



Minutes of the Ordinary Council Meeting held on Wednesday 10 December 2025 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); Patty Johnson (Director Corporate Services) via Microsoft Teams; Gary Murphy (Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); Craig Turner (Director Commercial Businesses), Tony Trace (Acting Director Capital Program and Network Planning), Norman Garsden (Manager Governance), and Madeleine Bailey (Governance Administration Officer/Minute Taker)

Other Officers Present (Partial Attendance):

Peter Shuttlewood (Executive Manager Procurement, Property and Fleet); Scott Hardy (Manager Natural Resource Management and Climate); and Paul Hanlon (Manager Investment Attraction and Growth),

The meeting commenced at 09:00am

The meeting adjourned for morning tea at 10:32am

The meeting reconvened from morning tea at 10:54am

The meeting concluded at 12:20pm

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1 APOLOGIES/LEAVE OF ABSENCE

There were no apologies/leaves of absences requested for this meeting.

The Mayor welcomed to the new Director Corporate Services & Chief Financial Officer, Patty Johnson who joined the meeting via Microsoft Teams.

Patty brings more than 30 years of experience in finance, governance, corporate services, and strategic leadership across local government, state agencies, and audit offices.

A Fellow of CPA Australia, Patty has held senior executive roles including Director – People and Corporate Services at Huon Valley Council and Assistant Auditor-General at the Tasmanian Audit Office.

Her expertise spans financial management, organisational transformation, enterprise bargaining, and digital innovation, including the integration of AI technologies to improve service delivery and operational efficiency.

We look forward to Patty's contribution to the Executive Team and are confident her leadership, insight, and energy will strengthen our organisation.

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## **2 CONDOLENCES**

To acknowledge and observe a minute silence for the recently deceased throughout the Whitsunday Region.

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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 26 November 2025 are provided for Council's review and confirmation.

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 26 November 2025.

RESOLUTION OM2025/12/10.1

Moved By: CR M WRIGHT

Seconded By: CR C BAUMAN

That Council confirms the Minutes of the Ordinary Meeting held on 26 November 2025.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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Cr John Finlay wanted to note a minor amendment regarding the condolences from the previous minutes.

Cr John Finlay also requested how attachments are noted in the minutes regarding the release of information for the Financial Reports for Water, Sewage and Waste General Fund that was resolved at the 26 November 2025 Ordinary Council Meeting to be released into open council, and how this would be reflected in the Quarterly Report.

The Chief Executive Officer advised that the requested information will be included in the Quarterly Report and provided on our website.

**4.1 - Public Question Response - 26 November 2025**

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 10 December 2025

**AUTHOR:** Governance Administration Officer

**AUTHORISING OFFICER:** Chief Executive Officer  
Director Regional Strategy and Planning

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There was one public question presented at the Ordinary Council Meeting held on the 26 November 2025 by the below individual:

- Jeff Boyle

The questions were read out by the submitter. The questions were taken on notice, and the response has been provided.

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5 MAYORAL MINUTE

There was no mayoral minute for this meeting.

The Mayor took the opportunity to extend his gratitude and thanks to the Councillors and staff for the 2025 year for their support.

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## **6 NOTICES OF MOTION**

There were no notices of motion 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 - 25 November 2025 - Unconfirmed Audit & Risk Committee Meeting Minutes****PURPOSE**

To confirm the Audit and Risk Committee Meeting Minutes held on 25 November 2025.

**OFFICER'S RECOMMENDATION**

That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting (**Attachment to come**) held on 25 November 2025.

**RESOLUTION OM2025/12/10.2**

Moved By: CR J FINLAY

Seconded By: CR J CLIFFORD

That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting (Attachment 10.1.1) held on 25 November 2025.

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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11.1 - Whitsunday Regional Sports Precinct Master Plan

PURPOSE

The purpose of this report is to seek Council's endorsement of the Whitsunday Sports Precinct Master Plan.

