



Minutes of the
Ordinary Meeting held on
11 December 2019



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



Whitsunday Regional Council
**Minutes of the Ordinary Meeting held at
Bowen Council Chambers, 67 Herbert Street, Bowen on
11 December 2019 commencing at 9:00am**

Councillors Present:

Andrew Willcox; Jan Clifford; Ron Petterson; John Collins; Nicola Grieger; Dave Clark and Michael Brunker

Council Officers Present:

Kenn Donohoe (Chief Executive Officer); Julie Wright (Director Community & Environment); Neil McGaffin (Director Planning & Development); Jason Bradshaw (Acting Director Corporate Services); Adam Hagy (Director Customer Experience); Matthew Fanning (Director Engineering Services); Stephen Fernando (Chief Financial Officer); Greg Martin (Communications and Marketing Manager); Paul Fendley (Chief Staff Officer); Tailah Jensen (Governance Administration Officer/Minute Taker)

Guests:

Monique Stevens (Administration Coordinator Community & Environmental Services); Danielle Layton (Administration Officer Community & Environment); Sarah Bon (Disaster Recovery Finance Support Officer); Peter Ahern (Disaster Recovery Project Officer); Kara Jeffrey (Disaster Recovery Project Officer)

Other Details:

- The meeting commenced at 9:00am
- The meeting adjourned for morning tea at 10:07am
- The meeting reconvened from morning tea at 10:32am
- The meeting closed at 12:18pm

Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
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- 2. **Condolences**
- 2.1 **2019/12/11.01 CONDOLENCES**

Moved by: **M BRUNKER**
Seconded by: **R PETERSON**

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

MEETING DETAILS:
The motion was Carried 7/0

CARRIED

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3.1 2019/12/11.02 Mayoral Minute

Moved by: A WILLCOX

That Council note that:

1. I have previously declared a material personal interest as follows:
  - a. 13 November 2019 – Agenda item No: 10.4 - Shute Harbour Closure – 30 November 2019 to 30 April 2019;
  - b. 13 November 2019 – Agenda item No: 17.1.3 - Tender Evaluation - 500.2019.0005 - Shute Harbour Redevelopment Project - Construction Works;
  - c. 27 November 2019 - Agenda Item No: 17.1.3 - Tender Evaluation – 500.2019.0005 – Shute Harbour Redevelopment Project – Construction Works; and
  - d. 27 November 2019 - General Business item - Shute Harbour Closure Commencement Date.
2. the nature of the material personal interest declared are recorded in the minutes of the Council meetings for these items and relate to my son, Jack Willcox being employed by one of the parties who submitted a tender for Tender Evaluation 500.2019.0005.
3. the record shows that for Agenda item No: 17.1.3, Council resolved to award the tender for the rebuild of Shute Harbour terminal and seawall to Vassallo Constructions Pty Ltd.
4. Jack Willcox has no employment relationship with Vassallo Constructions Pty Ltd.
5. I do not anticipate the need for me to make any further declarations of material personal interest nor conflict of interest at meetings where the Shute Harbour Project will be considered because:
  - a. the reasons for me making the previous declarations are no longer applicable to this project; and
  - b. there are no other circumstances associated with the rebuild of the Shute Harbour terminal and seawall to my knowledge that are likely to give rise to me being required to make a material personal interest declaration or conflict of interest declaration to a meeting in which the project will be considered.
6. I will fulfil my roles and responsibilities as Council’s Mayor under the Local Government Act 2009 (Qld) as it relates to the Shute Harbour Project.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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3.2 Mayoral Update

