her role as the Chair of the Disaster Management Group.

Deputy Mayor Cr Gary Simpson became the chair of the meeting.

1 APOLOGIES/LEAVE OF ABSENCE

RESOLUTION OM2024/01/24.1

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council receives the apology for Cr Brunner from 24 January 2024 due to prior work commitments.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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## 2 CONDOLENCES

Council acknowledged and observed a minute silence for the recently deceased throughout the Whitsunday Region.

Cr Collins acknowledged the passing of Andre Maestracci. A long term local, and true pioneer of the Proserpine and Whitsunday Tourism Industry.

### 3.1 - 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 13 December 2023 are provided for Councils review and confirmation.

#### OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 13 December 2023.

#### RESOLUTION OM2024/01/24.2

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council confirms the Minutes of the Ordinary Meeting held on 13 December 2023.

#### MEETING DETAILS

*Director Corporate Services advised that there will be a minor amendment to the 13 December 2023 Ordinary Council Meeting Minutes relating to Cr Bauman's Conflict of Interest declaration to capture the subject matter details of the application and submission to which the conflict relates to, in accordance with the requirements of the Local Government Act 2009.*

The motion was Carried 5 / 0.

**CARRIED**

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4 BUSINESS ARISING

There were no business arising matters for this meeting.

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#### **5 MAYORAL MINUTE**

There was no mayoral minute for this meeting.

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6 NOTICES OF MOTION

There were no notice of motions for this meeting.

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#### **7 DEPUTATIONS**

There were no deputations for this meeting.

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8 PETITIONS / QUESTIONS ON NOTICE

There were no petitions or questions on notice for this meeting.

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#### **9 QUESTIONS FROM THE PUBLIC GALLERY**

There were no public questions submitted during this meeting.

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10.1 - Audit & Risk Committee Meeting Minutes - 28 November 2023**PURPOSE**

Council is required to review and consider the recommendations of the Audit & Risk Committee. The Audit & Risk Committee does not have decision-making authority and any recommendations it makes must be endorsed and approved by Council resolution prior to implementation or action.

OFFICER'S RECOMMENDATION

That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 28 November 2023.

RESOLUTION OM2024/01/24.3

Moved By: CR J COLLINS

Seconded By: CR M WRIGHT

That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 28 November 2023.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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## 11.1 - Tondara Road Seal

### PURPOSE

This report provides information relating to the proposed capital works on Tondara Road, including a request to seal a portion of Tondara Road for dust suppression from chainage 17.3km to 19.4km. Additional information is included as an update to the tabled report from the Ordinary Council Meeting on 22 February 2023.

### OFFICER'S RECOMMENDATION

That Council not seal Tondara Road from chainage 17.3km to 19.4km for dust suppression for the following reasons:

1. Since the original report that was tabled at the Ordinary Council meeting on 22 February 2023 the Navarre Gold Mine is no longer in operation;
2. Sealing any portion of the rural road at this time is not viable based on reduced vehicle traffic; and
3. The entire length of road is being gravel re-sheeted this financial year.

*Deputy Mayor advised the meeting that this item was tabled at the last Ordinary Council Meeting in December pending further information regarding costs and to be brought back in January 2024 for consideration.*

*Further information was provided regarding the costs (attached to memo of report).*

*A motion to lift the matter from the table was then moved and debate regarding this item continued.*

### PROCEDURAL MOTION - MATTER BE LIFTED FROM THE TABLE OM2024/01/24.4

**Moved by: CR J CLIFFORD**

**Seconded by: CR C BAUMAN**

**That Council take off the table the report on Tondara Road Seal that was presented and tabled at the December Ordinary Council meeting.**

### MEETING DETAILS:

The procedural motion was Carried 5 / 0

**CARRIED**

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December Meeting Council introduced the below motion, but the motion was never decided on, and is now live and brought back for Council to consider.

The Chief Executive Officer advised the meeting that given the absence of the original seconder, a new seconder is required. Cr Collins seconded the motion that was brought back to the table.

RESOLUTION OM2024/01/24.5

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

That Council consider in the 2024/2025 budget to extend the seal on Tondara Road at chainage 5.3km by 150m to suitably reduce dust to the residences on the adjacent property.

