



**Minutes of the
Ordinary Council Meeting held on
Wednesday 28 January 2026 at
Council Chambers, 67 Herbert
Street, Bowen**

Council acknowledges and shows respect to the Traditional Custodian/owners in whose country we hold this meeting.

UNCONFIRMED

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); Matthew Twomey (Acting Director Regional Strategy and Planning); Patty Johnson (Director Corporate Services & CFO); Gary Murphy (Director Infrastructure Services); Lisa Maher (Acting 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):

Mark Callaghan (Manager Parks and Gardens);	Peter Shuttlewood
(Executive Manager Procurement, Property and Fleet);	and Troy Pettiford
(Chief Operating Officer Whitsunday Water);	and Paul Hanlon
(Manager Investment Attraction and Growth)	

The meeting commenced at 09:00am
The meeting adjourned for morning tea at 10:28am
The meeting reconvened from morning tea at 10:51am
The meeting concluded at 01:52pm

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UNCONFIRMED



1 APOLOGIES/LEAVE OF ABSENCE

There were no apologies/leaves of absence requests for this meeting.

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## 2 CONDOLENCES

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

Cr Michelle Wright acknowledged the passing of a Whitsunday Regional Council Employee, Matt Bath.

Matt commenced on 15th June 2015 as a Labourer in Bowen Parks & Gardens. He was quickly appointed to Leading Hand in August 2015 then moved into a permanent role as a Work Camp Supervisor in February 2018. Later on in July 2020 he became a WRC Community Project Officer and progressed to Coordinator for Parks & Gardens in December 2021. Matt held the permanent position of Land Protection Officer with the Natural Resource Management & Climate team.

Matt was more than just a colleague; he was a pillar of the Whitsunday Regional Council team. He was the definition of a 'quiet achiever' - reliable, professional and a true gentleman in every sense of the word.

Matt was a family man, and spoke of his family constantly, especially his children. Whether he was sharing an update on what they were up to or a story from home, his pride and love were unmistakable.

His loss is felt deeply across his team, Council and the community he served so well. His professionalism, his courtesy and most of all, his friendship will be missed within the organization.

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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 10 December 2025 are provided for Council's review and confirmation.

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 10 December 2025.

RESOLUTION OM2025/01/28.1

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council confirms the amended Minutes of the Ordinary Meeting held on 10 December 2025.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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**4 BUSINESS ARISING**

**4.1 - Lift Tabled Matter - 20241198 - Development Application for Preliminary Approval (Variation Request) for Material Change of Use – Four Multiple Dwelling Units under the Boyle Family Development Scheme (BFDS) - 371 Strathdickie Rd, Strathdickie**

**PURPOSE**

To present a tabled report for Council's consideration.

**OFFICERS RECOMMENDATION**

That the item titled "20241198 - Development Application for Preliminary Approval (Variation Request) for Material Change of Use – Four Multiple Dwelling Units under the Boyle Family Development Scheme (BFDS) - 371 Strathdickie Road, Strathdickie", which was ordered to lie on the table at the November 2025 Ordinary Meeting of Council, be now taken from the table and considered.

**RESOLUTION OM2025/01/28.2**

**Moved By: CR C BAUMAN**

**Seconded By: CR G SIMPSON**

**That the item titled "20241198 - Development Application for Preliminary Approval (Variation Request) for Material Change of Use – Four Multiple Dwelling Units under the Boyle Family Development Scheme (BFDS) - 371 Strathdickie Road, Strathdickie", which was ordered to lie on the table at the November 2025 Ordinary Meeting of Council, be now taken from the table and considered.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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MOTIONS INITIATING DEBATE (FOR THE RECORD) - 25 November 2025 Ordinary Council meeting.

SUBSTANTIVE MOTION (APPROVAL)

Moved By: CR J CLIFFORD

Seconded By: Not obtained — motion lapsed for want of a seconder.

Outcome: Lapsed.

SUBSTANTIVE MOTION (REFUSAL)

Moved By: CR J FINLAY

Seconded By: CR G SIMPSON

Outcome: Debate commenced on the refusal motion in accordance with the officers recommendation.

FORESHADOWED AMENDMENT / TABLING INTENTION

During debate, it was proposed that the matter be tabled to enable further information to be provided in response to the applicant's questions.

Moved By: CR J FINLAY

Seconded By: CR J CLIFFORD

Outcome: Proceeded to a procedural motion to lie the matter on the table.

PROCEDURAL MOTION — MATTER LIE ON THE TABLE

Moved By: CR J FINLAY

That the item lie on the table pending further discussion.

MEETING DETAILS:

The procedural motion was Carried 6 / 1.

CARRIED

(Note: In accordance with meeting procedure, the underlying substantive refusal motion was not put while the matter lay on the table.)

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**4.2 - 20241198 - Development Application for Preliminary Approval (Variation Request) for Material Change of Use – Four Multiple Dwelling Units under the Boyle Family Development Scheme (BFDS) - 371 Strathdickie Road Strathdickie**

**PURPOSE**

To present the assessment of the Preliminary Approval (Variation Request) for Material Change of Use for Four Multiple Dwelling Units (four separate houses) in Strathdickie and seek Council's determination.