OFFICER'S RECOMMENDATION

That Council:

1. Endorse the Whitsunday Regional Sports Precinct Master Plan (**Attachment 11.1.1**),
2. Delegate authority to the Chief Executive Officer to make amendments to the document data and information during operation of the document to ensure it remains current,
3. Authorise the Chief Executive Officer to prepare and implement the funded first stage actions,
4. Authorise the Chief Executive Officer to utilise the Whitsunday Regional Sport Precinct Master Plan for investment attraction through external funding including grant applications and advocacy.

RESOLUTION OM2025/12/10.3

Moved By: CR G SIMPSON

Seconded By: CR R COLLINS (MAYOR)

That Council:

1. Endorse the Whitsunday Regional Sports Precinct Master Plan (Attachment 11.1.1),
2. Delegate authority to the Chief Executive Officer to make amendments to the document data and information during operation of the document to ensure it remains current,
3. Authorise the Chief Executive Officer to prepare and implement the funded first stage actions,
4. Authorise the Chief Executive Officer to utilise the Whitsunday Regional Sport Precinct Master Plan for investment attraction through external funding including grant applications and advocacy.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 11.2 - Car Parking Policy

### PURPOSE

The purpose of this report and proposed policy is to provide a process and rationale to facilitate development and to encourage business growth across the local government area by providing a basis for Council to enter into an Infrastructure Agreement, where the obligation upon a development to provide onsite car parking spaces cannot be met.

The policy can improve the streetscape and pedestrian safety by removing conflicts between vehicles and pedestrians. The policy confirms Council's strategic intent, requiring developments to provide for their parking demand and provide a basis for the exercise of Council discretion where it is either physically impossible or undesirable for developments to provide sufficient onsite carparking.

### OFFICER'S RECOMMENDATION

That Council

1. Adopt the Car Parking Administrative Policy as contained in **Attachment 11.2.1** to this report.
2. Adopt the Car Parking Area Plans as contained in Appendix 1 of **Attachment 11.2.1** to this report.
3. In accordance with Section 262(3) of the *Local Government Act 2009(QLD)*, adopt the table of monetary contributions as contained in Appendix 2 of **Attachment 11.2.1** to this report.
4. Delegate to the Chief Executive Officer, the authority to negotiate and finalise Infrastructure Agreements arising from the application of the Car Parking Administrative Policy.

### RESOLUTION OM2025/12/10.4

Moved By: **CR J CLIFFORD**

Seconded By: **CR C BAUMAN**

That Council:

1. **Adopt the Car Parking Administrative Policy as contained in Attachment 11.2.1 to this report. Subject to:**
  - a) **Amend 4.1. to - Council must ensure that monetary contributions in lieu of onsite car parking are held in operational and/or capital reserve for the sole use of parking facilities in the area collected.**
  - b) **Delete 4.3. In utilising the contributions to improve parking, regards will be given to the parking priorities across the whole local government area.**
2. **Adopt the Car Parking Area Plans as contained in Appendix 1 of Attachment 11.2.1 to this report.**
3. **In accordance with Section 262(3) of the *Local Government Act 2009(QLD)*, adopt the table of monetary contributions as contained in Appendix 2 of Attachment 11.2.1 to this report.**
4. **Delegate to the Chief Executive Officer, the authority to negotiate and finalise Infrastructure Agreements arising from the application of the Car Parking Administrative Policy.**

## MEETING DETAILS

The motion was Carried 6 / 1.

**CARRIED**

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Mayor Ry Collins acknowledged a declarable conflict of interest in item 11.3 regarding 200717962 DA07081 – Other Change Application for Development Permit for Material Change of Use - Indoor Sport and Recreation (Fitness Centre), Health Care Services, and Food and Drink Outlet at 33 Murroona Street, Bowen, as defined by section 150EQ of the *Local Government Act 2009*, due to the following:

Nature of the Conflict of Interest: Applicant in the Mayor's chiropractor

The name of the related party: Dr Brett Smith

The nature of the relationship of the related party to the Councillor: Mayor pays him for medical services.