Since my last Council meeting on November 27

Wednesday 27th November	<ul style="list-style-type: none"> Workshop with the CEO, in Bowen
Thursday 28th November	<ul style="list-style-type: none"> Launch of Cruise Whitsundays' underwater reef suites, at Hardy Reef That evening, Tourism Whitsundays Industry Christmas Party, in Airlie Beach
Friday 29th November	<ul style="list-style-type: none"> Audit & Risk Committee Meeting, in Bowen Meeting with prospective developer, in Bowen GWCoM teleconference
Saturday 30th November	<ul style="list-style-type: none"> Staff Christmas Party, in Airlie Beach
Sunday 1st December	<ul style="list-style-type: none"> Carols by Candlelight, in Collinsville Turning on of the Christmas Tree lights, in Collinsville
Monday 2nd December	<ul style="list-style-type: none"> Site inspection of Flagstaff Hill Site inspection of the Beautiful Bowen project
Tuesday 3rd December	<ul style="list-style-type: none"> Video shoot regarding Shute Harbour, in Bowen That evening, Collinsville State School annual awards night and concert, in Collinsville
Wednesday 4th December	<ul style="list-style-type: none"> Briefing Session, in Proserpine That evening, St Mary's Catholic School awards ceremony, in Bowen
Thursday 5th December	<ul style="list-style-type: none"> Meeting with LGAQ representatives re SES, in Bowen NDRRA 2017 meeting, in Bowen Bowen Pensioners Christmas party, in Bowen That evening, Queens Beach State School presentation evening, in Bowen
Friday 6th December	<ul style="list-style-type: none"> Cruise ship plaque exchange - Carnival Splendor, in Airlie Beach
Saturday 7th December	<ul style="list-style-type: none"> Saturday night, opened the Bowen Community Christmas Carols Then opened the Queensland Sidecar Titles, at Bowen Showgrounds
Sunday 8th December	<ul style="list-style-type: none"> Sunday night, opened the Rotary Club of Airlie Beach Carols by the Beach Then attended, Major Projects Advisory Board Dinner, in Airlie Beach
Monday 9th December	<ul style="list-style-type: none"> Major Projects Advisory Board meeting, in Bowen That evening, BCE meeting, in Collinsville

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Tuesday 10th December	<ul style="list-style-type: none">• Cannonvale State School - Year 6 Awards Presentation Ceremony• Media event at Proserpine Administration Building project with Member for Dawson George Christensen• Video shoot at Proserpine office• EDAC workshop, in Proserpine• Last night, Bowen State School Year 6 Gradation Dinner, in Bowen
Wednesday 11th December	<ul style="list-style-type: none">• This morning, some media regarding the sailing Olympic bid• Video shoot at Bowen office

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- 4. Confirmation of Minutes
- 4.1 2019/12/11.03 CONFIRMATION OF MINUTES REPORT

Moved by: D CLARK
Seconded by: J CLIFFORD

Council confirms the Minutes of the Ordinary Meeting held on 27 November 2019.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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- 7. Notice of Motion
- 7.1 2019/12/11.04 NOTICE OF MOTION – FAÇADE IMPROVEMENT POLICY – AIRLIE BEACH

Moved by: R PETERSON  
Seconded by: J CLIFFORD

That Council resolves to include in the Façade Improvement Policy the area known as Airlie Beach Main Precinct from the StarFish roundabout to Coconut Grove / Shute Harbour Rd roundabout including Airlie Esplanade.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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9. **Questions from Public Gallery**

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

One Public Question for the meeting of 11 December 2019. The Question submitted was read out by the CEO during public question time.

***Name: Daniel Doellinger
Subject: 'Whitsunday' Name***

Question attached on following page.

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From: Dan sharkman007@skymesh.com.au
To: Whitsunday regional Council
Date: Friday 06/12/2019

Attention Whitsunday CEO. Regarding section, "21.2. also applies to written submissions which would be read out by the CEO"

Hello My Name is Daniel Doellinger Please consider this to be read out to Counsel next convenient Meeting.

I feel it is important that we need to protect the use of Our Regions Name the, "Whitsunday's" Many unscrupulous business's ranging up tp 100km from our regional boundary's are using and profiteering from our unique regions Name The "Whitsunday's" .

If this is to continue it will further limit any future area opportunity to our regional growth and dilute our brand name integrity.

Business in our direct location can not use the Whitsunday name as it has all ready been used. Other Councils around Australia have had the same problem and have issued rates notice's to offenders.

I don't Know what the solution is to deter any future offender's.

I feel Council may need to brain storm a solution. And possibly look at the protection of registering our the name , "Whitsunday's".

A list of Business Name's are.