**OFFICER'S RECOMMENDATION**

That Council refuse the Development Application for a Preliminary Approval (Variation Request) for Material Change of Use for Four Multiple Dwelling Units, made by JA & JB Boyle Pty Ltd as Trustee, on L: 1 SP: 152054 and located at 371 Strathdickie Road Strathdickie, for the following reasons:

1. The proposal is not consistent with the Mackay, Isaac and Whitsunday Regional Plan in respect of rural residential development in an area which is not identified as a rural living area, compromising the intent of the regional plan to protect productive agricultural land.
2. There has been no demonstration that an overriding community need exists for the proposed development.
3. The proposal conflicts with the Whitsunday Regional Council Planning Scheme 2017 and cannot be conditioned to comply. Specifically:
  - a. The proposal is unable to comply with the Liveable Communities and Housing theme of the Strategic Intent as the proposal seeks to establish rural residential density on land zoned for rural purposes. The predicted demand and supply of rural residential land within the planning scheme area was modelled by the Whitsunday Regional Council Urban Growth Study and adequate land is zoned to accommodate the predicted demand.
  - b. The proposal is unable to comply with the Economic Growth theme of the Strategic Intent as the proposal adds no economic benefit to the region and negatively impacts rural production by further decreasing the agricultural capacity of the land and adjacent lands.
  - c. The proposed conflicts with the Rural Zone Code, specifically Overall Outcomes 1(a)–(c), 2 and 3(a), (b), (d), (f), (h), (i), and (j).
  - d. The proposal is not consistent with the Agricultural Land Overlay, specifically AO1.1/AO1.2/PO1, AO2.1/PO2 and Overall Outcome 1 and 2 (a)-(c), which does not support fragmentation and alienation of agricultural land, or the creation of contested land to existing agricultural uses.
  - e. The proposal is not consistent with the Transport and Parking Code, specifically AO1.1/ PO1 and AO2.1/PO2, as the development does not propose to provide an access for future development that ensures that the layout and design of vehicle access, on-site circulation systems and parking areas are safe, convenient and legible for all users.
  - f. The proposal removes the site access requirements of the Development Manual without providing a suitable alternative.

## RESOLUTION OM2025/01/28.3

Moved By: CR G SIMPSON

Seconded By: CR J COLLINS

That Council refuse the Development Application for a Preliminary Approval (Variation Request) for Material Change of Use for Four Multiple Dwelling Units, made by JA & JB Boyle Pty Ltd as Trustee, on L: 1 SP: 152054 and located at 371 Strathdickie Road Strathdickie, for the following reasons:

1. The proposal is not consistent with the Mackay, Isaac and Whitsunday Regional Plan in respect of rural residential development in an area which is not identified as a rural living area, compromising the intent of the regional plan to protect productive agricultural land.
2. There has been no demonstration that an overriding community need exists for the proposed development.
3. The proposal conflicts with the Whitsunday Regional Council Planning Scheme 2017 and cannot be conditioned to comply. Specifically:
  - a. The proposal is unable to comply with the Liveable Communities and Housing theme of the Strategic Intent as the proposal seeks to establish rural residential density on land zoned for rural purposes. The predicted demand and supply of rural residential land within the planning scheme area was modelled by the Whitsunday Regional Council Urban Growth Study and adequate land is zoned to accommodate the predicted demand.
  - b. The proposal is unable to comply with the Economic Growth theme of the Strategic Intent as the proposal adds no economic benefit to the region and negatively impacts rural production by further decreasing the agricultural capacity of the land and adjacent lands.
  - c. The proposed conflicts with the Rural Zone Code, specifically Overall Outcomes 1(a)–(c), 2 and 3(a), (b), (d), (f), (h), (i), and (j).
  - d. The proposal is not consistent with the Agricultural Land Overlay, specifically AO1.1/AO1.2/PO1, AO2.1/PO2 and Overall Outcome 1 and 2 (a)-(c), which does not support fragmentation and alienation of agricultural land, or the creation of contested land to existing agricultural uses.
  - e. The proposal is not consistent with the Transport and Parking Code, specifically AO1.1/ PO1 and AO2.1/PO2, as the development does not propose to provide an access for future development that ensures that the layout and design of vehicle access, on-site circulation systems and parking areas are safe, convenient and legible for all users.
  - f. The proposal removes the site access requirements of the Development Manual without providing a suitable alternative.

## MEETING DETAILS

The motion was Carried 6 / 1.

CARRIED

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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 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

QUESTION ONE

Name: Anne-Maree McNichol

Question 1: On behalf of the Whitsunday Wind Farm Action Group, can Council explain how the Met Mast development application is being assessed in the context of the broader proposed wind farm, rather than as a standalone structure?

Question 2: Specifically, what consideration is Council giving to the cumulative and long-term environmental impacts of wind turbines — including impacts on native vegetation, wildlife, biodiversity, and ecological systems — as well as impacts on the Whitsundays' natural landscape, scenic amenity, tourism economy, community character, and surrounding landholders' property rights?

Question 3: Further, how does Council assess and account for potential loss of amenity and land-use constraints for neighbouring properties that do not host turbines but may be subject to visual, noise, access, and infrastructure impacts, and how does Council determine what level of impact is acceptable before irreversible environmental, landscape and property-related change occurs?

QUESTION TWO

Name: Janice Pearce

Question: My question is with Bells Gully being defined as a natural watercourse under State Legislation, were any engineering details obtained in respect to levels, gradients, cross-sections, hydraulic capacity addressing potential flood impacts/studies?

A response will be provided to the resident in due course and included in the next available Ordinary Council Meeting agenda under the business arising section.

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## 10 COMMITTEES REPORTS

There were no committees reports for this agenda.

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11 OFFICERS REPORTS

11.1 - Airlie Beach Master Plan

PURPOSE

The purpose of this report is to seek Council's endorsement of the Airlie Beach Master Plan 2026.

