



# Minutes of the Ordinary Meeting held on 12 December 2018

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***Council acknowledges and shows respect to the Traditional Custodians/Owners in  
whose country we hold this meeting.***

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Whitsunday Regional Council  
**Minutes of the Ordinary Meeting** held at  
Proserpine Community Centre, 36 Gardenia Street, Proserpine on  
**12 December 2018 commencing at 9:00am**

**Councillors Present:**

A Willcox; J Clifford; R Petterson; J Collins; P Ramage; D Clark and M Brunker

**Council Officers Present:**

J Raiteri (Acting CEO/Director Engineering Services); S Fernando (Chief Financial Officer); J Wright (Director Community & Environment); N McGaffin (Director Planning & Development); J Rugless (Director Corporate Services); A Hagy (Director Customer Experience); G Martin (Communications and Marketing Manager); T Williams (Disaster Recovery Project Director); P Ahern (Disaster Recovery Project Officer); Joe Cullen (Disaster Recovery Project Manager); Elouise Lamb (Economic Development Project Planning Officer); John van der Meer (Major Grants Coordinator); Brian Joiner (General Manager Whitsunday Airports and Commercial Infrastructure); P Fendley (Chief Staff Officer); M Douglas (Administration Coordinator) Tailah Jensen (Administration Officer)

**Other Details:**

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.06am

The meeting reconvened from morning tea at 10.36am

The meeting closed at 11.48am

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**Minutes of the Ordinary Meeting** held at  
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**2. Condolences**

**2.1 2018/12/12.01 CONDOLENCES**

**Moved by: J CLIFFORD**

**Seconded by: M BRUNKER**

**Council observes one (1) minutes silence for the recently deceased.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

**3.1 Mayoral Minute**

**3.1 2018/12/12.02 Mayoral Minute**

**Moved by: A WILLCOX**

**That Council make a donation of \$50,000 to RACQ CQ Rescue Helicopter Service this financial year and make the necessary budget adjustments in the Quarter 2 budget review.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

## 3.2 Mayoral Update

<b>Thursday 29<sup>th</sup> November</b>	<ul style="list-style-type: none"> <li>• International Waste Tour Update Session for GWCoM's Councils in Mackay</li> <li>• Bowen Basin Mining Club Luncheon, in Mackay</li> <li>• Tourism Whitsundays Industry Christmas Party, in Cannonvale, that evening</li> </ul>
<b>Friday 30<sup>th</sup> November</b>	<ul style="list-style-type: none"> <li>• Major Projects Advisory Board Meeting, in Bowen</li> <li>• Whitsunday LDMG Meeting, via teleconference</li> </ul>
<b>Saturday 1<sup>st</sup> December</b>	<ul style="list-style-type: none"> <li>• That evening, Proserpine/Cannonvale Staff Christmas Party in Proserpine</li> </ul>
<b>Monday 3<sup>rd</sup> December</b>	<ul style="list-style-type: none"> <li>• Special Council Meeting, in Bowen</li> <li>• Lunch with NQ Toyota Cowboys management team, in Airlie Beach</li> </ul>
<b>Tuesday 4<sup>th</sup> December</b>	<ul style="list-style-type: none"> <li>• Beautiful Bowen Stage 2 Meeting, in Bowen</li> <li>• Meeting with AEC Consultant, in Proserpine</li> <li>• Meeting and Greet for Opposition Leader Deb Frecklington, in Cannonvale</li> <li>• Meeting with ratepayers, in Proserpine</li> </ul>
<b>Wednesday 5<sup>th</sup> December</b>	<ul style="list-style-type: none"> <li>• Briefing Session, in Proserpine</li> <li>• Whitsunday LDMG Meeting, via teleconference</li> <li>• Filming footage for Our Whitsunday update</li> <li>• Meeting with project proponents, in Proserpine</li> </ul>
<b>Thursday 6<sup>th</sup> December</b>	<ul style="list-style-type: none"> <li>• Meeting with Bowen Independent reporter, in Bowen</li> <li>• St Mary's Catholic School 2018 Awards evening, in Bowen</li> </ul>
<b>Friday 7<sup>th</sup> December</b>	<ul style="list-style-type: none"> <li>• Whitsundays Festival of Motoring – Year End Stakeholder Meeting, via teleconference</li> <li>• Farwell for former Corporate Services Director Graham Jarvis</li> </ul>
<b>Sunday 9<sup>th</sup> December</b>	<ul style="list-style-type: none"> <li>• Rotary Club of Airlie Beach 'Carols by the Beach', that evening</li> </ul>
<b>Monday 10<sup>th</sup> December</b>	<ul style="list-style-type: none"> <li>• Travelled to Brisbane</li> <li>• 2018 Christmas Cabinet Reception</li> </ul>
<b>Tuesday 11<sup>th</sup> December</b>	<ul style="list-style-type: none"> <li>• Flew back into the region</li> <li>• Bowen State School Year Six Graduation, that evening</li> </ul>