- Whitsunday Luxury Catamarans, Mackay.
- Whitsunday Dairy fresh, Dalrymple Height.
- Whitsunday Anglian School, North Mackay,
- Whitsunday Office Machine's, Paget.
- Whitsunday Design and Drafting, Mackay.
- Whitsunday Helicopter's, South Mackay.
- Whitsunday Wedding Cars, Mackay.
- The Whitsunday Biscuit Factory.
- Whitsunday beach wedding's. Mackay.
- Whitsunday trophies' and Computer engraving service, Paget.
- Whitsunday Honey Group. Paget.
- Whitsunday Blinds and Security. Beaconsfield.

Thank you.

10. Office of the Mayor and CEO
10.1 2019/12/11.05 GOVERNANCE FRAMEWORK

Moved by: J CLIFFORD
Seconded by: N GRIEGER

That Council adopt the Governance Framework (attachment 1).

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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10. Office of the Mayor and CEO  
10.2 2019/12/11.06 2019/20 BUDGET - 1ST REVISION - SEPTEMBER 2019

Moved by: R PETERSON  
Seconded by: J CLIFFORD

That Council resolve:

1. in accordance with section 170(3) of the *Local Government Regulation 2012*, to revise the Whitsunday Regional Council budget adopted for the financial year 2019/20, as presented in the following statements prepared in accordance with section 169 of the *Local Government Regulation 2012*:

- a) Revised Statement of Comprehensive Income (including the Appropriations Statement),
- b) Revised Statement of Financial Position,
- c) Revised Statement of Cash Flows,
- d) Revised Statement of Capital Funding,
- e) Revised Statement of Changes in Equity for the financial year 2019/20,
- f) the resulting Revised Long-Term Financial Forecast for the financial years 2020/21 through 2028/29, inclusive,
- g) the Revised Measures of Financial Sustainability (see Note 21 Financial Ratios); and

2. to make the following transfers to and from reserves:

- a) \$ 4,722,517 from Constrained Works Reserve (Grants & Subsidies), as follows:
  - \$ 4,285,216 to fund capital works projects, and
  - \$ 437,301 to retained earnings to fund the refund of a grant, and
- b) \$ 8,158,000 from the Infrastructure Reserve to fund capital works projects, and
- c) a net transfer of \$ 10,842,792 from the Capital Works Reserve, as follows:
  - \$ 1,036,364 to the Capital Works Reserve, and
  - \$ 11,879,156 from the Capital Works Reserve to fund capital works projects, and

- d) \$ 1,181,504 from the Insurance Reserve to fund capital works projects, and
- e) \$ 404,116 from the Operational Works Reserve to fund operational works.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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11. Corporate Services

**11.1 2019/12/11.07 CHIEF EXECUTIVE OFFICER DELEGATION -
PROCUREMENT**

Moved by: J CLIFFORD

Seconded by: R PETERSON

That Council resolves to:

- a) delegate to the Chief Executive Officer the authorisation to approve large-sized contracts for goods and services in accordance with the Local Government Regulation 2012 for the period of 12 December 2019 to the 28 January 2020;
- b) delegate to the Chief Executive Officer the authorisation to award large-sized contracts for goods and services up to the value of \$831,368.63 in accordance with the requirements for the caretaker period for the 2020 Local Government Election; and
- c) refer contracts above \$831,368.63 for the project constructions for the Proserpine Entertainment Centre and the Flagstaff Hill Conference and Cultural Centre to the Queensland Department of Local Government Racing and Multi-Cultural Affairs, in accordance with the requirements for the caretaker period for the 2020 Local Government Election.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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- 11. Corporate Services
- 11.2 2019/12/11.08 RESIDENTIAL BUILDING ASSETS

Moved by: J CLIFFORD  
Seconded by: N GRIEGER

That Council resolves to dispose of the following building assets by demolition or removal in accordance with section 227 of the Local Government Regulation 2012:

- a) Asset ID: 89091, 33 Kelsey Creek Road, Proserpine; and
- b) Asset ID: 88999, 21 Station Street, Collinsville.