Reason for Decision; To allow for the appropriate scoping of the works in line with the Project Management framework and to include into a future reseal program. The intention remaining is to reduce the impact of road dust into the residences on that section of the road.

MEETING DETAILS

The motion was Lost 2 / 3.

LOST

Cr Wright called for a division.

For the Motion: Cr Wright, Cr Collins

Against the Motion: Cr Clifford, Cr Simpson, Cr Bauman

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*The original tabled motion was then moved.*

#### **RESOLUTION OM2024/01/24.6**

**Moved By: CR J CLIFFORD**

**Seconded By: CR C BAUMAN**

**That Council not seal Tondara Road from chainage 17.3km to 19.4km for dust suppression for the following reasons:**

- 1. Since the original report that was tabled at the Ordinary Council meeting on 22 February 2023 the Navarre Gold Mine is no longer in operation;**
- 2. Sealing any portion of the rural road at this time is not viable based on reduced vehicle traffic; and**
- 3. The entire length of road is being gravel re-sheeted this financial year.**

#### **MEETING DETAILS**

The motion was Carried 3 / 2.

**CARRIED**

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11.2 - Community Engagement Strategy 2024 -2028

PURPOSE

This report summarises the draft Whitsunday Regional Council *Community Engagement Strategy 2024 – 2028*, that defines a framework for how Council proposes to collaborate with the community.

OFFICER'S RECOMMENDATION

That Council:

1. Adopt the Community Engagement Strategy 2024 – 2028 (**Attachment 1**)
2. Revoke the existing Community Engagement Policy 2021 (**Attachment 2**)

RESOLUTION OM2024/01/24.7

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council:

1. Adopt the Community Engagement Strategy 2024 – 2028 (**Attachment 1**)
2. Revoke the existing Community Engagement Policy 2021 (**Attachment 2**)

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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*Cr Clifford raised a possible perceived Conflict of Interest in this matter due to her role as Council's representative on The Greater Whitsundays Communities associated with part 2 of the resolution.*

*Council accepted that there was no conflict existing.*

### 11.3 - Local Housing Action Plan

#### PURPOSE

To present the Draft Local Housing Action Plan for consideration for endorsement and to note the Greater Whitsunday Housing Summit Action Plan.

*Cr Bauman moved an alternate motion to the Officer's Recommendation and that became the motion for debate and decision.*

#### OFFICER'S RECOMMENDATION

That Council:

1. Endorse the Draft Whitsunday Regional Council Local Housing Action Plan **(Attachment 1)** to proceed to State Review; and
2. Note the Greater Whitsunday Housing Summit Action Plan **(Attachment 2)**.

#### RESOLUTION OM2024/01/24.8

Moved By: CR C BAUMAN

Seconded By: CR J CLIFFORD

That Council:

1. Endorse the Draft Whitsunday Regional Council Local Housing Action Plan (Attachment 1) to proceed to State Review after adjusting:
  - Section 3.1.3 paragraph 1 and figure 6 to represent the total number of visitor nights for the region.
  - Section 3.1.3 paragraph 7 to say:

**Tourist accommodation demand is impacting the availability of longer-term rental stock for tourism workers and residents. To minimise encroachment into areas for predominantly residential use, Council will continue to investigate the possibility of removing planning scheme support for short term accommodation dwellings within some residential areas of the region. ; and**

2. Note the Greater Whitsunday Housing Summit Action Plan (Attachment 2).

*Reason for Decision: To include international visitor numbers to visitor night totals and actions Council has undertaken in relation to short term accommodation dwellings in residential suburbs.*

#### MEETING DETAIL

The motion was Carried 5 / 0.

**CARRIED**

## 11.4 - Ted Cunningham Bridge Reinstatement

### PURPOSE

This report provides information on the proposed way forward to return the new Ted Cunningham Bridge to use following damage sustained late in 2022.

### OFFICER'S RECOMMENDATION

That Council authorise the CEO to negotiate a cost sharing agreement with the Contractor to reinstate the bridge approach up to a limit of \$200,000 of Council's funds.

### RESOLUTION OM2024/01/24.9

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council authorise the CEO to negotiate a cost sharing agreement with the Contractor to reinstate the bridge approach up to a limit of \$200,000 of Council's funds.