OFFICER'S RECOMMENDATION

That Council:

1. Endorse the Airlie Beach Master Plan (**Attachment 11.1.1**).
2. Adopt the Airlie Beach Master Plan as the Land Management Plan for the subject area.
3. Delegate authority to the Chief Executive Officer to make amendments to the document date and information during operation of the document to ensure it remains current.
4. Authorise the Chief Executive Officer to prepare and implement an initial Stage 1 Action Plan for years 1-5 and a 5-10 year delivery strategy aligned with the Master Plan.
5. Authorise the Chief Executive Officer to utilise the Airlie Beach Master Plan for investment attraction through external funding including grant applications, advocacy, partnerships and private sector engagement.

PROCEDURAL MOTION - MATTER LIE ON THE TABLE OM2025/01/28.4

Moved by: CR R COLLINS (MAYOR)

That the item lie on the table pending further discussion.

MEETING DETAILS:

The procedural motion was Carried 5 / 2

CARRIED

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**PROCEDURAL MOTION - MATTER BE LIFTED FROM THE TABLE OM2025/01/28.5**

**Moved by: CR R COLLINS (MAYOR)**

**That Council lift the matter of the Airlie Beach Master Plan from the table for debate.**

**MEETING DETAILS:**

The procedural motion was Carried 7 / 0

**CARRIED**

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Mayor Collins made the following statement prior to the final vote:

Councillors we spend a lot of time in these chambers, making decisions, fixing issues and responding to what has already happened. The Airlie Beach Master Plan like others council have recently adopted and will adopt in the future, gives us a genuine opportunity to look forward. It offers our community a clear, shared vision for how one of our most identifiable precincts can grow and evolve over the next decade or more. We are blessed with an extraordinary diversity of towns and communities right across the Whitsunday region. Each of its own character and identity, and Airlie Beach is no exception. It is a unique, tourism icon and a gateway for one of the world's great natural wonders, the Great Barrier Reef, and yachts' point of call for our 74 islands.

Looking ahead, Airlie Beach will be one of the towns that will play a key role when our region hosts Olympic Sailing in 2032. This enables council to think bigger, plan smarter and set direction. Councillors, it is important to be clear about what we are adopting today, it is a guide and an aspiration. Our resilience attracts and guides the immense potential for private investment and strengthen our advocacy to other levels of government to provide clear opportunities for major upgrades when they arise.

The plan recognises Airlie Beach's strengths from the water, mountains, and the green spine that connects them. Mayor Collins commended the team for the work that has gone into creating this plan and encouraged all councillors to support the vision before them today.

RESOLUTION OM2025/01/28.6

Moved By: CR J CLIFFORD

Seconded By: CR R COLLINS (MAYOR)

That Council:

- 1. Endorse the Airlie Beach Master Plan (Attachment 11.1.1).**
- 2. Adopt the Airlie Beach Master Plan as the Land Management Plan for the subject area.**
- 3. Delegate authority to the Chief Executive Officer to make amendments to the document date and information during operation of the document to ensure it remains current.**
- 4. Authorise the Chief Executive Officer to prepare and implement an initial Stage 1 Action Plan for years 1-5 and a 5-10 year delivery strategy aligned with the Master Plan and make amendments as determined by council.**
- 5. Authorise the Chief Executive Officer to utilise the Airlie Beach Master Plan for investment attraction through external funding including grant applications, advocacy, partnerships and private sector engagement.**
- 6. Authorise the Chief Executive Officer to take the feedback provided during the discussion of the report.**

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 11.2 - Galbraith Park Master Plan

### PURPOSE

The purpose of this report is to seek Council's endorsement of the Galbraith Park Master Plan.

### OFFICER'S RECOMMENDATION

That Council:

1. Endorse the Galbraith Park Master Plan (**Attachment 11.2.1**).
2. Adopt the Galbraith Park Master Plan as the guiding document for the subject area.
3. Delegate authority to the Chief Executive Officer to make administrative amendments to ensure the document remains current.
4. Authorise the Chief Executive Officer to prepare and implement an initial Stage 1 Action Plan and a 10–15 year delivery strategy aligned with the Galbraith Park Master Plan.
5. Authorise the Chief Executive Officer to utilise the Galbraith Park Master Plan for investment attraction through external funding, including grant applications, advocacy, partnerships, and private sector engagement.
6. Adopt the Galbraith Park Master Plan as the Land Management Plan for the subject area.

### RESOLUTION OM2025/01/28.7

Moved By: CR G SIMPSON

Seconded By: CR M WRIGHT

That Council:

1. Endorse the Galbraith Park Master Plan (**Attachment 11.2.1**).
2. Adopt the Galbraith Park Master Plan as the guiding document for the subject area.
3. Delegate authority to the Chief Executive Officer to make administrative amendments to ensure the document remains current.
4. Authorise the Chief Executive Officer to prepare and implement an initial Stage 1 Action Plan and a 10–15 year delivery strategy aligned with the Galbraith Park Master Plan and authorise the Chief Executive Officer to make amendments as determined by council.
5. Authorise the Chief Executive Officer to utilise the Galbraith Park Master Plan for investment attraction through external funding, including grant applications, advocacy, partnerships, and private sector engagement.
6. Adopt the Galbraith Park Master Plan as the Land Management Plan for the subject area.

### MEETING DETAILS

The motion was Carried 6 / 1.

Cr Finlay called for a division.

For the motion: Mayor Collins, Cr Clifford, Cr Wright, Cr Finlay, Cr Collins and Cr Simpson

Against the motion: Cr Bauman (Cr Bauman indicated his support for the Community Hub and the park plans)

**CARRIED**

## 11.3 - Cemetery Master Plan Adoption

### PURPOSE

The purpose of this report is to seek Council's formal adoption of the Whitsunday Regional Council Cemeteries Plan (2026) and associated Cemetery Master Plans (2025 Bowen, Collinsville, and Proserpine) as guiding documents for future cemetery planning, management, and investment.

