



Minutes of the Ordinary Council Meeting held on Wednesday 30 October 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:

Ry Collins (Mayor/Chair), Michelle Wright (Deputy Mayor), Jan Clifford, Clay Bauman, John Collins, Gary Simpson, and John Finlay

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); Gary Murphy (Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); James Ngoroyemoto (Manager Governance and Administration); Tailah Jensen (Governance Administration Officer/Minute Taker)

Other Officers Present (Partial Attendance):

Craig Turner (Director Commercial Businesses); Adam Hagy (Director Capital Program and Network Planning)

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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

Cr John Collins acknowledged the recent tragic incidents that have occurred around the Proserpine area and provided condolences to the families involved. Cr Collins also acknowledged the recent passing of Mrs Bessie Simpson and provided condolences to Cr Gary Simpson and family.

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

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After condolences, Elite Athletes were presented with certificates by Mayor Ry Collins.

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## 3 CONFIRMATION OF MINUTES

### 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 25 September 2024 are provided for Councils review and confirmation.

#### OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 25 September 2024.

#### RESOLUTION OM2024/10/30.1

Moved By: CR J COLLINS

Seconded By: CR M WRIGHT

That Council confirms the Minutes of the Ordinary Meeting held on 25 September 2024.

#### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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4 BUSINESS ARISING

4.1 - Public Question Responses - 25 September 2024

Chief Executive Officer advised the meeting that Council received 3 public question submissions at the previous meeting and all responses to those questions have been provided in this section of the agenda as per Council's standing orders.

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## **5 MAYORAL MINUTE**

Mayor Ry Collins acknowledged the recent state election and congratulated the new Premier Hon David Crisafulli and re-elected State Members for Whitsunday, Ms Amanda Camm and State Member for Burdekin, Mr Dale Last.

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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 - 17 September 2024**PURPOSE**

To confirm the Audit and Risk Committee Meeting Minutes held on 17 September 2024.

OFFICER'S RECOMMENDATION

That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting (**Attachment 1**) held on 17 September 2024.

RESOLUTION OM2024/10/30.2

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting (**Attachment 1**) held on 17 September 2024.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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**11.1 - 20181617 - Request to Extend Currency Period - Development Permit for Operational Works - Tidal Works and Works Including Civil Works - Shute Harbour Road, Shute Harbour - Shute Harbour Marina Development Pty Ltd****PURPOSE**

To present the assessment of a request to extend the currency period of a development approval for operational works and to seek Council's determination.

**OFFICER'S RECOMMENDATION**

That Council approve the Request to Extend the Currency Period for the Development Permit for Operational Works – Tidal Works for Construction of Breakwater, Dewatering and Reclaiming Land Above and Below High Tide Mark, Including the Removal of Marine Plants and Vegetation and Works including Civil Works for the Servicing of the Future Development Area including Road Access until 16 August 2026.

The currency period for the Development Permit for Material Change of Use – Environmentally Relevant Activity (ERA) 16.2(b) and 16.3(b) - Extraction and Screening Activities of Between 100,000 and 1,000,000 tonnes per annum remains unchanged.

**RESOLUTION OM2024/10/30.3**

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That the item be tabled pending further information.

**MEETING DETAILS**

The motion was Lost 3 / 4.

**LOST**

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The original motion was then put to the vote.

RESOLUTION OM2024/10/30.4

Moved By: CR G SIMPSON

Seconded By: CR M WRIGHT

That Council approve the Request to Extend the Currency Period for the Development Permit for Operational Works – Tidal Works for Construction of Breakwater, Dewatering and Reclaiming Land Above and Below High Tide Mark, Including the Removal of Marine Plants and Vegetation and Works including Civil Works for the Servicing of the Future Development Area including Road Access until 16 August 2026.

The currency period for the Development Permit for Material Change of Use – Environmentally Relevant Activity (ERA) 16.2(b) and 16.3(b) - Extraction and Screening Activities of Between 100,000 and 1,000,000 tonnes per annum remains unchanged.

MEETING DETAILS

The motion was Carried 5 / 2.