### MEETING DETAILS

The motion was Carried 5 / 0.

**CARRIED**

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11.5 - 20231069 - Development Permit for Material Change of Use for Undefined Use (2 Meteorological Masts) - Station Road, Proserpine - 3HR1975 & 2SP225072 - CI Proserpine C/- ERM Australia

PURPOSE

To present the assessment of the development application.

OFFICER'S RECOMMENDATION

That Council approve the application for Development Application for Development Permit for Material Change of Use for an Undefined Use (2 Meteorological Masts), made by CI Proserpine Pty Ltd, on L: 3 HR: 1975 and L: 2 SP: 225072 and located at Station Road Proserpine, subject to the conditions outlined in **Attachment 1**.

RESOLUTION OM2024/01/24.10

Moved By: **CR M WRIGHT**

Seconded By: **CR J COLLINS**

That Council approve the application for Development Application for Development Permit for Material Change of Use for an Undefined Use (2 Meteorological Masts), made by CI Proserpine Pty Ltd, on L: 3 HR: 1975 and L: 2 SP: 225072 and located at Station Road Proserpine, subject to the conditions outlined in Attachment 1.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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*Cr Bauman declared a prescribed conflict of interest in item 11.6 regarding 20191425 – Development Application for Preliminary Approval (Variation Request) - Material Change of Use - Resort Complex, 18 Port Drive Airlie Beach - Meridien Ab Pty Ltd (Receivers & Managers Appointed) as defined by section 150EL of the Local Government Act 2009, due to the following:*

*Cr Bauman made a submission on Development Application 20191425 regarding the Infrastructure Agreement prior to being elected Councillor.*

*Matters the subject of the Application: Development Application for Preliminary Approval (Variation Request) for Material Change of Use – Resort Complex.*

*Matters the subject of the Submission: Submission includes but not limited to;*

- Coastal Hazards*
- Proximity to commercial vessel operations*
- Building Height*
- Lack of onsite carparking*

*As a result of this conflict of interest, Cr Bauman advised that he will leave the meeting and take no part in the discussion or decision making on this matter.*

*Cr Bauman left the meeting room at 9:49am.*

#### **11.6 - 20191425 – Development Application for Preliminary Approval (Variation Request) - Material Change of Use - Resort Complex, 18 Port Drive Airlie Beach - Meridien Ab Pty Ltd (Receivers & Managers Appointed)**

#### **PURPOSE**

To present the assessment of the development application.

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

- A. That Council approve the Development Application for Preliminary Approval (Variation Request) for Material Change of Use – Resort Complex, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on L: 115 SP: 260215 T: & EMT A, B & D& AB/SP271831 and located at 18 Port Drive, Airlie Beach, subject to the conditions outlined in **Attachment 2**; and
- B. That Council delegate its power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the *Whitsunday Regional Council Planning Scheme 2017* due to the approval including a Preliminary Approval for a Variation Approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive of the State planning authority.



## RESOLUTION OM2024/01/24.11

Moved By: CR J COLLINS

Seconded By: CR M WRIGHT

- A. That Council approve the Development Application for Preliminary Approval (Variation Request) for Material Change of Use – Resort Complex, made by Meridien AB Pty Ltd (Receivers & Managers Appointed) & Meridien Airlie Beach Pty Ltd (Receivers & Managers Appointed), on L: 115 SP: 260215 T: & EMT A, B & D & AB/SP271831 and located at 18 Port Drive, Airlie Beach, subject to the conditions outlined in Attachment 2; and
- B. That Council delegate its power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the *Whitsunday Regional Council Planning Scheme 2017* due to the approval including a Preliminary Approval for a Variation Approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive of the State planning authority.

## MEETING DETAILS

The motion was Carried 3 / 1.

*Cr Clifford voted against the motion.*

CARRIED

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Cr Bauman returned to the meeting at 9.54am.

11.7 - 20230994 - Preliminary Approval for Material Change of Use for Seven (7) Dual Occupancy Lots that Includes a Variation Request - 62 Jubilee Pocket Rd, Jubilee Pocket - 37 RP734159 - J & J Matterson c/- Vision Surveys

PURPOSE

To present the assessment of the development application.