**MEETING DETAILS:**

The motion was Carried 6/1

CARRIED

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- 11. Corporate Services
- 11.3 2019/12/11.09 DEMOLITION AND DISPOSAL OF COUNCIL ASSET - WHITSUNDAY SPORTSPARK

Moved by: J CLIFFORD
Seconded by: R PETERSON

That Council resolves to acknowledge the demolition and disposal of the existing AFL Clubhouse (New_CRC_Asset_72) by the Whitsunday Sportspark located at 2489 Shute Harbour Road, Jubilee Pocket.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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11. Corporate Services  
11.4 2019/12/11.10 CORPORATE SERVICE MONTHLY REPORT -  
NOVEMBER 2019

Moved by: R PETERSON

Seconded by: N GRIEGER

That Council receive the Corporate Services Monthly Report for November 2019.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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12. Planning and Development Services
12.1 2019/12/11.11 20191016 - DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE FOR DWELLING HOUSE (SITING
VARIATION FOR OPEN CARPORT AND ENCLOSED
GARAGE) - 78 GLOUCESTER AVENUE HYDEAWAY
BAY - N MOFFAT C/- PETO'S CONSTRUCTIONS

Moved by: J CLIFFORD

Seconded by: N GRIEGER

That Council resolves to part approve and part refuse the application for Development Permit for Material Change of Use – Siting Variation for Dwelling House (enclosed shed to side boundary and open carport to front boundary), made by Peto's Constructions Pty Ltd, on Lot 30 on RP744452 and located at 78 Gloucester Avenue HYDEAWAY BAY.

1. Approve the 12m x 6.6m (79.2m²) open carport on the frontage of Gloucester Avenue with a 0m front boundary setback and a 1.0m Western side boundary setback.
2. Refuse the 5m x 10m (50m²) enclosed shed located 900mm from the Eastern side boundary setback.

MEETING DETAILS:

The motion was Carried 4/3

CARRIED

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- 12. Planning and Development Services
- 12.2 2019/12/11.12 20030417 & 20070807 - REQUEST FOR EXTENSION OF RELEVANT PERIOD - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE & RECONFIGURATION OF A LOT & CLEARING OF VEGETATION - AIRLIE SUMMIT STAGES 2B TO 5 - SEAVIEW DR AIRLIE BEACH - STUNNING VIEW PTY LTD -C/- VERIS

Moved by: J CLIFFORD  
Seconded by: R PETERSON

That Council resolve to approve the request for an extension of currency period of the Development Permit for Material Change Of Use – Ninety-Six (96) Dwelling Houses and Reconfiguration of A Lot – Ninety-Six (96) Residential Lots And Three (3) Accommodation Unit / Multiple Dwelling Units Lots and Common Property within a Community Titles Scheme and Preliminary Approval for use of land for Accommodation Units / Multiple Dwelling Units over Proposed Lot 45 (114 Persons), Proposed Lot 152 (Maximum 159 Persons) and Proposed Lot 162 (Maximum 165 Persons) and Clearing of Vegetation lodged by Veris on behalf of Stunning View Pty Ltd As TTE on land described as L: 101 SP: 167803 T: EMT T (BAL LOT); R/SP248725; Q/SP248743, L: 101 SP: 271519, Seaview Drive, Airlie Beach to 11 December 2021.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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13. Community and Environment

13.1 2019/12/11.13 RADF - 2019/20 FUNDING ROUND 2 - AUGUST - NOVEMBER 2019

Moved by: J CLIFFORD

Seconded by: N GRIEGER

That Council:

- a) receive the minutes from the Regional Arts Development Fund (RADF) Local Committee meeting held 26 November 2019; and
- b) approve the following RADF grants (subject to conditions) for Round 2 from budget code GL: 3640.6405.63151, as recommended to Council by the RADF Local Committee:
 - Bowen Potters Group Inc. - \$2,200.00
 - Sharon Dewsbury - \$2,000.00
 - Martin Jegou (Gwada Murals) - \$2,250.00
 - Annie Freeman - \$4,810.00

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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13. Community and Environment

13.2 2019/12/11.14 REQUEST FOR SPONSORSHIP - 2020 ROLLERCOASTER RIDE BOWEN TO COLLINSVILLE RETURN

Moved by: N GRIEGER

Seconded by: M BRUNKER

That Council approve a Key Sponsorship of \$1,500.00 cash only, for the 2020 Rollercoaster Bicycle Ride from Bowen to Collinsville to be held on 7-8 March 2020.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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13. Community and Environment
13.3 2019/12/11.15 FINANCIAL SUPPORT FOR JUNIOR ELITE ATHLETES
- NOVEMBER 2019