**4. Confirmation of Minutes**

**4.1 2018/12/12.03 CONFIRMATION OF MINUTES REPORT**

**Moved by: M BRUNKER**

**Seconded by: J CLIFFORD**

**Council confirms the Minutes of the;**

- a) Ordinary Meeting held on 28 November 2018; and**
- b) Special Council Meeting held on 3 December 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**9. Questions from Public Gallery**

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**PUBLIC QUESTION TIME**

At this time in the meeting the opportunity is provided to members of the gallery to ask questions of the Council or to make statements about the Council and its operations. Under Council's Standing Orders the following applies in relation to this public question time:

1. In every Council Meeting time shall be set aside to permit members of the public to address the Council on matters of public interest related to local government. Questions from the Public Gallery will be taken on notice and may or may not be responded to at the Meeting and must be submitted in writing to Council prior to the Council Meeting in accordance with Council's Policy for Standing Orders – Meetings. The time allocated shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at any one (1) meeting. The right of any individual to address the Council during this period shall be at absolute discretion of the Council.
2. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
3. Any person addressing the Council shall stand, state their name and address, act and speak with decorum and frame any remarks in respectful and courteous language.

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10. Office of the Mayor and CEO  
10.1 2018/12/12.04 COUNCIL MEETING DATES 2019

Moved by: R PETERSON  
Seconded by: J CLIFFORD

Council resolves to adopt the schedule of Ordinary Council Meeting Dates and Venues for 2019.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor and CEO  
10.2 2018/12/12.05 DISPOSAL OF GANGWAY TO PROSERPINE GOLF CLUB

Moved by: J COLLINS  
Seconded by: D CLARK

Council resolves to dispose of Public Asset - Damaged 15 x 2m Gangway previously utilised at Shute Harbour via donation to community organisation Proserpine Golf Club in accordance with the Section 236 1 (b) (ii) of the Local Government Regulations 2012.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor and CEO  
10.3 2018/12/12.06 WHITSUNDAY START-UP BUSINESS SUPPORT PROGRAM - 2019 LAUNCH APPROVAL

Moved by: R PETERSON  
Seconded by: J CLIFFORD

Council resolves to approve the Whitsunday Start-up Business Support Program to enable it to be launched in January 2019 to the Whitsunday community.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor and CEO

10.4 2018/12/12.07 FINANCIAL STATEMENTS - FY 18/19 - PERIOD  
ENDING 30 NOVEMBER 2018

Moved by: D CLARK

Seconded by: J COLLINS

Council receives the Monthly Financial Statements for the period ending 30 November 2018 of the financial year 2018/19.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor and CEO

10.5 2018/12/12.08 SHUTE HARBOUR BUILDING - CONFIRMATION TO  
PROCEED TO TENDER

Moved by: J CLIFFORD

Seconded by: R PETERSON

Council resolves to:

1. adopt the design proposal for the Shute Harbour Redevelopment Project comprising:
  - a. 50% design components for:
    - i. Seawall;
    - ii. Buildings;
    - iii. Car Park;
    - iv. Fuel Facility;
    - v. Services;
  - b. 100% design component for the Pontoon refurbishment;  
including confirmation to proceed to tender; and
2. approve the release of the architectural renderings for industry engagement.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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- 10. Office of the Mayor and CEO**  
**10.6 2018/12/12.09 ACTING CHIEF EXECUTIVE OFFICER**

**Moved by: P RAMAGE**  
**Seconded by: J CLIFFORD**

**Council resolves to note the appointment of Jason Raiteri, Director Engineering Services, to Acting Chief Executive Officer for the inclusive period of 15<sup>th</sup> December 2018 to 1<sup>st</sup> January 2019 in accordance with section 195 of the Local Government Act.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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- 10. Office of the Mayor and CEO**  
**10.7 2018/12/12.10 2018/19 OPERATIONAL PLAN Q1**