OFFICER'S RECOMMENDATION

- A. That Council approve the application for Preliminary Approval for Material Change of Use for Seven Dual Occupancy Lots that Includes a Variation Request to Vary the Table of Assessment for the Low Density Residential Zone, made by J & J H Matterson, on L: 37 RP: 734159 and located at 62 Jubilee Pocket Road Jubilee Pocket, subject to the conditions outlined in **Attachment 1**.
- B. That Council delegate its power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the *Whitsunday Regional Council Planning Scheme 2017* due to the approval including a Preliminary Approval for a Variation Approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive of the State planning authority.

RESOLUTION OM2024/01/24.12

Moved By: **CR J CLIFFORD**

Seconded By: **CR M WRIGHT**

- A. That Council approve the application for Preliminary Approval for Material Change of Use for Seven Dual Occupancy Lots that Includes a Variation Request to Vary the Table of Assessment for the Low Density Residential Zone, made by J & J H Matterson, on L: 37 RP: 734159 and located at 62 Jubilee Pocket Road Jubilee Pocket, subject to the conditions outlined in Attachment 1.
- B. That Council delegate its power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the *Whitsunday Regional Council Planning Scheme 2017* due to the approval including a Preliminary Approval for a Variation Approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive of the State planning authority.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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## 11.8 - Request to Enter into Infrastructure Agreement - T7 Jubilee Pocket Infrastructure Agreement 2023

### PURPOSE

For Council to consider entering into an Infrastructure Agreement (IA).

### OFFICER'S RECOMMENDATION

That Council delegate to the Chief Executive Officer to negotiate and execute the T7 Road Infrastructure Agreement.

*Cr Clifford and Cr Bauman moved an alternate motion to the Officer's Recommendation.*

### RESOLUTION OM2024/01/24.13

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council delegate to the Chief Executive Officer to negotiate and execute the T7 Road Infrastructure Agreement to propose an 11 (Eleven) metre road surface width with a 2.5 metre wide footpath on just the retirement facility side of the roadway, keeping a 20 metre wide road reserve.

### MEETING DETAILS

The motion was Carried 5 / 0.

**CARRIED**

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11.9 - Land Management Plan - Galbraith Park

PURPOSE

For Council to consider and approve the draft Land Management Plan (**Attachment 1**) for Galbraith Park.

OFFICER'S RECOMMENDATION

That Council:

- a. Approve the Draft Galbraith Park Land Management Plan (**Attachment 1**) for submission to the Queensland Department of Resources for consideration; and
- b. Commence detailed Master planning for Galbraith Park Reserve.

RESOLUTION OM2024/01/24.14

Moved By: CR C BAUMAN

Seconded By: CR G SIMPSON

That Council:

- a. Approve the Draft Galbraith Park Land Management Plan (**Attachment 1**) for submission to the Queensland Department of Resources for consideration; and
- b. Commence detailed Master planning for Galbraith Park Reserve.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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## **11.10 - 500.2023.0075 Caretaker Services for Lake Proserpine Campground**

### **PURPOSE**

This report is presented to Council for their consideration of the Tender Evaluation Panel's recommendation to award Contract 500.2023.0075 Caretaker Services for Lake Proserpine Campground.

### **OFFICER'S RECOMMENDATION**

That Council award Contract 500.2023.0075 Caretaker Services for Lake Proserpine Campground to Mark Christopher Huston T/As Lake Proserpine Glamping for the amount of \$693,000.00 (excluding GST, including 10% contingency) for the contract period of three (3) years and the optional two (2) twelve-month extensions at Council's sole discretion for the combined amount of \$462,000.00 (excluding GST, including 10% contingency).

### **RESOLUTION OM2024/01/24.15**

**Moved By: CR J CLIFFORD**

**Seconded By: CR J COLLINS**

**That Council award Contract 500.2023.0075 Caretaker Services for Lake Proserpine Campground to Mark Christopher Huston T/As Lake Proserpine Glamping for the amount of \$693,000.00 (excluding GST, including 10% contingency) for the contract period of three (3) years and the optional two (2) twelve-month extensions at Council's sole discretion for the combined amount of \$462,000.00 (excluding GST, including 10% contingency).**

### **MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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11.11 - Barra and Boots Music Festival May 2024 - Lake Proserpine

PURPOSE

The purpose of this report is to advise Council of a request to use Council's facilities at Lake Proserpine and for sponsorship for a large-scale event.