Moved by: R PETERSON

Seconded by: N GRIEGER

That Council approve financial support to the following recipients from budget code JC: 2967.11074.63150, to assist them in their representation:

- Mack Mitchell – 2020 Australian Laser Championships - \$1,000.00
- Elliarna Mitchell – Australian All Schools Athletic Championships - \$1,000.00
- Will Nobes – 2020 Australian Laser Championships, Australian Sailing Youth Championships and Oceania Laser Championships - \$1,000.00

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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13. Community and Environment  
13.4 2019/12/11.16 SPORT & RECREATION CLUB GRANT  
APPLICATIONS - DECEMBER 2019

Moved by: J CLIFFORD

Seconded by: N GRIEGER

That Council approve the payment of a Sport & Recreation Club Grant from budget code JC: 2967.10250.63151 to the following recipients:

- Whitsunday Netball Association Inc. – Band 1 - \$5,500.00
- Bowen Athletic Club Inc. – Band 3 - \$1,500.00
- Whitsunday Australian Football Club Inc. – Band 2 - \$3,000.00

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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13. Community and Environment
13.5 2019/12/11.17 REQUEST FOR COUNCIL FEE WAIVERS - DECEMBER 2019

Moved by: R PETERSON
Seconded by: J CLIFFORD

That Council waive the fees, from budget code JC: 2967.11074.63150, for the following recipients:

- Volunteer Marine Rescue Whitsundays – Local Law Licence – \$196.00
- Roller Coaster Cancer Fund Bike Ride – Class 2 Event Application – \$651.00

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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13. Community and Environment  
13.6 2019/12/11.18 COMMUNITY & ENVIRONMENT - MONTHLY REPORT - NOVEMBER 2019

Moved by: J CLIFFORD  
Seconded by: N GRIEGER

That Council receive the Community & Environment Monthly Report for November 2019.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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Procedural Motion

2019/12/11.19 **PROCEDURAL MOTION - ADJOURN**

Moved by: **M BRUNKER**

Seconded by: **R PETTERSON**

That the meeting be adjourned for the purpose of morning tea at 10.07am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**Procedural Motion**

2019/12/11.20      **PROCEDURAL MOTION - RECONVENE**

Moved by:            **J CLIFFORD**

Seconded by:        **N GRIEGER**

**That the meeting be reconvened from morning tea at 10.32am.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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Procedural Motion

2019/12/11.21 **ITEM 17.1.3 – REORDERED**

Moved by: **A WILLCOX**

Seconded by: **M BRUNKER**

That in accordance with clause 2.1 of the Standing Orders, item 17.1.3 be dealt with as the last item of the agenda in Confidential Matters.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**Procedural Motion**

**2019/12/11.22            PROCEDURAL MOTION - CLOSURE OF MEETING**

**Moved by:                    J CLIFFORD**

**Seconded by:                N GRIEGER**

**That Council close the meeting to the public at 10.33am 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            WHITSUNDAY START-UP BUSINESS SUPPORT PROGRAM - APPLICATION SELECTION 2019**

(e) contracts proposed to be made by it

**17.1.2            RECOMMENDATION REPORT - DRFA - PACKAGE Z2 & Y2**

(e) contracts proposed to be made by it

**17.1.3            ORGANISATIONAL STRUCTURE PLAN**

**17.2.1            RATES AND SUNDRY DEBTORS - NOVEMBER 2019**

(f) starting or defending legal proceedings involving it

**17.2.2            BOWEN HILL TOWER LEASE**

(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

**17.2.3            LEASE - PART OF LAND - LOT 22 ON SP106414 - BOWEN LANDFILL**

(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

**17.2.4            HAMILTON ISLAND COMMUNICATIONS TOWER LEASE**

(e) contracts proposed to be made by it

**17.2.5            ACCESS AGREEMENT - MANDALAY COMMUNICATION TOWER - LOT 3 ON SP106404**

(e) contracts proposed to be made by it

**17.2.6            LEASE - PART OF LAND - 192 MAIN STREET, PROSERPINE - L129 RP709593**

(e) contracts proposed to be made by it

**17.3.1            TENDER EVALUATION - 500.2019.0095 DEMOLITION & RECONSTRUCTION OF RETAINING WALLS - MACARTHUR DRIVE, CANNONVALE**