### OFFICER'S RECOMMENDATION

That Council:

1. Endorse the Whitsunday Regional Council Cemeteries Plan 2026 (**Attachment 11.3.1**) and Cemetery Master Plans 2025) for Bowen, Collinsville, and Proserpine (**Attachments 11.3.2.**)
2. Adopt the Cemeteries Plan 2026 and Cemetery Master Plans 2025 as the guiding documents for cemetery planning, management, and future investment across the Whitsunday region.
3. Delegate authority to the Chief Executive Officer to make administrative amendments to ensure the documents remain current and responsive to legislative changes and community needs.
4. Authorise the Chief Executive Officer to develop and implement a Stage 1 Action Plan and a 20-year delivery program, consistent with the adopted Cemeteries Plan and Cemetery Master Plans.
5. Authorise the Chief Executive Officer to utilise the Cemeteries Plan and Cemetery Master Plans for investment attraction through external funding opportunities, including grant applications, advocacy, partnerships, and private sector engagement.
6. Adopt the Cemetery Master Plans as the Land Management Plans for the subject area.

### RESOLUTION OM2025/01/28.8

Moved By: CR J CLIFFORD

Seconded By: CR J FINLAY

That Council:

1. **Endorse the Whitsunday Regional Council Cemeteries Plan 2026 (Attachment 11.3.1) and Cemetery Master Plans 2025) for Bowen, Collinsville, and Proserpine (Attachments 11.3.2.)**
2. **Adopt the Cemeteries Plan 2026 and Cemetery Master Plans 2025 as the guiding documents for cemetery planning, management, and future investment across the Whitsunday region.**
3. **Delegate authority to the Chief Executive Officer to make administrative amendments to ensure the documents remain current and responsive to legislative changes and community needs.**
4. **Authorise the Chief Executive Officer to develop and implement a Stage 1 Action Plan and a 20-year delivery program, consistent with the adopted Cemeteries Plan and Cemetery Master Plans.**
5. **Authorise the Chief Executive Officer to utilise the Cemeteries Plan and Cemetery Master Plans for investment attraction through external funding opportunities, including grant applications, advocacy, partnerships, and private sector engagement.**

6. Adopt the Cemetery Master Plans as the Land Management Plans for the subject area.

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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11.4 - 20250004 - Development Application for Development Permit for Reconfiguration of a Lot - One (1) Lot into Four (4) Lots (Staged) and Access Easements - 54 Buttermans Road, Riordanvale - 6SP274357 - LJ & M Pendrey

PURPOSE

To present the assessment of the development application for a four-lot rural residential subdivision at Buttermans Road, Riordanvale and seek Council's determination.

OFFICER'S RECOMMENDATION

That Council approve the application for Development Application for Development Permit for Reconfiguration of a Lot - One (1) Lot into Four (4) Lots (Staged) and Access Easements, made by M Pendrey & L J Pendrey, on L: 6 SP: 274357 and located at 54 Buttermans Road, Riordanvale, subject to the conditions outlined in (**Attachment 11.4.4**).

PROCEDURAL MOTION - MATTER LIE ON THE TABLE OM2025/01/28.9

Moved by: CR M WRIGHT

That the item lie on the table pending further discussion and amendments.

MEETING DETAILS:

The procedural motion was Carried 6 / 1

CARRIED

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**11.5 - 20080306 – Request for Extension of Currency Period - Preliminary Approval and Development Permit for Reconfiguring of a Lot – One (1) Lot into One Hundred and Twelve (112) Lots – Stages 5 to 8 of the Sanctuary Estate — Jubilee Pocket Road, Jubilee Pocket - 164SP258380**

**PURPOSE**

To present the assessment of a request for extension of currency period and seek Council's determination.

**OFFICER'S RECOMMENDATION**

That Council approves the Request for Extension of Currency Period for Preliminary Approval and Development Permit for Reconfiguring of a Lot – One (1) Lot into One Hundred and Twelve (112) Lots – Stages 5 to 8 of the Sanctuary Estate — Jubilee Pocket Road, Jubilee Pocket – 164SP258380 to 26 November 2027.

**RESOLUTION OM2025/01/28.10**

**Moved By: CR J CLIFFORD**

**Seconded By: CR J FINLAY**

**That Council approves the Request for Extension of Currency Period for Preliminary Approval and Development Permit for Reconfiguring of a Lot – One (1) Lot into One Hundred and Twelve (112) Lots – Stages 5 to 8 of the Sanctuary Estate — Jubilee Pocket Road, Jubilee Pocket – 164SP258380 to 26 November 2027.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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The meeting adjourned for morning tea at 10:28am

The meeting reconvened from morning tea at 10:51am

Cr John Collins acknowledged a declarable conflict of interest in item 11.6 regarding 20250287 - Development Application for Development Permit for Reconfiguration of a Lot - One (1) lot into Three (3) lots - 410 Shute Harbour Road Mount Julian - B R Little & S L Little defined by section 150EQ of the *Local Government Act 2009*, due to the following:

Nature of the Conflict of Interest: Applicants brother works for Cr Collins' private business.

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

RESOLUTION OM2025/01/28.11

Moved by: CR M WRIGHT

Seconded by: CR J CLIFFORD

That Council agree that it is in the public interest that Cr John Collins participates and votes on item 11.6 – 20250287 - Development Application for Development Permit for Reconfiguration of a Lot - One (1) lot into Three (3) lots - 410 Shute Harbour Road Mount Julian - B R Little & S L Little, because no direct or indirect benefit or loss accrues to Cr John Collins; and therefore it is reasonable that the final decision will be made in the public interest.