OFFICER'S RECOMMENDATION

That Council undertake the following with Event People Australia to hold the Barra and Boots Music Festival at Lake Proserpine on the 25 May 2024:

- a) Endorse the use of the Council managed campsite at Lake Proserpine under an appropriate tenure agreement;
- b) Authorise the Chief Executive Officer to enter into negotiations for a sponsorship agreement and in-kind donations; and
- c) Provide the \$5000.00 (ex. GST) funding and in-kind donations from the Economic Development budget.

RESOLUTION OM2024/01/24.16

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council undertake the following with Event People Australia to hold the Barra and Boots Music Festival at Lake Proserpine during May/June 2024:

- a) Endorse the use of the Council managed campsite at Lake Proserpine under an appropriate tenure agreement;
- b) Authorise the Chief Executive Officer to enter into negotiations for a sponsorship agreement and in-kind donations; and
- c) Provide the \$5000.00 (ex. GST) funding and in-kind donations from the Economic Development budget.

MEETING DETAILS

The resolution was amended from the Officer's Recommendation due to potential clashes with other planned events and the actual date will be determined in the months of May or June.

The motion was Carried 5 / 0.

CARRIED

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*Acting Director of Infrastructure Services Michael Downing left the meeting due to holding a position on one of the clubs proposed to receive the grants. The Acting Director left the meeting at 10.26am.*

## **11.12 - Sport & Recreation Club Grants - January 2024**

### **PURPOSE**

For Council to consider the payment of the Sport & Recreation Club Grants for January 2024 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. Whitsunday United FC Inc. – Band 1 - \$5,500
2. Bowen Touch Football Association Inc. – Band 2 - \$3,000
3. Whitsunday Australian Football Club Inc. – Band 2 - \$3,000
4. Cannonvale Cannons Swimming Club Inc. – Band 2 - \$3,000
5. Proserpine Junior Cricket Association – Band 2 - \$3,000
6. Bowen Pistol Club Inc. – Band 3 - \$1,500

### **RESOLUTION OM2024/01/24.17**

**Moved By: CR J COLLINS**

**Seconded By: CR M WRIGHT**

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

1. Whitsunday United FC Inc. – Band 1 - \$5,500
2. Bowen Touch Football Association Inc. – Band 2 - \$3,000
3. Whitsunday Australian Football Club Inc. – Band 2 - \$3,000
4. Cannonvale Cannons Swimming Club Inc. – Band 2 - \$3,000
5. Proserpine Junior Cricket Association – Band 2 - \$3,000
6. Bowen Pistol Club Inc. – Band 3 - \$1,500

### **MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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Acting Director Infrastructure Services returned to the meeting at 10.27am.

11.13 - Financial Support for a Junior Elite Athlete - January 2024

PURPOSE

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

OFFICER'S RECOMMENDATION

That Council approve financial support for:

1. Celeste Orenshaw who will be competing at the Hancock Prospecting QLD Sprint Championships for Swimming in Brisbane on 10 February 2024 - \$250
2. Ella Homewood who will be competing at the State Age Netball Senior Championships in Brisbane on 6-9 April 2024 - \$250
3. Millie Groom who will representing North Queensland at the 13-19 years Triathlon Championships on 9 February 2024 - \$250

RESOLUTION OM2024/01/24.18

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council approve financial support for:

1. Celeste Orenshaw who will be competing at the Hancock Prospecting QLD Sprint Championships for Swimming in Brisbane on 10 February 2024 - \$250
2. Ella Homewood who will be competing at the State Age Netball Senior Championships in Brisbane on 6-9 April 2024 - \$250
3. Millie Groom who will representing North Queensland at the 13-19 years Triathlon Championships on 9 February 2024 - \$250

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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### PROCEDURAL MOTION - ADJOURNMENT OM2024/01/24.19

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council adjourn the meeting for the purpose of morning tea at 10:29am.