(e) contracts proposed to be made by it

**17.4.1            TENDER EVALUATION - 500.2019.0051 PROVISION OF SECURITY SERVICES**

(e) contracts proposed to be made by it

17.5.1 TENDER EVALUATION - 500.2019.0054 CANNONVALE POTABLE WATER TRANSFER MAIN - MATERIAL SUPPLY

(e) contracts proposed to be made by it

17.6.1 TENDER EVALUATION - 500.2019.0091 PROVISION OF MAINTENANCE SERVICES FOR WILSON BEACH AND CONWAY BEACH & 500.2019.0092 PROVISION OF MAINTENANCE SERVICES FOR DINGO BEACH AND HYDEAWAY BAY

(e) contracts proposed to be made by it

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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Procedural Motion

2019/12/11.23 PROCEDURAL MOTION – REOPEN OF MEETING

Moved by: J CLIFFORD

Seconded by: N GRIEGER

That Council reopen the meeting to the general public at 12.08pm.

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 2019/12/11.24 WHITSUNDAY START-UP BUSINESS SUPPORT PROGRAM - APPLICATION SELECTION 2019

Moved by: J COLLINS  
Seconded by: N GRIEGER

Council resolves to:

- a) approve two funding applications received under the Whitsunday Small Business Start Up Grant, as recommended by the assessment panel;
- b) prepare and execute funding agreements with the successful applicants;
- c) announce the successful applications in January 2020; and
- d) prepare correspondence advising the unsuccessful applicants, inclusive of feedback on their submission.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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17.1 Confidential Matters – Office of the Mayor and CEO
17.1.2 2019/12/11.25 RECOMMENDATION REPORT - DRFA - PACKAGE Z2 & Y2

Moved by: D CLARK
Seconded by: R PETERSON

Council award the following contracts as per the scope of works:

- a) 500.2019.0118 – DRFA Road Package Z2 – LD & LJ Hillery Pty Ltd T/As Hillery Group for the amount of \$4,612,362.92 (excluding GST).
- b) 500.2019.0119 – DRFA Road Package Y2 – LD & LJ Hillery Pty Ltd T/As Hillery Group for the amount of \$9,767,622.42 (excluding GST) with a 20% contingency of \$1,953,524.48 (excluding GST) added making the final amount \$11,721,146.90.

MEETING DETAILS:

In closed session, PDM representatives were invited into the meeting at 10.34am to give an overview on the item and left the meeting in closed session at 10.38am.

The motion was Carried 7/0

CARRIED

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17.2 Confidential Matters - Corporate Services  
17.2.1 2019/12/11.26 RATES AND SUNDRY DEBTORS - NOVEMBER 2019

Moved by: R PETERSON  
Seconded by: D CLARK

That Council receive the Rates and Sundry Debtors Report for the month of November 2019.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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17.2 Confidential Matters - Corporate Services
17.2.2 2019/12/11.27 BOWEN HILL TOWER LEASE

Moved by: M BRUNKER
Seconded by: D CLARK

That Council resolves to authorise the Chief Executive Officer to enter into negotiations and execute a lease with the Public Safety Business Agency (PSBA) at 27 Tynwald Avenue, Bowen (L2 SP171907) in accordance with Section 236(1)(c)(vi) of the Local Government Regulation 2012.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**17.2 Confidential Matters - Corporate Services**

**17.2.3 2019/12/11.28 LEASE - PART OF LAND - LOT 22 ON SP106414 - BOWEN LANDFILL**

*Cr Andrew Willcox declared a Personal Interest in accordance with section 175E(2) of the Local Government Act 2009, informing the meeting that the nature of the interest is his sister;s farm uses the plastic supplied by one of the tenderers.*

*In accordance with section 175E(4) of the Act, Councillors present (excluding Cr Willcox) voted 6/0 that Cr Willcox does not have a real Conflict of Interest or Perceived Conflict of Interest in the matter and that he may participate in the meeting in relation to the matter, including by voting on the matter.*

*Accordingly, Cr Willcox remained present for the matter and fully participated in the debate and vote.*