The nature of the related party's interests in the matter: Applicant

That pursuant to section 150ES (3) of the *Local Government Act 2009*, Councillors resolved that the Mayor may participate in the decision despite the Councillors conflict of interest.

RESOLUTION OM2025/12/10.5

Moved By: **CR M WRIGHT**

That the councillors resolved for the mayor to stay in the room and participate in the decision despite the conflict of interest.

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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**11.3 - 200717962 DA07081 - Other Change Application for Development Permit for Material Change of use for Indoor Sport And Recreation (Fitness Centre), Health Care Services And Food and Drink Outlet At 33 Murroona Street, Bowen**

## PURPOSE

To present the assessment of the development application for Other Change for the Indoor Sport and Recreation (Fitness Centre), Health Care Services, and Food and Drink Outlet and seek Council's determination.

## OFFICER'S RECOMMENDATION

That Council approve the Application for Other Change to the Development Permit for Material Change of Use - Indoor Sport and Recreation (Fitness Centre), Health Care Services, and Food and Drink Outlet at 33 Murroona Street, Bowen, subject to reasonable and relevant conditions in **Attachment 11.3.4**.

## RESOLUTION OM2025/12/10.6

Moved By: CR M WRIGHT

Seconded By: CR J FINLAY

That Council approve the Application for Other Change to the Development Permit for Material Change of Use - Indoor Sport and Recreation (Fitness Centre), Health Care Services, and Food and Drink Outlet at 33 Murroona Street, Bowen, subject to reasonable and relevant conditions in Attachment 11.3.4.

## MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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11.4 - Update - 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 (SLL) No.1 (Administration) 2014.

The SLL is one component of Councils strategy for managing Short-Term Accommodation (STA) through an integrated framework comprising land use planning controls, local law licensing, and a differential rating mechanism. However, following further input some proposed changes to the (SLL) have been suggested, Council is asked to consider these further changes to finalise the amendment.

OFFICER'S RECOMMENDATION

That Council resolves to:

1. Accept the further changes outlined in this report and update the proposed Local Law;
2. Propose to make Subordinate Local Law (Amending) Subordinate Local Law No. 1 (Administration) 2025, as amended (the Proposed Subordinate Local Law).
3. 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*, including:
 - consulting with the public about the Proposed Subordinate Local Law and conducting a public interest test in relation to anti-competitive provisions contained within the Proposed Subordinate Local Law for at least 21 days (Consultation Period); and
 - considering every submission properly made to Council about the Proposed Subordinate Local Law during the Consultation Period.

RESOLUTION OM2025/12/10.7

Moved By: CR C BAUMAN

Seconded By: CR J CLIFFORD

That Council resolves to:

- 1. Accept the further changes outlined in this report and update the proposed Local Law;**
- 2. Propose to make Subordinate Local Law (Amending) Subordinate Local Law No. 1 (Administration) 2025, as amended (the Proposed Subordinate Local Law).**
- 3. 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*, including:**
 - consulting with the public about the Proposed Subordinate Local Law and conducting a public interest test in relation to anti-competitive provisions contained within the Proposed Subordinate Local Law for at least 21 days (Consultation Period); and**
 - considering every submission properly made to Council about the Proposed Subordinate Local Law during the Consultation Period.**

MEETING DETAILS

The motion was Lost 3 / 4.

LOST

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## **RESOLUTION OM2025/12/10.8**

**Moved By: CR J FINLAY**

**Seconded By: CR C BAUMAN**

**That Council resolves to:**

- 1. Accept the further changes outlined in this report and update the proposed Local Law. Including:**
  - a) Adding 3(b)(c) “Emailing Council with-in 24 hours of each complaint with the reason for the complaint and how it was attended to.”;**
- 2. Propose to make Subordinate Local Law (Amending) Subordinate Local Law No. 1 (Administration) 2025, as amended (the Proposed Subordinate Local Law).**
- 3. 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*, including:**
  - consulting with the public about the Proposed Subordinate Local Law and conducting a public interest test in relation to anti-competitive provisions contained within the Proposed Subordinate Local Law for at least 21 days (Consultation Period); and**

- considering every submission properly made to Council about the Proposed Subordinate Local Law during the Consultation Period.