### MEETING DETAILS:

The procedural motion was Carried 5 / 0

**CARRIED**

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During the adjournment, staff presentations were made to Trainees who had successfully completed their Traineeship with Council.

The meeting reconvened from morning tea at 10:56am.

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#### **11.14 - Sponsorship Request - 2024 Airlie Beach Triathlon - Whitsunday Triathlon Club**

##### **PURPOSE**

For Council to consider a request for sponsorship from the Whitsunday Triathlon Club to assist them with holding the 2024 Airlie Beach Triathlon on 27-28 July 2024.

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

That Council approve a monetary sponsorship of \$5,000 only, to assist the Whitsunday Triathlon Club in holding the 2024 Airlie Beach Triathlon on 27-28 July 2024.

##### **RESOLUTION OM2024/01/24.20**

**Moved By: CR J CLIFFORD**

**Seconded By: CR C BAUMAN**

**That Council approve a monetary sponsorship of \$5,000 only, to assist the Whitsunday Triathlon Club in holding the 2024 Airlie Beach Triathlon on 27-28 July 2024.**

##### **MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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11.15 - Donation Request - 100 Year Anniversary Celebration - Scottville State School Parents and Citizens Association

PURPOSE

For Council to consider a request for donation from the Scottville State School Parents and Citizens Association (P&C) to assist them with holding a 100 Year Anniversary Celebration event on 4 May 2024.

OFFICER'S RECOMMENDATION

That Council approve a donation of \$5,000 to assist the Scottville State School P&C in holding their 100 Year Anniversary Celebration.

RESOLUTION OM2024/01/24.21

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

That Council approve a donation of \$5,000 to assist the Scottville State School P&C in holding their 100 Year Anniversary Celebration.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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## **11.16 - In-Kind Sponsorship Request - Whitsunday Business Conference - Whitsunday Chamber of Commerce & Industry**

### **PURPOSE**

For Council to consider a request for sponsorship from the Whitsunday Chamber of Commerce and Industry to assist them with holding the Inaugural Whitsunday Business Conference at the Proserpine Entertainment Centre on 31 May 2024.

### **OFFICER'S RECOMMENDATION**

That Council approve a sponsorship of up to \$3,000 in-kind support only, to assist the Whitsunday Chamber of Commerce and Industry to hold the Inaugural Whitsunday Business Conference to be held at the Proserpine Entertainment Centre on 31 May 2024.

### **RESOLUTION OM2024/01/24.22**

**Moved By: CR J CLIFFORD**

**Seconded By: CR M WRIGHT**

**That Council approve a sponsorship of up to \$3,000 in-kind support only, to assist the Whitsunday Chamber of Commerce and Industry to hold the Inaugural Whitsunday Business Conference to be held at the Proserpine Entertainment Centre on 31 May 2024.**

### **MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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11.17 - Donations and In-Kind Support Requests up to \$2,000 - October, November & December 2023

PURPOSE

To advise Council of the donations and in-kind support up to \$2,000 provided for the months of October, November, and December 2023.

OFFICER'S RECOMMENDATION

That Council note the donations and in-kind support provided for the months of October, November, and December 2023 to the following recipients:

- a) Bowen Blue Care – Seniors Expo Morning Tea - \$1,200
- b) Bowen Historical Society & Museum – 60th Anniversary Celebration Cake - \$100
- c) Queensland Country Womens Association Bowen – Fortnightly Waste Removal for 12 Months - \$554
- d) Queensland Country Womens Association Collinsville –Infrastructure Charges for New Building - \$830
- e) Daniel Spurway Racing – GRM Combine Race Test - \$2000
- f) Grind Shrine Skateboard Shop – Cannonvale Skate Park Open Day Event - \$500
- g) Proserpine Community Centre – Venue Hire for Move It NQ Program - \$1,030

RESOLUTION OM2024/01/24.23

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council note the donations and in-kind support provided for the months of October, November, and December 2023 to the following recipients:

- a) Bowen Blue Care – Seniors Expo Morning Tea - \$1,200
- b) Bowen Historical Society & Museum – 60th Anniversary Celebration Cake - \$100
- c) Queensland Country Womens Association Bowen – Fortnightly Waste Removal for 12 Months - \$554
- d) Queensland Country Womens Association Collinsville –Infrastructure Charges for New Building - \$830
- e) Daniel Spurway Racing – GRM Combine Race Test - \$2000
- f) Grind Shrine Skateboard Shop – Cannonvale Skate Park Open Day Event - \$500
- g) Proserpine Community Centre – Venue Hire for Move It NQ Program - \$1,030

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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## 11.18 - Donation Request - Little Diggers Collinsville Inc.