CARRIED

Cr Clay Bauman requested for a division:

For the motion: Cr G Simpson, Cr M Wright, Cr J Collins, Mayor R Collins, Cr J Finlay

Against the motion: Cr J Clifford, Cr C Bauman

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Cr Clay Bauman acknowledged a declarable conflict of interest in item 11.2 regarding Development Application 20240011 as defined by section 150EQ of the *Local Government Act 2009*, due to the following:

Nature of the Conflict of Interest: Cr Bauman has been provided tickets into the sponsors marquee for Hillery Investments Pty Ltd at the annual Bowen Cup for the last 2 years.

The name of the related party: Hillery Investments Pty Ltd

The nature of the relationship of the related party to the Councillor: Hillery Investments Pty Ltd provided tickets to Cr Bauman.

The nature of the related party's interests in the matter: Hillery Investments Pty Ltd submitted a Development Application to Council for consideration for High Impact Industry.

As a result of this conflict of interest, Cr Bauman determined that this interest is not of sufficient significance that it would lead him to make a decision on the matter that is contrary to the public interest. Cr Bauman was of the view that he would best perform his 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 OM2024/10/30.5

Moved by: CR J COLLINS

Seconded by: CR J CLIFFORD

That Council agree it is in the public interest that Cr Bauman participates and votes on item 11.2, because no direct or indirect benefit or loss accrues to Cr Bauman and therefore it is reasonable that the final decision will be made in the public interest.

MEETING DETAILS:

Cr Wright and Cr Bauman did not vote on this resolution due to their conflicts of interest in the matter.

The motion was Carried 5 / 0

CARRIED

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Cr Michelle Wright acknowledged a declarable conflict of interest in item 11.2 regarding Development Application 20240011 as defined by section 150EQ of the *Local Government Act 2009*, due to the following:

Nature of the Conflict of Interest: Cr Wright has been provided tickets into the sponsors marquee for Hillery Investments Pty Ltd at the annual Bowen Cup for the last 2 years. Cr Wright also advised the meeting that the submitter is her neighbour.

The name of the related party: Hillery Investments Pty Ltd

The nature of the relationship of the related party to the Councillor: Hillery Investments Pty Ltd provided tickets to Cr Wright and also are neighbours.

The nature of the related party's interests in the matter: Hillery Investments Pty Ltd submitted a Development Application to Council for consideration for High Impact Industry.

As a result of this conflict of interest, Cr Wright determined that this interest is not of sufficient significance that it would lead him to make a decision on the matter that is contrary to the public interest. Cr Wright was of the view that she would best perform her 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 OM2024/10/30.6

Moved by: CR J CLIFFORD

Seconded by: CR J COLLINS

That Council agree it is in the public interest that Cr Wright participates and votes on item 11.2, because no direct or indirect benefit or loss accrues to Cr Wright and therefore it is reasonable that the final decision will be made in the public interest.

MEETING DETAILS:

Cr Wright and Cr Bauman did not vote on this resolution due to their conflicts of interest in the matter.

The motion was Carried 5 / 0

CARRIED

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**11.2 - 20240011 - Development Permit for High Impact Industry - Resource Recovery Facility & ERA 54-1(c), 3(a), ERA 62 1(a), 2 & ERA 33 - 824 Shute Harbour Road, Mount Marlow - Hillery Investments Pty Ltd**

### PURPOSE

To present the assessment of the development application for a resource recovery facility and seek Council's determination.

### OFFICER'S RECOMMENDATION

That Council approve the Development Application for Development Permit for Material Change of Use for High Impact Industry (Resource Recovery Facility) & Environmentally Relevant Activity (ERA) 54-1(c), 3(a), ERA 62 1(a), 2 & ERA 33, made by Hillery Investments Pty Ltd, on L: 41 SP: 287945 and located at 824 Shute Harbour Road Mount Marlow, subject to the conditions outlined in **Attachment 4**.