MEETING DETAILS:

The motion was Carried 6 / 0

CARRIED

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**11.6 - 20250287 - Development Application for Development Permit for Reconfiguration of a Lot - One (1) lot into Three (3) lots - 410 Shute Harbour Road Mount Julian - B R Little & S L Little**

**PURPOSE**

To present the assessment of the development application for a 3 lot Rural subdivision at Mount Julian and seek Council's determination.

**OFFICER'S RECOMMENDATION**

That Council refuse the Development Application for Development Permit for Reconfiguration of a Lot – One (1) lot into Three (3) lots, made by B. R. Little & S. L Little, on L: 26 SP: 299225 and located at 410 Shute Harbour Road Mount Julian, for the following reasons:

1. The proposal is not consistent with the Mackay, Isaac and Whitsunday Regional Plan in respect of rural residential development in an area which is not identified as a rural living area, compromising the intent of the regional plan to protect productive agricultural land.
2. There has been no demonstration that an overriding community need exists for the proposed development.
3. The proposal conflicts with the *Whitsunday Regional Council Planning Scheme 2017* and cannot be conditioned to comply. Specifically:
  - a. The proposal conflicts with the Liveable Communities and Housing theme of the Strategic Intent as the proposal seeks to establish rural residential density on land zoned for rural purposes. The predicted demand and supply of rural residential land within the planning scheme area was modelled by the Whitsunday Regional Council Urban Growth Study and adequate land is zoned to accommodate the predicted demand.
  - b. The proposal conflicts with the Economic Growth theme of the Strategic Intent as the proposal adds no economic benefit to the region and negatively impacts rural production by further decreasing the agricultural capacity of the land and adjacent lands.
  - c. The proposed conflicts with the Rural Zone Code, specifically Overall Outcomes 1(a)–(c), 2 and 3(a), (b), (d), (f) and (h).
  - d. The proposal conflicts with the Agricultural Land Overlay, specifically AO1.1/AO1.2/PO1, AO2.1/PO2 and Overall Outcome 1 and 2 (a)-(c), which does not support fragmentation and alienation of agricultural land, or the creation of contested land to existing agricultural uses.
  - e. The proposal conflicts with the Reconfiguring a Lot, specifically AO1.1/AO1.2/PO1 and Overall Outcome 2 (a)(iii) and (c)(iii), which do not support lot sizes under the minimum specified in Table 9.4.7.3.2 Minimum lot sizes and dimensions, results in the land being unable to maintain the productive use and amenity of rural lands or be compatible with the preferred character for the zone and local area in which the land is located, and results in adverse impacts to a natural resource area.

**RESOLUTION OM2025/01/28.12**

**Moved By: CR J COLLINS**

**Seconded By: CR M WRIGHT**

**That Council approve the Development Application for Development Permit for Reconfiguration of a Lot – One (1) lot into Three (3) lots, made by B. R. Little & S. L**

Little, on L: 26 SP: 299225 and located at 410 Shute Harbour Road Mount Julian, subject to the following conditions:

### **ADMINISTRATION**

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

| Plan/Document Name                          | Prepared By                     | Plan Number            | Dated      |
|---------------------------------------------|---------------------------------|------------------------|------------|
| Proposal Plan                               | Wynne Planning & Development    | 410 Shute Harbour Road | 10/02/2025 |
| Engineering Services Report                 | Samana Blue Engineering Pty Ltd | 2025010esrA            | 13/10/2025 |
| On-site Wastewater Management Investigation | Ground Environments             | GE_2504.1180           | 07/05/2025 |
| Bushfire Hazard Assessment                  | Wynne Planning & Development    | N/A                    | 25/02/2025 |
| Review of Environmental Features            | Wynne Planning & Development    | N/A                    | 25/02/2025 |

1.2 The following further development permits are required prior to commencement of work on site or commencement of the use:

- Operational Works
  - Erosion & Sediment Control; and
  - Roadworks

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

1.3 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.

1.4 All conditions of this approval must be complied with in full to Council's satisfaction prior to the release of the survey plan.

1.5 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of sealing the Survey Plan.

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

2.1 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.

2.2 All vegetative waste cleared as part of the development of the site is to be either:  
a) stored neatly on site and shredded within sixty (60) days of clearing; or  
b) removed off the site to an approved disposal location.

2.3 Any pruning works must be in accordance with AS 4373-1996 – Pruning of Amenity Tree.

2.4 No invasive plants (*Biosecurity Act, 2014*) or declared local pests (Local Law no.3) shall be planted on the site or allowed to invade the site and the site must be managed and maintained to exclude weeds.

- 2.5 To reduce the spread of weeds, all earthmoving equipment shall be free of soil and seed before being taken to the work site and again on completion of the project.

### **WATER INFRASTRUCTURE**

- 3.1 Design and construct a potable water supply to Proposed Lot 5 & 7 in accordance with Council's Planning Scheme or Planning Policy applicable at the time. Such work must be in accordance with an approved detail design at future building application stage.

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

- 4.1 At future building application stage design and construct an on-site domestic sewerage treatment system to Proposed Lot 5 & 7. Such work must be in accordance with Queensland Plumbing and Wastewater code. The On-site Wastewater Management Investigation by Ground Environments dated 7 May 2025 should be noted at future building stage.

### **ACCESS AND PARKING**

- 5.1 A Road Works permit must be obtained prior to commencement of work for the construction of the external accesses for Proposed Lot 5 and 7.
- 5.2 The external access must be constructed in accordance with the Approved Road Works Permit prior to the signing of the Survey Plans.