### PURPOSE

For Council to consider a donation request from Little Diggers Childcare in Collinsville to subsidise their daily service fee charged to parents while waiting for the Centres Service Approval to be approved by the Federal Government.

### OFFICER'S RECOMMENDATION

That Council provide a donation of \$10,000 only, to subsidise the daily service fee charged by the centre to parents while waiting for the Centres Service Approval to be approved by the Federal Government.

### RESOLUTION OM2024/01/24.24

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council provide a donation of \$10,000 only, to subsidise the daily service fee charged by the centre to parents while waiting for the Centres Service Approval to be approved by the Federal Government.

### MEETING DETAILS

The motion was Carried 5 / 0.

**CARRIED**

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11.19 - Monthly Finance Report

PURPOSE

To inform Council of the current unaudited financial performance and position for the reporting period.

OFFICER'S RECOMMENDATION

That Council receive the Financial Report, Capital Expenditure Report and the Unaudited Financial Statements 2023/24 for the period ended 31 December 2023.

RESOLUTION OM2024/01/24.25

Moved By: CR J COLLINS

Seconded By: CR M WRIGHT

That Council receive the Financial Report, Capital Expenditure Report and the Unaudited Financial Statements 2023/24 for the period ended 31 December 2023.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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## 12 CONFIDENTIAL MATTERS

*Cr Clifford acknowledged a declarable conflict of interest in item 12.2 regarding Auction for Intention to Sell Land for Rate Arrears as defined by section 150EQ (Part 2) of the Local Government Act 2009.*

*Cr Clifford advised that she will leave the meeting and take no part in the discussion or decision making of this matter.*

### PROCEDURAL MOTION - CLOSURE OF MEETING (CONFIDENTIAL SESSION) OM2024/01/24.26

Moved by: CR J CLIFFORD

Seconded by: CR C BAUMAN

That Council close the meeting to the public at 11:13am 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:

#### 12.1 Harding & Anor v Whitsunday Regional Council – Planning and Environment Court Appeal No. 2731 of 2023

- *(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.*

#### 12.2 Auction for Intention to Sell Land for Rate Arrears–

- *(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.*

#### 12.3 Landfill Management Contract

- *(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.*

#### 12.4 Wet and Dry Concession Deed Extension - Lake Proserpine – SunWater

- *(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 5 / 0

CARRIED

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PROCEDURAL MOTION - REOPEN MEETING OM2024/01/24.27

Moved by: CR J CLIFFORD

Seconded by: CR C BAUMAN

That Council reopen the meeting to the general public at 11:46am.

MEETING DETAILS:

The motion was Carried 5 / 0

CARRIED

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**12.1 - Harding & Anor v Whitsunday Regional Council – Planning and Environment Court Appeal No. 2731 of 2023**

**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—*
  - (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.*

**RESOLUTION OM2024/01/24.28**

**Moved By:** CR J CLIFFORD

**Seconded By:** CR J COLLINS

**That Council delegate authority to the Chief Executive Officer to progress to settlement of Appeal 2731 of 2023 – Harding & Anor v WRC – Appeal against Decision to Refuse Reconfiguring of a Lot – Two into Eleven Lots – 3 & 44 Holloway Drive, Sugarloaf.**

**MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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Cr Clifford acknowledged a declarable conflict of interest in item 12.2 regarding Auction for Intention to Sell Land for Rate Arrears as defined by section 150EQ (Part 2) of the Local Government Act 2009, due to the following:

Nature of the Conflict of Interest: Personal Conflict.

Conflict is not due to a related party.

The nature of the relationship of the related party to the Councillor: Ex Neighbour

The nature of the related party's interests in the matter: Personal Conflict.