**Moved by: J CLIFFORD**

**Seconded by: D CLARK**

**Council resolves to go to public tender for the commercial lease of part of the land at Lot 22 on SP106414, 908 Bowen Development Road, Bowen also known as the Bowen Landfill for the purpose of providing refuse disposal services.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17.2 Confidential Matters - Corporate Services

17.2.4 2019/12/11.29 HAMILTON ISLAND COMMUNICATIONS TOWER LEASE

Moved by: J CLIFFORD

Seconded by: NGRIEGER

That Council resolves to authorise the Chief Executive Officer to enter into negotiations and execute a part of land lease with Hamilton Island Enterprises at Lot 2250 Whitsunday Drive, Shute Harbour (L2250SP308255) in accordance with Section 236(1)(c)(vi) of the Local Government Regulation 2012.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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17.2 Confidential Matters - Corporate Services  
17.2.5 2019/12/11.30 ACCESS AGREEMENT - MANDALAY  
COMMUNICATION TOWER - LOT 3 ON SP106404

Moved by: J CLIFFORD  
Seconded by: N GRIEGER

That Council resolves to authorise the Chief Executive Officer to execute an access agreement with D Algie and G White for the purpose of accessing Council's telecommunications tower located at Lot 3 on SP106404 in accordance with Section 235(a) of the Local Government Regulation 2012.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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17.2 Confidential Matters - Corporate Services
17.2.6 2019/12/11.31 LEASE - PART OF LAND - 192 MAIN STREET,
PROSERPINE - L129 RP709593

Moved by: J CLIFFORD
Seconded by: N GRIEGER

That Council resolves to authorise the Chief Executive Officer to enter into negotiations and execute a lease at a peppercorn rental with the appropriate community organisation (Anglicare) for the supply of a foodbank service at the old tourist information building located at 192 Main Street, Proserpine in accordance with Section 236(1)(b)(ii) of the Local Government Regulation 2012 subject to the following:

- a) correspondence being sent to persons immediately adjacent to the facility; and
- b) disposition term being an initial term of 12 months

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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

**17.3.1 2019/12/11.32 TENDER EVALUATION - 500.2019.0095 DEMOLITION & RECONSTRUCTION OF RETAINING WALLS - MACARTHUR DRIVE, CANNONVALE**

**Moved by: D CLARK**

**Seconded by: R PETERSON**

**That Council resolves to award contract 500.2019.0095 Demolition & Reconstruction of Retaining Walls – Lot 24 (RP 743302) Macarthur Drive, Cannonvale to Yuskan, Trevor Allan T/As Yuskan Builders for the amount of \$357,767.46 (excluding GST) and consequently council delegates to the CEO to determine and execute the contract.**

**MEETING DETAILS:**

*In closed Session, CEO called Suzanne Brown from McKay Solicitors for some legal wording around the resolution to ensure it demonstrates an accurate representation of Council's intention.*

The motion was Carried 7/0

**CARRIED**

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17.4 Confidential Matters – Community and Environment Services

17.4.1A 2019/12/11.33 TENDER EVALUATION - 500.2019.0051 PROVISION OF SECURITY SERVICES

Cr John Collins declared a Personal Interest in accordance with section 175E(2) of the Local Government Act 2009, informing the meeting that the nature of the interest is one of his employees is employed part time for one of the tenderers.

In accordance with section 175E(4), Councillors present (excluding Cr Collins) voted 6/0 that Cr Collins does not have a Real Conflict of Interest or Perceived Conflict of Interest in the matter and that he may participate in the meeting in relation to the matter, including by voting on the matter.

Accordingly, Cr Collins remained present for the matter and fully participated in the debate and vote.

Moved by: J CLIFFORD

Seconded by: N GRIEGER

Council resolves to award the Schedule of rates contract 500.2019.0051 Provision of Security Services to the following Tenderer:

- a) Southern Region (Proserpine/Cannonvale): Infront Static K9 Services Pty Ltd for the amount of \$1,333,296.44 (excluding GST) (and an additional \$639,792.12 (excluding GST) for the 12-month extension at Council's discretion);**

MEETING DETAILS:

The motion was Carried 6/1

CARRIED

 Whitsunday
 Regional Council

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17.4 Confidential Matters – Community and Environment Services  
17.4.1B 2019/12/11.34 TENDER EVALUATION - 500.2019.0051 PROVISION OF SECURITY SERVICES

Moved by: J CLIFFORD  
Seconded by: R PETERSON

Council resolves to award the Schedule of rates contract 500.2019.0051 Provision of Security Services to the following Tenderer:

- a) Northern Region (Bowen/Collinsville): Elite Personal Protection Pty Ltd for the amount of \$442,090.64 (excluding GST) (and an additional \$194,328.00 (excluding GST) for the 12-month extension at Council’s discretion).