### **STORMWATER AND FLOODING**

- 6.1 Each allotment to be created must be provided with a lawful point of discharge prior to signing of the Survey Plan.
- 6.2 All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual current at the time of development and Council's Development Manual (current at the time of development).
- 6.3 Easements are to be placed over all land subject to 1%AEP inundation.
- 6.4 Easements documents are to be provided at no cost to Council.

### **ROADWORKS**

- 7.1 A Development Permit for Operational Works (Roadworks) must be obtained prior to commencement of work on site. Any application for Operational Works (Roadworks) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual (current at the time of development), Council's Development Manual (current at the time of development) and this Decision Notice.
- 7.2 All stormwater drainage works associated with the above roadworks must be designed and constructed in accordance with Council's Development Manual.
- 7.3 Design and construction of the works must be in accordance with Council's Standard Specifications and Standard Drawings applicable at the time of development.
- 7.4 The applicant shall upgrade Donadelli Road to a Rural Local Access Road, from the intersection of the Shute Harbour Road to the access of Proposed Lot 7. Any part of Donadelli Road to this point that does not achieve the Rural Local Access requirements, shall be designed to meet as a minimum requirement for the Rural Road Hierarchy as shown in Table D1.3 of Council's Development Manual. The design criteria must as a minimum be as follows:

### Donadelli Road

|                |   |                    |
|----------------|---|--------------------|
| Hierarchy      | - | Rural Local Access |
| Road Reserve   | - | 20 metres          |
| Pavement Width | - | 6m                 |
| Shoulders      | - | 1.0m gravel        |
| Surface        | - | Gravel             |
| Distance       | - | 70m                |

- 7.5 The applicant shall upgrade Unnamed Road to a Rural Local Access Road, from the intersection of the Shute Harbour Road to the access of Proposed Lot 5. Any part of Unnamed Road to this point that does not achieve the Rural Local Access requirements, shall be designed to meet as a minimum requirement for the Rural Road Hierarchy as shown in Table D1.3 of Council's Development Manual. The design criteria must as a minimum be as follows:

### Unnamed Road

|                |   |                    |
|----------------|---|--------------------|
| Hierarchy      | - | Rural Local Access |
| Road Reserve   | - | 20 metres          |
| Pavement Width | - | 6m                 |
| Shoulders      | - | 1.0m gravel        |
| Surface        | - | Gravel             |
| Distance       | - | 70m                |

- 7.6 At completion of construction and prior to Signing of Plan of Survey, the Supervising Engineer must provide certification to Council that all construction complies with this Decision Notice and Council's Development Manual.

## ELECTRICITY AND TELECOMMUNICATIONS

- 8.1 Provide electricity and telecommunications connection to the proposed development to the requirements of the relevant authority. The application must submit to Council, either:

- (a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the newly created lots; or
- (b) a certificate of supply that the applicant has entered into an agreement with the authorized electricity supplier, Ergon, to provide electricity services to the newly created lots, payment has been received, and the connection will be completed at a date in the future.

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

## ENVIRONMENTAL MANAGEMENT PLAN (EMP)

- 9.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site. The Erosion Prevention and Sediment Control Plan must be prepared in accordance with Council's Development Manual and best Practice Erosion & Sediment Control – November 2008 (IECA White Book). The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g., turfed, concreted).

- 9.2 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 9.3 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.
- 9.4 The developer must ensure that when undertaking any on-site or external works, including any filling and extraction, appropriate dust control measures are implemented in accordance with the *Environmental Protection Act 1994* and complies with the relevant air quality objectives defined in the *Environmental Protection (Air) Policy 2008*.
- 9.5 Acid sulphate soils are not to be disturbed during the works unless an Acid Sulfate Soils Management Plan that complies with Planning Policy SC6.2.4: Acid sulfate soils management plan, is submitted and approved by Council.

#### **MAINTENANCE VALUATION**

- 10.1 The applicant must pay to Council a maintenance valuation fee per lot at the time of sealing of the survey plan at the rate applicable at the time of payment. The current rate is \$48.00 per lot.

#### **MISCELLANEOUS**

- 11.1 If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.  
The Applicant is reminded of their obligations under the *Aboriginal Cultural Heritage Act, 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au)
- 11.2 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 11.3 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The onsite supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 11.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Road Reserve or adjoining land unless written permission from the owner of that land and Council is provided.
- 11.5 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean-up of any litter or waste that is a result of the subject development.

#### **ADVISORY NOTES**

##### **12.1 Hours of work**

It is the developer's responsibility to ensure compliance with the *Environmental Protection Act 1994*, which prohibits any construction, building and earthworks

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activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays or Public Holidays.

**12.2 Dust Control**

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

**12.3 Sedimentation Control**

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

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

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

**12.5 General Safety of Public During Construction**

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

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

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

**12.6 Enquiries relating to the aforementioned conditions should be directed to the Regional Strategy & Planning Directorate who will direct the enquiry to the relevant officer.**

**MEETING DETAILS**

The motion was Carried 4 / 3.

**CARRIED**

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11.7 - 20250315 - Development Application for Development Permit for Material Change of Use for Forty (40) Short Term Accommodation Units - 1 Loop Road Jubilee Pocket - Queensland Venue Co

PURPOSE

To present the assessment of the development application for 40 Short-term Accommodation units at 1 Loop Road, Jubilee Pocket and seek Council's determination.

OFFICERS RECOMMENDATION

That Council approve the Development Application for Development Permit for Material Change of Use for Forty (40) Short Term Accommodation Units, made by Queensland Venue Co, on L: 11 RP: 891517 and located at 1 Loop Road Jubilee Pocket, subject to the conditions outlined in **Attachment 11.7.4**.