As a result of this conflict of interest, Cr Clifford advised that she will leave the meeting and take no part in the discussion or decision making of this matter.

Cr Clifford left the room at 11:47am.

12.2 - Auction for Intention to Sell Land for 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—*
 - (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.*

RESOLUTION OM2024/01/24.29

Moved By: CR J COLLINS

Seconded By: CR C BAUMAN

That Council resolve that:

- 1. The land described in the below table be sold by auction for overdue rates at 10:00am on Friday 22nd March 2024 at the Proserpine Council Chambers at 83 to 85 Main Street, Proserpine under section 142 (4) of the Local Government Regulation 2012; and**
- 2. The Chief Executive Officer be authorised to set the reserve price on the land as per the Local Government Regulation 2012.**

Ass. No	Property Address	Land use	Rate Arrears
1108018	6 Totem Trail Mandalay	Dwelling	\$32,542
1203006	69 Reynolds Street Bowen	Dwelling	\$36,140
1111561	22 Rattray Avenue Hydeaway Bay	Vacant Land	\$16,353
1205460	33 Fifth Avenue Scottville	Dwelling	\$19,805

1205715	16 Toussaint Street Collinsville	Dwelling	\$19,287
1206173	5 Carpet Street Collinsville	Dwelling	\$19,579
1206547	14 Logan Street Collinsville	Dwelling	\$19,449
1205860	48 Sonoma Street Collinsville	Vacant Land	\$15,231
1104481	36 Stanbury Street Proserpine	Flat/Unit	\$22,015
1102544	2667 Shute Harbour Road Mandalay	Dwellings (2 lots)	\$86,694
1108015	4 Jasinique Drive Flametree	Vacant Land	\$13,777
1101927	348 Shute Harbour Road Airlie Beach	Flat/Unit	\$24,219
1102335	5 Lewis Street Airlie Beach	Flat/Unit	\$25,812
1111236	24 Endeavour Circuit Cannonvale	Dwelling	\$20,955
1206336	3 Railway Road Collinsville	Dwelling	\$15,784
1207355	11 Pilcher Place Bowen	Dwelling	\$21,933
1209578	136 Soldiers Road Bowen	Flat/Unit	\$19,496
1101142	4 Eshelby Drive Cannonvale	Flat/Unit	\$21,841
1206003	16 Strathmore Street Collinsville	Dwelling	\$16,017
1201073	109 Hillview Road Bowen	Dwelling	\$9,646
1205776	23 Belmore Street Collinsville	Dwelling	\$26,993
1301962	Armada Crescent Jubilee Pocket	Dev conc – Vac Land	\$24,619
Total			\$528,189

MEETING DETAILS

The motion was Carried 4 / 0.

CARRIED

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*Cr Clifford returned to the meeting at 11:48am.*

## 12.3 - Landfill Management Contract

### 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.*

#### **RESOLUTION OM2024/01/24.30**

**Moved By: CR J COLLINS**

**Seconded By: CR J CLIFFORD**

**That Council award Contract 500.2023.0092 – Management Services for Bowen and Kelsey Creek Landfill Sites to North West Services Pty Ltd on a schedule of rates basis for the estimated amount of \$3,110,628.00 (excluding GST) for the contract period of twelve months and an additional \$1,296,095.00 (excluding GST) for the additional five month extension at Council's discretion.**

#### **MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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12.4 - Wet and Dry Concession Deed Extension - Lake Proserpine - SunWater

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.*

RESOLUTION OM2024/01/24.31

Moved By: CR J CLIFFORD

Seconded By: CR J COLLINS

That Council authorise the Chief Executive Officer to enter into a Deed of Variation with SunWater Ltd, extending the term of the Wet and Dry Concession Deed at Lake Proserpine from 23 June 2029 (10 years) to 23 June 2049 (30 years).

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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### **13 LATE REPORT ITEMS**

There were no late items for this meeting.

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14 MATTERS OF IMPORTANCE

There were no matters of importance items.

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The Meeting closed at 11.50am.

Confirmed as a true and correct recording this 28 February 2024.

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**Cr Gary Simpson**  
**DEPUTY MAYOR**