## RESOLUTION OM2024/10/30.7

Moved By: CR J FINLAY

Seconded By: CR J COLLINS

That Council approve the Development Application for Development Permit for Material Change of Use for High Impact Industry (Resource Recovery Facility) & Environmentally Relevant Activity (ERA) 54-1(c), 3(a), ERA 62 1(a), 2 & ERA 33, made by Hillery Investments Pty Ltd, on L: 41 SP: 287945 and located at 824 Shute Harbour Road Mount Marlow, subject to the conditions outlined in Attachment 4.

### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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11.3 - Proposal to make Subordinate Local Law (Amending) Subordinate Local Law No. 1 (Administration) 2024

PURPOSE

The report seeks a resolution to make Subordinate Local Law (Amending) Subordinate Local Law No.1 (Administration) 2024 to exclude a number of accommodation activities that are currently included by the definition of 'Operation of short-term accommodation' within Schedule 19 of Subordinate Local Law No.1 (Administration) 2014.

OFFICER'S RECOMMENDATION

Council resolves that:

1. Council propose to make Subordinate Local Law (Amending) Subordinate Local Law No. 1 (Administration) 2024, as detailed in Attachment A (the Proposed Subordinate Local Law).
2. Council delegate to the Chief Executive Officer the process and responsibilities to take all steps the Chief Executive Officer considers desirable under Chapter 3 of the *Local Government Act 2009* (Qld), including:
 - a. consulting with the public about the Proposed Subordinate Local Law and conducting a public interest test in relation to anti-competitive provisions contained within with the Proposed Subordinate Local Law for at least 21 days (Consultation Period); and
 - b. considering every submission properly made to Council about the Proposed Subordinate Local Law during the Consultation Period.

RESOLUTION OM2024/10/30.8

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

Council resolves that:

1. Council propose to make Subordinate Local Law (Amending) Subordinate Local Law No. 1 (Administration) 2024, as detailed in Attachment A (the Proposed Subordinate Local Law).
2. Council delegate to the Chief Executive Officer the process and responsibilities to take all steps the Chief Executive Officer considers desirable under Chapter 3 of the *Local Government Act 2009* (Qld), including:
 - a. consulting with the public about the Proposed Subordinate Local Law and conducting a public interest test in relation to anti-competitive provisions contained within with the Proposed Subordinate Local Law for at least 21 days (Consultation Period); and
 - b. considering every submission properly made to Council about the Proposed Subordinate Local Law during the Consultation Period.

MEETING DETAILS

The motion was Carried 6 / 1.

CARRIED

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## 11.4 - Donation, Sponsorship and In Kind Requests Approved September 2024

### PURPOSE

To advise Council of the donations, sponsorships, in-kind support and grants up to \$20,000 provided for the month of September 2024.

### OFFICER'S RECOMMENDATION

That Council:

- a) Note the Financial Support for Junior Elite Athlete Grant applications approved for the month of September 2024 to the applicants identified in **Attachment 1**.
- b) Note the Financial Support for Donation applications approved for the month of September 2024 to the applicants identified in **Attachment 2**.
- c) Note the Financial Support for In-kind donation applications approved for the month of September 2024 to the applicants identified in **Attachment 3**.
- d) Note the Financial Support for Sponsorship applications approved for the month of September 2024 to the applicants identified in **Attachment 4**.
- e) Note the Financial Support for Sport & Recreation Club applications approved for the month of September 2024 to the applicants identified in **Attachment 5** and;
- f) Note the Financial Support for Donation on Council Fee applications approved for the month of September 2024 to the applicants identified in **Attachment 6**.

### RESOLUTION OM2024/10/30.9

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council:

- a) Note the Financial Support for Junior Elite Athlete Grant applications approved for the month of September 2024 to the applicants identified in Attachment 1.
- b) Note the Financial Support for Donation applications approved for the month of September 2024 to the applicants identified in Attachment 2.
- c) Note the Financial Support for In-kind donation applications approved for the month of September 2024 to the applicants identified in Attachment 3.
- d) Note the Financial Support for Sponsorship applications approved for the month of September 2024 to the applicants identified in Attachment 4.
- e) Note the Financial Support for Sport & Recreation Club applications approved for the month of September 2024 to the applicants identified in Attachment 5 and;
- f) Note the Financial Support for Donation on Council Fee applications approved for the month of September 2024 to the applicants identified in Attachment 6.

### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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Cr John Finlay declared a prescribed conflict of interest in item 11.5 regarding Special Projects Grant Applications - Round 1 - July to September 2024 as defined by section 150EL of the *Local Government Act 2009*, due to the following:

The name of any entity, other than the councillor, that has an interest in the matter: Client of SBB Partners

The nature of the councillor's relationship with the entity: Cr Finlay is the manager and employee of SBB Partners and one of the applicants is a client of that company.

Details of the councillor's, and any other entity's, interest in the matter: Client has put in an application to Council for Special Grants Projects.

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

Cr Finlay left the meeting at 9.52am.

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## **11.5 - Special Projects Grant Applications - Round 1 - July to September 2024**

### **PURPOSE**

For Council to consider the funding for the Special Projects Grant Applications for Round 1 of the 2024-25 Program.

### **OFFICER'S RECOMMENDATION**

That Council:

1. Approve the payment of Special Project Grant – Round 1, to assist the following recipients:
  - a) Bowen Woodworkers & Woodturners Association Inc. - \$10,000
  - b) Whitsunday Songwriter Festival Inc. - \$6,650
  - c) Bowen Historical Society & Museum Inc. - \$6,336
  - d) Gloucester Sports & Recreation Association Inc. - \$7,174
  - e) Road Accident Action Group Inc. - \$5,000
  - f) Proserpine Hack & Pony Club Inc. - \$10,000

### **RESOLUTION OM2024/10/30.10**

**Moved By: CR M WRIGHT**

**Seconded By: CR J CLIFFORD**

**That Council:**

1. **Approve the payment of Special Project Grant – Round 1, to assist the following recipients:**
  - a) Bowen Woodworkers & Woodturners Association Inc. - \$10,000**
  - b) Whitsunday Songwriter Festival Inc. - \$6,650**
  - c) Bowen Historical Society & Museum Inc. - \$6,336**

- d) Gloucester Sports & Recreation Association Inc. - \$7,174
- e) Road Accident Action Group Inc. - \$5,000
- f) Proserpine Hack & Pony Club Inc. - \$10,000

## MEETING DETAILS

Director Jason Bradshaw advised the meeting that he would take on notice Cr Bauman's question regarding the Proserpine Pony Club and their movements.

The motion was Carried 6 / 0.

**CARRIED**

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Cr Finlay returned to the meeting at 9.54am.

11.6 - Bowen CBD Walking Network Plan

PURPOSE

This report presents the results of the Bowen CBD Walking Network Plan preparation and recommends the council adopt this plan to allow compliance with grant funding and allow the plan to be made public.

OFFICER'S RECOMMENDATION

That Council adopt the Bowen CBD Walking Network Plan.

RESOLUTION OM2024/10/30.11

Moved By: CR C BAUMAN

Seconded By: CR M WRIGHT

That Council:

- a) Adopt the Bowen CBD Walking Network Plan and capital prioritisation of the high priority works.
- b) Produces the other 5 Whitsunday walking Networks plans supported by Council resolution OM2021/12/08.06 at a minimum of one per financial year.

MEETING DETAILS

Cr Wright advised of error on a map for PCYC & Denison park (pg 146) and requested for it to be corrected.

The motion was Carried 7 / 0.

CARRIED

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Cr John Finlay declared a prescribed conflict of interest in item 11.7 regarding Amendment to Trustee Lease - Bowen Pastoral & Agricultural Association Inc. - Lot 111 on CP HR296 & Lot 55 on HR296 as defined by section 150EL of the *Local Government Act 2009*, due to the following:

The name of any entity, other than the councillor, that has an interest in the matter: Bowen Pastoral & Agricultural Association Inc.

The nature of the councillor's relationship with the entity: Cr Finlay is the manager and employee of SBB Partners and the applicant is a client of the company.

Details of the councillor's, and any other entity's, interest in the matter: Amendment to Trustee Lease for Bowen Pastoral & Agricultural Association Inc. - Lot 111 on CP HR296 & Lot 55 on CP HR296.