RESOLUTION OM2025/01/28.13

Moved By: CR J CLIFFORD

Seconded By: CR R COLLINS (MAYOR)

That Council approve the Development Application for Development Permit for Material Change of Use for Forty (40) Short Term Accommodation Units, made by Queensland Venue Co, on L: 11 RP: 891517 and located at 1 Loop Road Jubilee Pocket, subject to the conditions outlined in **Attachment 11.7.4**.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 11.8 - Donations, Sponsorships and Grants Approved - December 2025

### PURPOSE

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

### OFFICER'S RECOMMENDATION

That Council:

1. Note the Financial Support for Junior Elite Athlete Grant applications approved for the month of December 2025 to the applicants identified in **Attachment 11.8.1**.
2. Note the Financial Support for Donation and in-kind Donation applications approved for the month of December 2025 to the applicants identified in **Attachment 11.8.2**.
3. Note the Sport and Recreation Club Grant applications approved for the month of December 2025 to the applicants identified in **Attachment 11.8.3**.
4. Note the Donation on Council Fee applications approved for the month of December 2025 to the applicants identified in **Attachment 11.8.4**.

**RESOLUTION OM2025/01/28.14**

**Moved By: CR M WRIGHT**

**Seconded By: CR J CLIFFORD**

**That Council:**

- 1. Note the Financial Support for Junior Elite Athlete Grant applications approved for the month of December 2025 to the applicants identified in Attachment 11.8.1.**
- 2. Note the Financial Support for Donation and in-kind Donation applications approved for the month of December 2025 to the applicants identified in Attachment 11.8.2.**
- 3. Note the Sport and Recreation Club Grant applications approved for the month of December 2025 to the applicants identified in Attachment 11.8.3.**
- 4. Note the Donation on Council Fee applications approved for the month of December 2025 to the applicants identified in Attachment 11.8.4.**

**MEETING DETAILS**

The motion was Carried 6 / 1.

**CARRIED**

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Cr John Finlay declared a prescribed conflict of interest in item 11.9 regarding Sport & Recreation Facility Management grant - Bowen Sporting Complex Coordinating Association Inc. 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 Sporting Complex Coordinating Association Inc.

The nature of the councillor's relationship with the entity: The applicant is a client of SBB Partners, to which Cr Finlay is the manager.

Details of the councillor's, and any other entity's, interest in the matter: SBB Partners, to which Cr Finlay is the manager.

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 room at 11:21am.

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## 11.9 - Sport & Recreation Facility Management Grant - Bowen Sporting Complex Co-Ordinating Association Inc.

### PURPOSE

For Council to consider the payment of the Facility Management Grant in accordance with Council's Facility Management Grant Guidelines.

### OFFICER'S RECOMMENDATION

That Council approve the payment of a \$20,000 Sport & Recreation Facility Management Grant to Bowen Sporting Complex Co-Ordinating Association Inc.

### RESOLUTION OM2025/01/28.15

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council approve the payment of a \$20,000 Sport & Recreation Facility Management Grant to Bowen Sporting Complex Co-Ordinating Association Inc.

### MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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Cr Finlay returned to the room at 11:23am.

11.10 - Inquiry into Local Government Funding and Fiscal Sustainability

PURPOSE

To inform Council of the Federal Government's referral of the matter of local government funding and fiscal sustainability to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport, and to outline opportunities for Council to contribute to the inquiry.

OFFICER'S RECOMMENDATION

That Council:

1. Note the Federal Inquiry (**Attachment 11.10.1**) into Local Government Funding and Fiscal Sustainability.
2. Endorses the preparation of a submission to the Inquiry outlined in **Attachment 11.10.1** by the due date of 3 February 2026.
3. Considers key issues for inclusion in the submission, including financial sustainability, cost shifting, and adequacy of Federal funding.

RESOLUTION OM2025/01/28.16

Moved By: CR R COLLINS (MAYOR)

Seconded By: CR J CLIFFORD

That Council:

- 1. Note the Federal Inquiry (Attachment 11.10.1) into Local Government Funding and Fiscal Sustainability.**
- 2. Endorses the preparation of a submission to the Inquiry outlined in Attachment 11.10.1 by the due date of 3 February 2026.**
- 3. Considers key issues for inclusion in the submission, including financial sustainability, cost shifting, and adequacy of Federal funding.**

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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**11.11 - Update to Council Meeting Dates 2026**

**PURPOSE**

To reschedule the Ordinary Council Meetings for the 25 March 2026 and 25 November 2026, to accommodate key leadership events.

**OFFICER'S RECOMMENDATION**

That Council:

- 1. Change the Ordinary Council Meeting being held on the 25 March 2026 to Wednesday 18 March 2026, and the necessary public notice be provided.**
- 2. Change the Ordinary Council Meeting being held on the 25 November 2026 to Wednesday 18 November 2026 and the necessary notice be provided.**

**RESOLUTION OM2025/01/28.17**

**Moved By: CR J COLLINS**

**Seconded By: CR J FINLAY**

**That Council:**

- 1. Change the Ordinary Council Meeting being held on the 25 March 2026 to Wednesday 18 March 2026, and the necessary public notice be provided.**
- 2. Change the Ordinary Council Meeting being held on the 25 November 2026 to Wednesday 18 November 2026 and the necessary notice be provided.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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UNCONFIRMED

11.12 - Council Endorsement of Motions for Submission to the 2026 National General Assembly

PURPOSE

To seek Council endorsement to submit a motion to the 2026 National General Assembly (NGA) of Local Government.