**Moved by: D CLARK**  
**Seconded by: R PETERSON**

**Council receives the Operational Plan 2018/19 Quarter One Update.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**11. Corporate Services**

**11.1 2018/12/12.11 CHIEF EXECUTIVE OFFICER DELEGATION -  
PROCUREMENT**

**Moved by: J COLLINS**

**Seconded by: J CLIFFORD**

**Council resolves to delegate to the Chief Executive Officer and/or the Acting Chief Executive Officer, the authorisation to approve large-sized contracts for goods and services in accordance with Council's Procurement Policy for the period of 13 December 2018 to the 29 January 2019.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**11. Corporate Services**

**11.2 2018/12/12.12 CORPORATE SERVICES MONTHLY REPORT**

**Moved by: R PETERSON**

**Seconded by: D CLARK**

**Council receives the Corporate Services Monthly Report for November 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Development Services**

- 12.1 2018/12/12.13 20180896 - DEVELOPMENT APPLICATION FOR STAGED RECONFIGURATION OF A LOT - ONE (1) LOT INTO TWELVE (12) LOTS AND ONE (1) BALANCE LOT - BOTANICA DRIVE STAGE 4 - BOTANICA DRIVE, WOODWARK - BOTANICA DRIVE PTY LTD C/- VISION SURVEYS QLD PTY LTD**

**Moved by: D CLARK**

**Seconded by: M BRUNKER**

**Council resolves to approve the application for Development Permit for Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots; and One (1) Balance Lot, made by Botanica Drive Pty Ltd, on Lot 60 on SP300010 and located at Botanica Drive WOODWARK, subject to the following conditions:**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Development Services**

- 12.2 2018/12/12.14 20181076 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - INDOOR ENTERTAINMENT - LANGFORD ROAD, FLAMETREE - 12SP299922 - HEATHERWOOD COURT PTY LTD C/- WYNNE PLANNING & DEVELOPMENT**

**Moved by: D CLARK**

**Seconded by: J COLLINS**

**Council resolves to approve the application for Development Permit for Material Change of Use - Indoor Entertainment (Recreation Building), made by Heatherwood Court Pty Ltd, on L: 0 SP: 299922, L: 12 SP: 299922 and located at 79 Langford Road Flametree, subject to the following conditions:**

**1.0 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
Vehicle Turning Paths – Exiting Carparks	STP Consultants	STP18-1132 SK02 Rev B	07/09/2018
Vehicle Turning Paths – Entering Carparks	STP Consultants	STP18-1132 SK01 Rev B	07/09/2018

Indicative Landscaping Site Plan	Chris Beckingham & Associates	303 – 1A	June 2018
Floor Plan	Chris Beckingham & Associates	303 - 2	June 2018
Elevations	Chris Beckingham & Associates	303 – 3	June 2018
Elevations	Chris Beckingham & Associates	303 – 4	June 2018

## **2.0 RESTRICTED USE**

2.1 The proposal is limited to use by residents of ‘The Beaches CTS’

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

3.1 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.

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

## **4.0 ACCESS AND PARKING**

4.1 Prior to commencement of use on the site, the applicant must lodge with Council, a design and construction certification (prepared by an experienced and qualified RPEQ). The certification must be addressed to Council and must certify that External Access, onsite parking and manoeuvring areas have been designed and constructed according to the conditions of this Decision Notice and achieves compliance with Whitsunday Regional Council Planning Scheme, Council’s Development Manual, AS2890 and AS 1428.

4.2 A minimum of Four (4) car parking spaces must be provided on site prior to commencement of the use.

## **5.0 MISCELLANEOUS**

5.1 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 Langford Road or adjoining land unless written permission from the owner of that land and Council is provided.

5.2 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.

## **6.0 ADVISORY NOTES**

### **6.1 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 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.

6.2 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.

6.3 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.

6.4 Noise During Construction and Noise in General

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

6.5 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.