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

Cr Finlay left the meeting at 10.03am.

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11.7 - Amendment to Trustee Lease - Bowen Pastoral & Agricultural Association Inc. - Lot 111 on CP HR296 & Lot 55 on CP HR296

PURPOSE

To seek Council approval to amend the current Trustee Lease with Bowen Pastoral & Agricultural Association Inc by including both Lot & Plan numbers noted on the Title to correctly reflect the leased area

OFFICER'S RECOMMENDATION

That Council authorise the Chief Executive Officer to execute a lease on the same terms as the current lease expiring on 22 October 2029, with Bowen Pastoral & Agricultural Association Inc. for the whole of land being Lot 111 on CP HR296 & Lot 55 on CP HR296 also known as Bowen Showgrounds, Mt Nutt Road, Bowen in accordance with Section 236 1(b)(ii) and (c)(iii) of the Local Government Regulation 2012.

RESOLUTION OM2024/10/30.12

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

That Council authorise the Chief Executive Officer to execute a lease on the same terms as the current lease expiring on 22 October 2029, with Bowen Pastoral & Agricultural Association Inc. for the whole of land being Lot 111 on CP HR296 & Lot 55 on CP HR296 also known as Bowen Showgrounds, Mt Nutt Road, Bowen in accordance with Section 236 1(b)(ii) and (c)(iii) of the Local Government Regulation 2012.

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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Cr Finlay returned to the meeting at 10.04am.

## 11.8 - Council Meeting Dates 2025

### PURPOSE

To propose the Ordinary Council Meeting dates and locations for the 2025 calendar year, for Councils consideration.

### OFFICER'S RECOMMENDATION

That Council adopt the following 2025 Ordinary Council Meeting Dates and Locations:

1. 29 January 2025 – Bowen
2. 26 February 2025 – Proserpine
3. 26 March 2025 – Bowen
4. 23 April 2025 – Proserpine
5. 28 May 2025 – Bowen
6. 18 June 2025 – Proserpine
7. 30 July 2025 – Bowen
8. 27 August 2025 – Proserpine
9. 24 September 2025 – Bowen
10. 29 October 2025 – Proserpine
11. 26 November 2025 – Bowen
12. 10 December 2025 - Proserpine

### RESOLUTION OM2024/10/30.13

Moved By: CR J CLIFFORD

Seconded By: CR R COLLINS (MAYOR)

That Council adopt the following 2025 Ordinary Council Meeting Dates and Locations:

1. 29 January 2025 – Bowen
2. 26 February 2025 – Proserpine
3. 26 March 2025 – Bowen
4. 23 April 2025 – Proserpine
5. 28 May 2025 – Bowen
6. 18 June 2025 – Proserpine
7. 30 July 2025 – Bowen
8. 27 August 2025 – Proserpine
9. 24 September 2025 – Bowen
10. 29 October 2025 – Proserpine
11. 26 November 2025 – Bowen
12. 10 December 2025 - Proserpine

### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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11.9 - Budget Review 1 2024

PURPOSE

To review the current budget and make amendments to better reflect the current and forecast financial position of Council and to confirm priorities for capital projects to be delivered in the 2024/25 financial year.

OFFICER'S RECOMMENDATION

That Council resolve:

- A. In accordance with section 170(3) of the Local Government Regulation 2012, to revise the Whitsunday Regional Council Budget adopted for the financial year 2024/25, as presented in the following statements prepared in accordance with section 169 of the Local Government Regulation 2012:
 - 1) Revised Statement of Comprehensive Income,
 - 2) Revised Statement of Financial Position,
 - 3) Revised Statement of Cash Flows,
 - 4) Revised Statement of Changes in Equity for the financial year 2024/25,
 - 5) The resulting Revised Long-Term Financial Forecast for the financial years 2024/25 through 2033/34, inclusive,
 - 6) The Revised Measures of Financial Sustainability; and
- B. To make the following transfers to and from reserves for the financial year 2024/25:
 - 1) \$2,010,337 from the Infrastructure Reserve to fund capital works projects, and
 - 2) A net transfer of \$19,023,619 from the Capital Works Reserve, as follows:
 - a) \$2,456,935 to the Capital Works Reserve, and
 - b) \$21,480,554 from the Capital Works Reserve to fund capital works projects.
- C. To agree in principle to the transfer of \$1,320,000 from Operational Reserves to fund long term capital planning projects in Budget Review 2.