OFFICER'S RECOMMENDATION

That Council endorses submission of the following motion to the 2026 National General Assembly of Local Government: National Licensing and Procurement Framework for Enterprise Software and Cybersecurity Solutions.

RESOLUTION OM2025/01/28.18

Moved By: CR C BAUMAN

Seconded By: CR J CLIFFORD

That Council endorses submission of the following motion to the 2026 National General Assembly of Local Government: National Licensing and Procurement Framework for Enterprise Software and Cybersecurity Solutions.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

11.13 - Office of the Mayor & CEO Activity Report

PURPOSE

To provide an overview of the activities of the Office of the Mayor and Chief Executive Officer Directorate for the period October to December 2025.

OFFICER'S RECOMMENDATION

That Council receive the Office of the Mayor and Chief Executive Officer activity report (**Attachment 11.13.1**) for October to December 2025.

RESOLUTION OM2025/01/28.19

Moved By: CR R COLLINS (MAYOR)

Seconded By: CR C BAUMAN

That Council receive the Office of the Mayor and Chief Executive Officer activity report (**Attachment 11.13.1**) for October to December 2025.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 11.14 - Corporate Services Activity Report

### PURPOSE

The purpose of this report is to provide an overview the key outcomes and statistics for the Corporate Services Directorate for the Quarter 2 of the 2025/26 financial year.

### OFFICER'S RECOMMENDATION

That Council receive the Corporate Services Quarterly Report (**Attachment 11.14.1**) for Quarter two for the 2025/26 financial year.

### RESOLUTION OM2025/01/28.20

Moved By: CR J FINLAY

Seconded By: CR J CLIFFORD

That Council receive the Corporate Services Quarterly Report (**Attachment 11.14.1**) for Quarter two for the 2025/26 financial year.

### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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11.15 - 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 31st December 2025.

RESOLUTION OM2025/01/28.21

Moved By: CR J CLIFFORD

Seconded By: CR C BAUMAN

That Council receive the Monthly Financial Report, including the Unaudited Financial Statements for the period ended 31st December 2025.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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12 CONFIDENTIAL MATTERS

PROCEDURAL MOTION - CLOSURE OF MEETING (CONFIDENTIAL SESSION)  
OM2025/01/28.22

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council close the meeting to the public at 11:46am 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 Planning & Environment Court Appeal No. 3181 of 2025

– (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 Planning & Environment Court Appeal No. 2192 of 2025

– (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 Purchase of land - Bowen

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

12.4 Sole Supplier Listing Update - Major Projects

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

**MEETING DETAILS:**

The procedural motion was Carried 7 / 0

**CARRIED**

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The meeting adjourned for lunch during the confidential session at 1:01pm.

The meeting reconvened from lunch at 1:30pm.

PROCEDURAL MOTION - REOPEN MEETING OM2025/01/28.23

Moved by: CR J CLIFFORD

Seconded by: CR C BAUMAN

That Council reopen the meeting to the general public at 1:30pm.

MEETING DETAILS:

The motion was Carried 7 / 0

CARRIED

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**12.1 - Planning & Environment Court Appeal No. 3181 of 2025**

**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 OM2025/01/28.24**

**Moved By: CR J CLIFFORD**

**Seconded By: CR M WRIGHT**

**That Council delegate to the Chief Executive Officer the power to attend to all matters relating to the resolution of Planning and Environment Court Appeal No. 3181 of 2025.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

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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 OM2025/01/28.25

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council delegate to the Chief Executive Officer the power to attend to all matters relating to the resolution of Planning and Environment Court Appeal No. 2192 of 2025.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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## 12.3 - Purchase of land - Bowen

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 OM2025/01/28.26

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

That Council:

1. Is satisfied that acquiring a parcel of land, in fee simple, in Bowen is necessary or convenient for the performance of Council's functions relevant to its management of assets and delivering effective services to its community;
2. Delegates to the Chief Executive Officer all powers to:
  - a. enter into negotiations, on behalf of Council, to acquire a parcel of land in fee simple in Bowen; and
  - b. take any incidental steps to gain approvals under legislation for the arrangement if required.

### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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12.4 - Sole Supplier Listing Update - Major Projects

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 OM2025/01/28.27

Moved By: CR J FINLAY

Seconded By: CR J CLIFFORD

That Council:

- (a) **Resolves in accordance with section 235(a) and 235(b) of the *Local Government Regulation 2012* that it is satisfied that DuPont de Nemours, Inc and Allen Dickson Services (ADS) are Sole Suppliers and that they be added to the Sole Supplier Register for the 2025/26 financial year; and**
- (b) **Delegates authority to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* to enter into contracts, negotiate, finalise, and execute any and all matters associated with or in relation to Sole Suppliers subject to Council's normal procurement policies and practices.**

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

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### 13 MATTERS OF IMPORTANCE

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

Cr Finlay raised the below matters of importance:

1. Mullers Lagoon
2. Bowen Foreshore Master Plan, the shelters are beyond repair, will new shelters be added to the master plan.
3. Power street design between Herbert and Gregory Street. Cr Finlay requested an update on the design and scope map, footpath compliance and maintenance.

#### **RESOLUTION OM2025/01/28.28**

**Moved By: CR M WRIGHT**

**Seconded By: CR J COLLINS**

**That Council present at the next briefing session the full and in-depth feedback and results from the last staff survey from Gallup.**

#### **MEETING DETAILS**

The motion was Lost 3 / 4.

**LOST**

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The Meeting closed at 1:52pm.

Confirmed as a true and correct recording this 25 February 2026.

Cr Ry Collins

MAYOR