## MEETING DETAILS

The motion was Carried 5 / 2.

CARRIED

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11.5 - Donations, Sponsorships and Grants Approved November 2025

PURPOSE

To advise Council of the donations, sponsorships and grants up to \$20,000 provided for the month of November 2025.

OFFICER'S RECOMMENDATION

That Council:

1. Note the Financial Support for Donation applications approved for the month of November 2025 to the applicants identified in **Attachment 11.5.1**.
2. Note the Financial Support for Sponsorship applications approved for the month of November 2025 to the applicants identified in **Attachment 11.5.2**.
3. Note the Donation on Council Fee applications approved for the month of November 2025 to the applicants identified in **Attachment 11.5.3**.

RESOLUTION OM2025/12/10.9

Moved By: CR J CLIFFORD

Seconded By: CR J COLLINS

That Council:

1. Note the Financial Support for Donation applications approved for the month of November 2025 to the applicants identified in Attachment 11.5.1.
2. Note the Financial Support for Sponsorship applications approved for the month of November 2025 to the applicants identified in Attachment 11.5.2.
3. Note the Donation on Council Fee applications approved for the month of November 2025 to the applicants identified in Attachment 11.5.3.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 11.6 - LGAQ Special Meeting Notice and Voting Paper

### PURPOSE

To inform Council of the Local Government Association of Queensland (LGAQ) Special General Meeting scheduled to be held on 17 December 2025 via postal vote, and to seek Council's position on the proposed State Government amendment to section 155 of the *Local Government Act 2009* regarding councillor eligibility when nominating for State Parliament.

### OFFICER'S RECOMMENDATION

That Council authorise the Chief Executive Officer to:

1. submit a postal vote to the LGAQ by 5:00 pm on 17 December 2025, indicating Council's position on the proposed amendment to section 155 of the *Local Government Act 2009*; and
2. make a submission to the parliamentary committee inquiry into the *Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025*, consistent with Council's position.

### RESOLUTION OM2025/12/10.10

Moved By: CR R COLLINS (MAYOR)

Seconded By: CR J CLIFFORD

That Council authorise the Chief Executive Officer to submit a postal vote to the LGAQ by 5:00 pm on 17 December 2025, indicating Council's support to retain the current policy (no resignation required).

### MEETING DETAILS

The motion was Carried 5 / 2.

CARRIED

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RESOLUTION OM2025/12/10.11

Moved By: CR R COLLINS (MAYOR)

Seconded By: CR J CLIFFORD

That Council authorise the Chief Executive Officer to make a submission to the parliamentary committee inquiry into the *Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025*, consistent with Council's position.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 11.7 - Infrastructure Services Quarter 1 Report July to September 2025

### PURPOSE

The purpose of this report is to provide an update pertaining to the functions of each branch within the Infrastructure Services Directorate for the period of July to September 2025.

### OFFICER'S RECOMMENDATION

That Council receive the Infrastructure Services Quarterly Report (Q1) (**Attachment 11.7.1**) for 2025/2026.

### RESOLUTION OM2025/12/10.12

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council receive the Infrastructure Services Quarterly Report (Q1) (**Attachment 11.7.1**) for 2025/2026.

### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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Director Julie Wright left the meeting at 10:23am, and was replaced by Scott Hardy, Manager Natural Resource Management and Climate.

The meeting adjourned for morning tea at 10:32am.

The meeting reconvened from morning tea at 10:54am.

11.8 - Commercial Businesses Quarterly Report - July to September 2025

PURPOSE

To advise Council of the activities of the Commercial Businesses Directorate from July to September 2025 .