RESOLUTION OM2024/10/30.14

Moved By: CR J FINLAY

Seconded By: CR J CLIFFORD

That Council resolve:

- A. In accordance with section 170(3) of the Local Government Regulation 2012, to revise the Whitsunday Regional Council Budget adopted for the financial year 2024/25, as presented in the following statements prepared in accordance with section 169 of the Local Government Regulation 2012:
 - 1) Revised Statement of Comprehensive Income,
 - 2) Revised Statement of Financial Position,
 - 3) Revised Statement of Cash Flows,
 - 4) Revised Statement of Changes in Equity for the financial year 2024/25,
 - 5) The resulting Revised Long-Term Financial Forecast for the financial years 2024/25 through 2033/34, inclusive,
 - 6) The Revised Measures of Financial Sustainability; and

B. To make the following transfers to and from reserves for the financial year 2024/25:

- 1) \$2,010,337 from the Infrastructure Reserve to fund capital works projects, and**
- 2) A net transfer of \$19,023,619 from the Capital Works Reserve, as follows:**
 - a) \$2,456,935 to the Capital Works Reserve, and**
 - b) \$21,480,554 from the Capital Works Reserve to fund capital works projects.**

C. To agree in principle to the transfer of \$1,320,000 from Operational Reserves to fund long term capital planning projects in Budget Review 2.

MEETING DETAILS

The motion was Carried 6 / 1.

CARRIED

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### **11.10 - 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 and the Unaudited Financial Statements for the period ended 30 September 2024.

#### **RESOLUTION OM2024/10/30.15**

**Moved By: CR J FINLAY**

**Seconded By: CR M WRIGHT**

**That Council receive the Financial Report and the Unaudited Financial Statements for the period ended 30 September 2024.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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12 LATE REPORT ITEMS

There were no late items for this meeting.

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## 13 CONFIDENTIAL MATTERS

### PROCEDURAL MOTION - CLOSURE OF MEETING (CONFIDENTIAL SESSION) OM2024/10/30.16

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council close the meeting to the public at 10.21am 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:

#### 13.1 - Shute Harbour Marine Terminal

- (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.*

#### 13.2 - Request to Enter into Infrastructure Agreement - Paluma Industrial Pty Ltd

- (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.*

#### 13.3 - Outstanding Rates and Charges - Sale of Land

- (d) *rating concessions.*

### MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

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During closed session, Council adjourned for the purpose of morning tea at 10.37am.

The meeting reconvened from morning tea at 11.04am.

PROCEDURAL MOTION - REOPEN MEETING OM2024/10/30.17

Moved by: CR J CLIFFORD

Seconded by: CR C BAUMAN

That Council reopen the meeting to the general public at 11.36am.

MEETING DETAILS:

The motion was Carried 7 / 0

CARRIED

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## **13.1 - Shute Harbour Marine Terminal**

### **PURPOSE**

To present to Council for consideration a potential opportunity to enter into a new licencing agreement for the Cafe at the Shute Harbour Marine Terminal.

### **OFFICER'S RECOMMENDATION**

That Council authorise the Chief Executive Officer to enter into negotiations and execute a 1 + 1 year Licence to Occupy Agreement over area Lease B at the Shute Harbour Marine Terminal being part of the land at Lot 297 on SP184769.

### **RESOLUTION OM2024/10/30.18**

**Moved By:** CR J CLIFFORD

**Seconded By:** CR J FINLAY

**That Council authorise the Chief Executive Officer to enter into negotiations and execute a 1 + 1 year Licence to Occupy Agreement over area Lease B at the Shute Harbour Marine Terminal being part of the land at Lot 297 on SP184769.**

### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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13.2 - Request to Enter into Infrastructure Agreement - Paluma Industrial Pty Ltd

PURPOSE

To present a request to enter into an infrastructure agreement and seek direction from Council.