6.6 Enquiries relating to the aforementioned conditions should be directed to the Planning and Development Directorate who will direct the enquiry to the relevant officer.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Development Services**

**12.3 2018/12/12.15 PROPOSED MINISTERIAL DESIGNATION FOR PROSERPINE STATE HIGH SCHOOL**

**Moved by: J COLLINS**

**Seconded by: D CLARK**

**Council resolves to;**

- (a) Provide a response to the Department advising it has no objection to the proposed designation of land for education purposes; and**
- (b) Future Ministerial Designations of land to be reported to Council only when there is a matter that needs formal Council determination.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**12. Planning and Development Services**

**12.4 2018/12/12.16 PLANNING SCHEME AMENDMENT V3.6 ADMINISTRATIVE & PSP DEVELOPMENT MANUAL**

**Moved by: M BRUNKER**

**Seconded by: D CLARK**

**Council resolves to:**

- 1. adopt, and place on Council's website, the Whitsunday Planning Scheme Administrative and Development Manual amendments submission analysis report; (Attachment 1)**
- 2. provide a written response to the submitters; (Attachment 2)**
- 3. make amendments in response to submissions and adopt the Whitsunday Planning Scheme 2017 V3.6, including administrative amendments to the Planning Scheme, Local Government Infrastructure Plan and all amendments to the Planning Scheme Policy Development Manual; (Attachments 3 & 4)**
- 4. adopt amended Standard drawings for water, road, sewer and drainage; (Attachment 5)**
- 5. commence and place on Council's website the Whitsunday Planning Scheme 2017 V3.6, including administrative amendments to the Planning Scheme, Local Government Infrastructure Plan and all amendments to the Planning Scheme Policy Development Manual and associated Standard drawings on the day of gazettal, Friday 21 December 2018; and**
- 6. provide the Chief Executive with a copy of the gazettal and administrative amendments to satisfy requirements within the *Ministers Guidelines and Rules 2017*.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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- 12. Planning and Development Services
- 12.5 2018/12/12.17 COLLINSVILLE DAY CARE

Moved by: P RAMAGE  
Seconded by: D CLARK

Council resolves to assist with funding of up to \$65,000 towards establishing a Childcare Centre at the Collinsville State School subject to a preparation of a business case and contribution by other key stakeholders.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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- 12. Planning and Development Services
- 12.6 2018/12/12.18 PLANNING & DEVELOPMENT MONTHLY REPORT - NOVEMBER 2018

Moved by: J CLIFFORD  
Seconded by: D CLARK

Council receives the Planning & Development Monthly Report for November 2018.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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- 17. Procedural Motion
- 17.1 2018/12/12.19 PROCEDURAL MOTION - ADJOURN

Moved by: CLIFFORD  
Seconded by: PETERSON

Council resolves that the meeting be adjourned for the purpose of morning tea at 10.06am.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17. Procedural Motion**

**17.2 2018/12/12.20 PROCEDURAL MOTION - RECONVENE**

**Moved by J CLIFFORD**

**Seconded by: D CLARK**

**That the meeting be reconvened from morning tea at 10.36am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.1 2018/12/12.21 REEF COUNCIL MAJOR INTEGRATED PROJECT**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council resolves to;**

- a) endorse the Reef Council's MIP proposal as a prospectus for seeking external investment in priority collaborative actions by Queensland Reef region Council; and**
- b) allow the LGAQ to include its logo for the publication and promotion of the Reef Councils MIP.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.2 2018/12/12.22 REQUEST FOR COUNCIL FEE WAIVERS -  
NOVEMBER/DECEMBER 2018**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council resolves to the waiving of fees for the following recipients;**

- **Collinsville Lions Club - Bowen Cricket Club Cricket Day - \$383.00**
- **Bowen Locals for Locals - Bowen Christmas Street Fair 2018 - \$383.00**
- **Collinsville Qld Country Women's Association - Morning Melodies - \$350.00**
- **Club Outrigger Whitsunday - Outrigging Regatta 2019 - \$383.00**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.3 2018/12/12.23 REQUEST FOR DONATION - SCOTTVILLE STATE  
SCHOOL - COMMUNITY GARDEN**

**Moved by: P RAMAGE**

**Seconded by: D CLARK**

**Council resolves to approve a donation/in-kind support of \$365.00 to support the  
Scottville State School to establish an edible community garden.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.4 2018/12/12.24 REQUEST FOR DONATION - ST MARY'S CATHOLIC SCHOOL - FAMILY FUN DAY 2019**

**Moved by: D CLARK**

**Seconded by: J COLLINS**

**Council resolves to approve a donation of \$500.00 to support St Mary's Catholic School Family Fun Day in 2019.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.5 2018/12/12.25 REQUEST FOR DONATION - COLLINSVILLE STATE SCHOOL - GREENTHUMBS PROGRAM**