OFFICER'S RECOMMENDATION

That Council endorse the Commercial Businesses Directorate Quarterly Report from July to September 2025 as per **Attachment 11.8.1**.

RESOLUTION OM2025/12/10.13

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council endorse the Commercial Businesses Directorate Quarterly Report from July to September 2025 as per Attachment 11.8.1.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 11.9 - 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 Monthly Financial Report, including the Unaudited Financial Statements for the period ended 25<sup>th</sup> November 2025.

### RESOLUTION OM2025/12/10.14

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

That Council receive the Monthly Financial Report, including the Unaudited Financial Statements for the period ended 25<sup>th</sup> November 2025.

### MEETING DETAILS

The motion was Carried 7 / 0.

**CARRIED**

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12 LATE REPORT ITEMS

There were no late reports for this meeting.

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## 13 CONFIDENTIAL MATTERS

### PROCEDURAL MOTION - CLOSURE OF MEETING (CONFIDENTIAL SESSION) OM2025/12/10.15

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council close the meeting to the public at 11:14am 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 – Strategic Events – Major Events & Conferences

– *(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.*

#### 13.2 – Bowen Aerodrome Hangar Licence Opportunity

– *(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 – Strategic Events – Major Events & Conferences

– *(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.*

#### MEETING DETAILS:

The procedural motion was Carried 7 / 0

CARRIED

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PROCEDURAL MOTION - REOPEN MEETING OM2025/12/10.16

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council reopen the meeting to the general public at 12:17pm.

MEETING DETAILS:

The motion was Carried 7 / 0

CARRIED

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### 13.1 - Strategic Events - Major Events & Conferences Policy

#### 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—*
  - i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.*

#### **RESOLUTION OM2025/12/10.17**

**Moved By: CR J CLIFFORD**

**Seconded By: CR C BAUMAN**

**That Council authorises the Chief Executive Officer to negotiate and enter into sponsorship agreements for the 2026 Between the Tides (Queensland Music Festival) and Clipper Round the World Yacht Race Prize Giving events, including the incorporation of Key Performance Indicators such as visitation and economic impact to guide future sponsorship.**

#### **MEETING DETAILS**

The motion was Carried 6 / 1.

**CARRIED**

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13.2 - Bowen Aerodrome Hangar Licence Opportunity

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 OM2025/12/10.18

Moved By: CR J FINLAY

Seconded By: CR M WRIGHT

That Council:

- 1. authorise the Chief Executive Officer to execute a Licence Agreement with Russell Aviation and endorses entering into a 2+2+2 year Licence Agreement with the successful proponent, subject to performance and Council requirements; and**
- 2. authorise the removal and remediation of the Bowen aircraft hangar will occur at end of life, with funds allocated from scrapping the steel and out of the annual licence agreement used for this undertaking.**

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13.3 - Bowen Community Gardens

#### 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—*
  - (h) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967.*

#### **RESOLUTION OM2025/12/10.19**

**Moved By: CR J FINLAY**

**Seconded By: CR M WRIGHT**

**That Council award the contract 500.2025.0063 Part of land lease B – 65a Williams Street, Bowen to Gardening Community of Bowen Inc and authorise the Chief Executive Officer to negotiate and execute a two (2) year peppercorn lease.**

#### **MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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14 MATTERS OF IMPORTANCE

At this time in the meeting, Councillors have the opportunity to raise any matters of importance.

Cr Gary Simpson took the time to acknowledge the Director Regional Strategy and Planning, Neil McGaffin, the planning and legal team for recommendation and advice on the Whitsunday Paradise Court case. The subject has been on the news for the last month, and came to council over 4 years ago. This resulted in a good outcome, with funding received.

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## **15 CLOSURE OF MEETING**

The Meeting closed at 12:20pm.

Confirmed as a true and correct recording this 28 January 2026.

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**Cr Ry Collins**

**MAYOR**