OFFICER'S RECOMMENDATION

That Council:

1. Delegates to the Chief Executive Officer to negotiate an infrastructure agreement with the Paluma Industrial Pty Ltd; and
2. Delegates to the Chief Executive Officer to negotiate a cost for Whitpro to connect to water and sewer infrastructure.

RESOLUTION OM2024/10/30.19

Moved By: **CR M WRIGHT**

Seconded By: **CR J FINLAY**

That Council:

1. Delegates to the Chief Executive Officer to negotiate an infrastructure agreement with the Paluma Industrial Pty Ltd; and
2. Delegates to the Chief Executive Officer to negotiate a cost for Whitpro to connect to water and sewer infrastructure.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.3 - Outstanding Rates and Charges - Sale of Land

#### PURPOSE

Council has been undertaking recovery action on several properties to recover outstanding rates. It is proposed to commence sale of land proceedings and debt recovery action on fifteen (15) properties as listed in **Schedule 1**, in accordance with the provisions of the Local Government Regulation 2012.

#### OFFICER'S RECOMMENDATION

That Council commence the sale of land proceedings for the properties listed in Schedule 1 for overdue rates and charges in accordance with section 140 of the Local Government Regulation 2012:

##### Schedule 1

| Assessment | RPD                              |
|------------|----------------------------------|
| 1205942    | L 102-103 MPH 13504 & L 1 MPH 21 |
| 1205904    | L 26 MPH 13504                   |
| 1206336    | L 4 MPH 13515                    |
| 1103473    | L 250 SP 194903                  |
| 1300067    | L 5 SP 230515 EMT F              |
| 1110358    | L 39 SP 184783                   |
| 1205641    | L 19 C 74021                     |
| 1106132    | L 16 RP 837382                   |
| 1205592    | L 15 MPH 40254                   |
| 1205439    | L 38 MPH 13508                   |
| 1207841    | L 150 SP 157801                  |
| 1104108    | L 95 RP 737367                   |
| 1107104    | L 63 RP 891516                   |
| 1105300    | L 272 RP 746320                  |
| 1302000    | L 16 SP 232108 CTS & COV U       |

#### RESOLUTION OM2024/10/30.20

Moved By: **CR J CLIFFORD**

Seconded By: **CR M WRIGHT**

That Council commence the sale of land proceedings for the properties listed in Schedule 1 for overdue rates and charges in accordance with section 140 of the Local Government Regulation 2012:

##### Schedule 1

| Assessment     | RPD                                         |
|----------------|---------------------------------------------|
| <b>1205942</b> | <b>L 102-103 MPH 13504 &amp; L 1 MPH 21</b> |
| <b>1205904</b> | <b>L 26 MPH 13504</b>                       |
| <b>1206336</b> | <b>L 4 MPH 13515</b>                        |

|         |                            |
|---------|----------------------------|
| 1103473 | L 250 SP 194903            |
| 1300067 | L 5 SP 230515 EMT F        |
| 1110358 | L 39 SP 184783             |
| 1205641 | L 19 C 74021               |
| 1106132 | L 16 RP 837382             |
| 1205592 | L 15 MPH 40254             |
| 1205439 | L 38 MPH 13508             |
| 1207841 | L 150 SP 157801            |
| 1104108 | L 95 RP 737367             |
| 1107104 | L 63 RP 891516             |
| 1105300 | L 272 RP 746320            |
| 1302000 | L 16 SP 232108 CTS & COV U |

## MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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14 MATTERS OF IMPORTANCE

Cr Wright provided specific recognition to staff members Mark Callaghan (Manager Parks and Gardens), Drew Cookson (Coordinator Parks and Gardens Northern Region) and Jason Hensel (Senior Workplace Health and Safety Advisor) for their involvement in the Bowen State High School hands on learning and experience.

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The Meeting closed at 11.39am.

Confirmed as a true and correct recording this 27 November 2024.

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**Cr Ry Collins  
MAYOR**