**Moved by: P RAMAGE**

**Seconded by: M BRUNKER**

**Council resolves to approve a donation/in-kind support of \$365.00 to support the Collinville State School to establish gardens beds as part of the GreenThumbs program.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.6 2018/12/12.26 RADF - 2018/19 FUNDING ROUND 2 - AUGUST-NOVEMBER 2018**

**Moved by: J CLIFFORD**

**Seconded by: M BRUNKER**

**Council resolves to:**

- a) endorse the minutes from the Regional Arts Development Fund (RADF) Local Committee meeting held 26 November 2018; and
- b) approve the grants (subject to conditions) to applicants from Round 2, recommended to Council by the RADF Local Committee, as follows:
  - Margaret Burgess - \$4,450.00;
  - Proserpine Youth Space - \$650.00.
  - Jacqueline Taylor - \$5,000.00; and
- c) not approve the grants to applicants from Round 2, as per the recommendations of the RADF Local Committee,

**Unsuccessful applicants**

- Cathy's Fine Arts - Cathy Knezevic - \$5,400.00
- Whitsunday BombiRama Yarnies - Heather Sutton - \$6,230.00.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.7 2018/12/12.27 FACILITY MANAGEMENT GRANT - WHITSUNDAY SPORTSPARK LIMITED**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council resolves to approve a Facility Management Grant to Whitsunday Sportspark Limited for \$20,000.00.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.8 2018/12/12.28 FINANCIAL SUPPORT FOR JUNIOR ELITE ATHLETE - DECEMBER 2018**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council resolves to approve financial support of \$1,000.00 for Hamish Swain to attend the 2019 Australian Youth Nationals Championships in Hobart from 10-14 January 2019.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.9 2018/12/12.29 REQUEST FOR FINANCIAL SUPPORT FOR THE WHITSUNDAY SAILING CLUB TO HOST NEW YEARS EVE 2019 ACTIVITIES PLUS PROVIDE TRANSPORT FOR CLUB PATRONS**

**Moved by: J CLIFFORD**

**Seconded by: M BRUNKER**

**Council resolves to:**

- a) **approve a donation of \$5,000.00 towards a fireworks display to support the Whitsunday Sailing Club New Year's Eve 2019 activities.**
- b) **refuse the request to contribute to the first 12-month payments towards a vehicle to provide transport for patrons to and from the Club.**
- c) **advise the Club in writing the inability to install a temporary bus stop at the Sailing Club due to safety concerns for the transitioning passengers.**
- d) **advise the Club in writing pedestrian access to the foreshore will be installed as soon as the area is safe to do so.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**13. Community and Environment**

**13.10 2018/12/12.30 COMMUNITY & ENVIRONMENT - MONTHLY REPORT - NOVEMBER 2018**

**Moved by: D CLARK**

**Seconded by: J CLIFFORD**

**Council receives the Community & Environment Monthly Report for November 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**14. Engineering Services**

**14.1 2018/12/12.31 BEACH AND SHUTE HARBOUR ROADS SLIPPERY SURFACE**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council receives the response letter from the Department of Transport and Main Roads.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**14. Engineering Services**

**14.2 2018/12/12.32 CYCLE NETWORK LOCAL GOVERNMENT GRANTS 2019-20 ROUND**

**Moved by: P RAMAGE**

**Seconded by: M BRUNKER**

**Council resolve to:**

- a) support the funding application of \$80,000 under the cycle network LG Grant round 2019-20**
- b) approve the proposed 50% co-contribution of \$80,000, in the event the funding application is successful.**

**MEETING DETAILS:**

The motion was Carried 7/0



CARRIED

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14.           **Engineering Services**  
14.3          **2018/12/12.33           Beach Court Villas Fencing**

Moved by:           **R PETERSON**

Seconded by:       **J CLIFFORD**

Council resolves to;

- a) not fence the boundary between the drain and the property at Beach Court Villas, 24 Beach Road, Cannonvale; and
- b) develop a policy clarifying Council's position on this and similar matters.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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15.           **Customer Experience**  
15.1          **2018/12/12.34           WILSON BEACH SWIMMING ENCLOSURE**

Moved by:           **J CLIFFORD**

Seconded by:       **M BRUNKER**

Council receives the report on the risks associated with the Wilson Beach Swimming Enclosure and further Council resolves to apply for a permit through Queensland Parks and Wildlife Service to remove the existing Wilsons Beach Swimming Enclosure noting the following:

- a) Council does not have the capacity to ensure safety to users due to the existence of a significant concentration of nearby saltwater crocodiles;
- b) Council cannot secure appropriate comprehensive insurance;
- c) Such enclosures in Queensland are provided to offer some form of protection from jellyfish (some, not all) and that the provision of an enclosure for recreational purposes to mitigate risks of coming into conflict with crocodiles would be unprecedented in Australia;
- d) Warning signs of crocodiles have been placed by the State Government in front of the current enclosure and nearby beaches;
- e) That the letter received on the 14 March 2018 from Department of Environment and Science expressed alarm in relation to the provision of a swimming enclosure knowing the significant adjacent crocodile population.

**MEETING DETAILS:**

The motion was Carried 5/2

Division

For: Mayor Willcox, Cr Clark, Cr Clifford, Cr Brunker, Cr Petterson

Against: Cr Collins, Cr Ramage

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**15. Customer Experience**

**15.2 2018/12/12.35 CUSTOMER EXPERIENCE MONTHLY REPORT - NOVEMBER 2018**

**Moved by: D CLARK**

**Seconded by: R PETERSON**

**Council receives the Customer Experience Monthly Report for November 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**16. General Business**

**16.1 2018/12/12.36 COUNCIL INFORMATION SESSIONS - PROCUREMENT AND TENDER PROCESSES**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council resolves to hold further public information sessions on Whitsunday Regional Council procurement and tender processes.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17. Procedural Motion**

**17.3 2018/12/12.37 PROCEDURAL MOTION - CLOSURE OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**That Council close the meeting to the public at 11.07am in accordance with Section 275 of the Local Government Regulations 2012, for the purpose of discussing employee or industrial matters, budget, rating concessions, contractual matters, legal proceedings, planning matters or other business likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.**

**17.1.1 - Quotation Evaluation - Proserpine Roads - NDRRA 2017**

(e) contracts proposed to be made by it

**17.1.2 - Lease - Daydream Island - Part of Land - Lot 50 CP HR 808298**

(e) contracts proposed to be made by it

**17.1.3 - Quotation Evaluation - Conway Beach Sea Wall**

(e) contracts proposed to be made by it

**17.1.4 - Whitsunday Marine Centre of Excellence**

(e) contracts proposed to be made by it; or

(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

**17.1.5 - Short Term Funding for Whitsunday Sportspark**

(e) contracts proposed to be made by it

**17.2.1 - Rates and Sundry Debtors - November 2018**

(f) starting or defending legal proceedings involving it

**17.2.2 - Rates Relief Hardship Applications**

(f) starting or defending legal proceedings involving it

**17.2.3 - Plant and Fleet Replacements 500.2018.0180 & 500.2018.0187**

(e) contracts proposed to be made by it

**17.3.1 - Rectification Works and Recovery of Costs - Retaining Wall at 30 Macarthur Drive Cannonvale**

(f) starting or defending legal proceedings involving it

**17.3.2 - Request To Lease Part Of Lot 81 Rp800715, Paluma Road Cannonvale – Charles Porter & Sons Pty Ltd**

(e) contracts proposed to be made by it

**17.6.1 - Business Activity Report - Waste Business Unit - October 2018**

(c) the local government's budget

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17. Procedural Motion**

**17.4 2018/12/12.38 PROCEDURAL MOTION - REOPEN OF MEETING**

**Moved by: J CLIFFORD**

**Seconded by: P RAMAGE**

**That Council reopen the meeting to the general public at 11.42am**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17. Procedural Motion**

**17.5 2018/12/12.39 PROCEDURAL MOTION**

**Moved by: J CLIFFORD**

**Seconded: R PETERSON**

**Council resolves to table the confidential report titled "Removal from Sale for Arrears of Rates - Assessment 1110031 and Assessment 1205225".**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.1 Confidential Matters - Office of the Mayor and CEO**

**17.1.1 2018/12/12.40 QUOTATION EVALUATION - PROSERPINE ROADS - NDRRA 2017**

**Moved by: J COLLINS**

**Seconded by: M BRUNKER**

**Council resolves to award the contract for 500.2018.0185 - NDRRA Package X - Proserpine to Beddaws Pty Ltd t/a Copp & Co Plant Hire for \$2,084,463.44 (excluding GST).**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