**MEETING DETAILS:**

The motion was Carried 4/3

CARRIED

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17.5 Confidential Matters – Engineering Services
17.5.1 2019/12/11.35 TENDER EVALUATION - 500.2019.0054 CANNONVALE POTABLE WATER TRANSFER MAIN - MATERIAL SUPPLY

Moved by: R PETERSON
Seconded by: J CLIFFORD

That Council resolves to award contract 500.2019.0054 Cannonvale Potable Water Transfer Main – Material Supply Contract to Steel Mains Proprietary Limited for the amount of \$4,958,260.42 (excluding GST).

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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17.6 Confidential Matters – Customer Experience

17.6.1 2019/12/11.36 TENDER EVALUATION - 500.2019.0091 PROVISION OF MAINTENANCE SERVICES FOR WILSON BEACH AND CONWAY BEACH & 500.2019.0092 PROVISION OF MAINTENANCE SERVICES FOR DINGO BEACH AND HYDEAWAY BAY

Moved by: N GRIEGER

Seconded by: J COLLINS

That Council resolves to award the following contracts:

1. 500.2019.0091 Provision of Maintenance Services for Wilson Beach and Conway Beach Contract to Stower, Kerrie Leigh T/As Conway Tropical Foliage for the contract period of eighteen (18) months for the amount of \$117,213.75 (excluding GST) from budget code JC: 4133-11612-63138 (and an additional \$78,142.50 (excluding GST) for a 12-month extension at the Council’s discretion); and
2. 500.2019.0092 Provision of Maintenance Services for Dingo Beach and Hydeaway Bay Contract to L Ogden & M.J Ogden T/As J.L. Slashing for the contract period of eighteen (18) months for the amount of \$149,779.50 (excluding GST) from budget code JC: 4132-11612-63138 (and an additional \$99,853.00 (excluding GST) for a 12-month extension at the Council’s discretion).

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 **2019/12/11.37 ORGANISATIONAL STRUCTURE PLAN**

Cr Dave Clark declared a Conflict of Interest in accordance with section 175E(1) of the Local Government Act 2009.

In accordance with section 175E(2) of the Local Government Act 2009, Cr Clark informed the meeting that the nature of the interest is his son, Wade Clark, is an employee of the Whitsunday Regional Council.

Cr Clark left the meeting at 12.15pm, taking no part in the discussion or decision making of this matter.

Cr John Collins declared a Conflict of Interest in accordance with section 175E(1) of the Local Government Act 2009.

In accordance with section 175E(2) of the Local Government Act 2009, Cr Collins informed the meeting that the nature of the interest is his daughter, Sarah Collins, is an employee of the Whitsunday Regional Council.

Cr Collins left the meeting at 12.15pm, taking no part in the discussion or decision making of this matter.

Moved by: J CLIFFORD

Seconded by: N GRIEGER

That Council:

- 1. Adopts the organisational workforce structure in accordance with section 196 of the Local Government Act 2009 and as attached to the Agenda;**
- 2. Authorises the CEO to initiate the changes to the organisational structure at his earliest convenience and within the parameters as detailed in the various industrial relations instruments that may be applicable.**
- 3. Considers as part of its mid-year budget review a further budget allocation to complete the Grassroots Connection organisational support report.**

MEETING DETAILS:

During closed session, staff in attendance left the room at 11.39am and returned to the meeting at 12.06pm along with Cr Clark and Cr Collins, who both declared a conflict of interest in the matter and chose to voluntarily leave the room and not participate in the discussion or voting on the matter.

The motion was Carried 5/0

CARRIED

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*Cr Collins and Cr Clark returned to the meeting at 12.17pm.*

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The meeting closed at 12.18pm
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Confirmed as a true and correct recording this 29 January 2020

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**Cr Andrew Willcox**  
**MAYOR**