**17.1 Confidential Matters - Office of the Mayor and CEO**

**17.1.2 2018/12/12.41 LEASE - DAYDREAM ISLAND - PART OF LAND - LOT  
50 CP HR 808298**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council resolves to:**

- a) apply the exemption for the disposal of a valuable and non-current asset under the Local Government Regulations 2012 Section 236 Part 1 (vii), being that the interest in the land is that is used by an airport or airport related business; and**
- b) approve the Chief Executive Officer to finalise negotiations and execute the lease with Daydream Island over part of Lot 50 on CP HR 808298 for a 10-year term.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.1 Confidential Matters - Office of the Mayor and CEO**

**17.1.3 2018/12/12.42 QUOTATION EVALUATION - CONWAY BEACH SEA  
WALL**

**Moved by: J COLLINS**

**Seconded by: D CLARK**

**Council resolves to award the contract for 500.2018.0192 - Conway Beach Seawall to East Coast Civil Pty Ltd for \$1,542,452 (excluding GST).**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.1 Confidential Matters - Office of the Mayor and CEO**

**17.1.4 2018/12/12.43 WHITSUNDAY MARINE CENTRE OF EXCELLENCE**

**Moved by: D CLARK**

**Seconded by: R PETERSON**

**Council resolves as follows:**

**1) to authorise the CEO to:**

- a. assess, and accept or reject (in whole or part) the recommendations of the EOI Evaluation Panel as to Shortlisted Respondents to proceed to the Introduction and Consultation Phase;**
- b. engage, on behalf of Council, in the Introduction and Consultation Phase of the EOI process, including having direct discussions and negotiations with the Shortlisted Respondent/s, and any other person/s permitted by the EOI;**
- c. exercise Council's discretions under the EOI, as the CEO sees fit, with best endeavours of achieving the desired project outcomes; and**
- d. do all things incidental to, and to give effect to, the above actions.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.1 Confidential Matters - Office of the Mayor and CEO**  
**17.1.5 2018/12/12.44 SHORT TERM FUNDING FOR WHITSUNDAY SPORTSPARK**

**Moved by: J CLIFFORD**  
**Seconded by: R PETERSON**

**Council resolves to make available short-term bridging funding for Whitsunday Sportspark as follows:**

- a) for a maximum amount of one million dollars (\$1,000,000),**
- b) free of interest charges,**
- c) initial disbursement of funds to be on or after 2<sup>nd</sup> January 2018,**
- d) with all funds to be repaid no later than 31<sup>st</sup> of December 2019;**

**subject to:**

- e) satisfying all legislative and regulatory requirements necessary for Council to undertake this financial transaction including written permission from the Queensland Treasurer, and**
- f) entering into an agreement with the borrower, on terms satisfactory to Council, to ensure that the risk of default is negligible.**

**Council further resolves to authorise the Chief Executive Officer to enter into and sign on behalf of Council, the said agreement with the borrower.**

**MEETING DETAILS:**

The motion was Carried 5/2

**CARRIED**

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**17.2 Confidential Matters - Corporate Services**  
**17.2.1 2018/12/12.45 RATES AND SUNDRY DEBTORS - NOVEMBER 2018**

**Moved by: J CLIFFORD**  
**Seconded by: R PETERSON**

**Council receives the Rates and Sundry Debtors Report for the month of November 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.2 Confidential Matters - Corporate Services**

**17.2.2 2018/12/12.46 RATES RELIEF HARDSHIP APPLICATIONS**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**Council resolves to approve the following recommendations for Rate Relief due to Financial Hardship applications:**

**a. Assessment No. 1105459 & Assessment 1105229:**

- **Correspondence to be forwarded to ratepayer advising that:**
  - i. **no concession to be provided,**
  - ii. **suspension of pursuing recovery actions until other debt recovery options become appropriate;**

**b. Assessment No. 1106712:**

- **Correspondence to be forwarded to ratepayer advising that:**
  - i. **no concession to be provided,**
  - ii. **suspension of recovery action until March 2019;**

**c. Assessment No. 1105882:**

- **Correspondence to be forwarded to ratepayer advising that no concession is to be applied;**

**d. Assessment No. 1205606:**

- **Correspondence to be forwarded to ratepayer advising that interest is to be waived until June 2020 on the provision that payment arrangements are adhered to;**

**e. Assessment No. 1300067:**

- **Correspondence to be forwarded to ratepayer:**
  - i. **no concession to be provided,**
  - ii. **Sale of Land for Rates in Arrears process to continue;**

**f. Assessment No. 1102741:**

- **Correspondence to be forwarded to ratepayer advising of:**
  - i. **withdrawal of Sale of Land action,**
  - ii. **acceptance of payment arrangement, and that,**
  - iii. **interest is to continue to accrue on outstanding amounts in accordance with the Local Government Act 2009;**

**g. Assessment No. 1101052:**

- **Correspondence to be forwarded to ratepayer advising that:**
  - i. **withdrawal of the Application for Hardship**
  - ii. **suspension of pursuing recovery actions until other debt recovery options become appropriate.**



**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.2 Confidential Matters - Corporate Services**

**17.2.3 2018/12/12.47 PLANT AND FLEET REPLACEMENTS 500.2018.0180 & 500.2018.0187**

**Moved by: M BRUNKER**

**Seconded by: R PETERSON**

**Council resolves to award the following contracts after inviting all local suppliers:**

- a. 500.2018.0180 - Supply and Delivery of Two (2) Side by side All-Terrain Vehicles and One (1) Trailer to The Trustee for The Gralow V Twin Trust & The Trustee for The FMA Trust T/As Mackay Motorcycles for the amount of \$60,659.05 (excluding GST) including disposal of the following current assets:
  - i. 70784 - Quad Bike Honda 300 for \$1,090.90 (excluding GST); and**
  - ii. 70621 - Quad Bike Honda 300 for \$1,363.64 (excluding GST).****
- b. 500.2018.0187 - Supply and Delivery of One (1) 4WD Backhoe to Hastings Deering (Australia) Limited for the amount of \$219,900.00 (excluding GST) including the disposal of the following current asset:
  - i. 50962 - Backhoe Komatsu WB97R-5 C78474 for \$30,000.00 (excluding GST).****

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.2 Confidential Matters - Corporate Services**

**17.2.4 2018/12/12.48 REMOVAL FROM SALE FOR ARREARS OF RATES – ASSESSMENT 1110031 AND 1205225**

**Moved by: J CLIFFORD**

**Seconded by: R PETERSON**

**Council resolves to**

- a) remove Assessment 1110031 from sale for arrears action, accept payment arrangement as proposed by the ratepayer; and**
- b) remove Assessment 1205225 from sale for arrears action.**

**MEETING DETAILS:**

The motion was Carried 5/2

**CARRIED**

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**17.3 Confidential Matters - Planning and Development Services**

**17.3.1 2018/12/12.49 RECTIFICATION WORKS AND RECOVERY OF COSTS  
- RETAINING WALL AT 30 MACARTHUR DRIVE  
CANNONVALE**

**Moved by: R PETERSON**

**Seconded by: J CLIFFORD**

**Council resolves to;**

- (1) prepare a scope for the demolition, design and rebuild of the Retaining Wall RPEQ certified at 30 Macarthur Drive Cannonvale; and seek quotes in accordance with Council's Procurement Policy; and**
- (2) undertake the required rectification works under the Enforcement Notice and Court Orders; and recover the costs pursuant to s142 *Local Government Act 2009*.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**17.3 Confidential Matters - Planning and Development Services**

**17.3.2 2018/12/12.50 REQUEST TO LEASE PART OF LOT 81 RP800715,  
PALUMA ROAD CANNONVALE - CHARLES PORTER &  
SONS PTY LTD**

**Moved by: J COLLINS**

**Seconded by: R PETERSON**

**Council resolves to;**

- 1. apply the exemption for the disposal of a valuable and non-current asset other than by tender or auction in accordance with Section 236(1)(c)(iv) of the *Local Government Regulations 2012*;**
- 2. prepare and negotiate the terms and conditions of a land lease in consultation with the proponent, over part of Lot 81 RP800715, Paluma Road Cannonvale; and**
- 3. authorise the Chief Executive Officer to execute the lease.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

**17.6 Confidential Matters - Customer Experience**

**17.6.1 2018/12/12.51 BUSINESS ACTIVITY REPORT - WASTE BUSINESS UNIT - OCTOBER 2018**

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**Council receives the Waste Business Unit Activity Report for October 2018.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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***The meeting closed at 11.48am***

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Confirmed as a true and correct recording this 30 January 2019

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**Cr Andrew Willcox  
MAYOR**