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Whitsunday Regional Council
Minutes of the Ordinary Meeting held at
Council Chambers, 83 Main Street, Proserpine on
9 December 2020 commencing at **9.00am**

Councillors Present:

Andrew Willcox (Mayor/Chair), Jan Clifford, Al Grundy, John Collins, Michelle Wright, Gary Simpson and Michael Brunker.

Council Officers Present:

Rodney Ferguson (Chief Executive Officer); Julie Wright (Director Community Services); Neil McGaffin (Director Development Services); Jason Bradshaw (Director Corporate Services); Matthew Fanning (Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); Tailah Jensen (Governance Administration Officer/Minute Taker)

Other Officers Present (Partial Attendance):

Adam Hagy (Deputy Director Infrastructure Services); Trevor Williams (Disaster Recover Project Director); Norman Garsden (Manager Governance and Administration);

Other Details:

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.04am

The meeting reconvened from morning tea at 10.32am

The meeting closed at 12.39pm

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1. Apologies

No Agenda items for this section.

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## **2. Condolences**

### **2.1 2020/12/09.01 CONDOLENCES**

#### **SUMMARY**

Council has received advice of the passing of community members within the Whitsunday Region.

#### **RECOMMENDATION**

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

#### **RESOLUTION**

Moved by: **CR J CLIFFORD**

Seconded by: **CR G SIMPSON**

That 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 Declarations of Interest

3.1.1 2020/12/09.02 DECLARATION OF INTEREST – CR MICHELLE WRIGHT

Cr Wright declared that a conflict of interest in item 16.2 regarding the Disaster Recovery Funding Arrangements Road Packages Tender may emerge (as per section 150EQ of the Local Government Act 2009), as her husband does 'out of hours' work on an irregular basis for the company, but she had considered her position and was firmly of the opinion that she could participate in the debate and vote on this matter in the public interest.

Moved by: CR M BRUNKER

Seconded by: CR J CLIFFORD

That Council agree that it is in the public interest that Cr Wright participates and votes on item 16.2 because no direct or indirect benefit or loss is accrued to Cr Wright and therefore it is reasonable that the final decision will be made in the public interest.

MEETING DETAILS:

Cr Wright remained in the room but was not allowed to vote or otherwise participate in the matter as per Section 150ET (2) of the Local Government Act 2009.

The motion was Carried 6/0

CARRIED

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**SUMMARY**

As Mayor, I am committed to transparency and accountability and it is with this in mind that I wish to advise the meeting that:

- Agenda item 18.1 relates to a decision on the evaluation of Tender Submissions for the redevelopment of Flagstaff Hill;
- On 15 October 2020, the CEO and I met with representatives of the WHF Group at the Austral Hotel, Mackay to discuss the thoughts of those representatives on Council's procurement processes;
- At that meeting there were some discussions towards the end of the meeting led by representatives of the WHF Group about the Flagstaff Hill redevelopment and the tender process associated with that project;
- Unbeknownst to the CEO and I at the time of the meeting, it was subsequently discovered that the WHF Group had lodged a Tender submission for the Flagstaff Hill redevelopment;
- The Tender process is managed by Council's Director of Infrastructure with no resort to me, as Mayor;
- The WHF Group representatives did not disclose to the Council's CEO or me in advance of the meeting, nor at the meeting itself that the WHF Group had lodged a Tender submission for the Flagstaff Hill redevelopment;
- No assurances of any kind or other representations were given by me or the CEO to the WHF Group representatives at the meeting as it related to the Flagstaff Hill redevelopment project;
- The WHF Group (and its representatives) are not a 'close associate' nor a 'related party' and the CEO has no equivalent relationship;
- As Mayor, an impartial mind can and will be brought to bear in the consideration of Agenda item 18.1 Tender Recommendation – 500.2020.0081 - Design and Construct Flagstaff Hill Cultural and Conference Centre.

I have considered my position in this matter and am firmly of the opinion that I can participate in the debate and vote on this matter in the public interest.

**RESOLUTION**

**Moved by:      MAYOR A WILLCOX**

**That Council note the Mayor's statement with respect to item 18.1 Tender Recommendation – 500.2020.0081 - Design and Construct Flagstaff Hill Cultural and Conference Centre and agree that it is in the public interest that Mayor Willcox participates and votes on this item because no direct or indirect benefit or loss is accrued to Mayor Willcox; and the tenderer is not a close associate or related party, therefore it is reasonable that the final decision will be made in the public interest.**

**MEETING DETAILS:**

The mayoral minute was carried 6/1

**CARRIED**

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4.2 Mayoral Update

Since my last Council meeting on November 25, 2020

Wednesday 25 November	• Council Meeting, in Bowen • Local Government Walk Against Violence - Photo Opportunity
Thursday 26 November	• Whitsunday Life Cover Shoot, in Airlie Beach • Tourism Whitsundays Board Meeting, in Cannonvale • Phone interview for Tourism Whitsundays' new promotion • Tourism Whitsundays Christmas Party Networking Night, in Cannonvale
Friday 27 November	• Caught up with internal paperwork
Monday 30 November	• Attended Northern Alliance of Councils Strategic Workshop & AGM, in Townsville
Tuesday 1 December	• Attended Strategy Meeting Day for Councillors, in Bowen • Phone interview with Laura Thomas (Whitsunday Times) for Reflection on 2020 article • Phone interview with Elyse Wurm (Bowen Independent) to discuss benefits from State Government budget for Whitsunday region • That evening attended Merinda State School Presentation Night.
Wednesday 2 December	• Briefing Session, in Proserpine • Morning tea to present Years of Service certificates, in Proserpine • Travelled to Brisbane to attend an Evening with Deputy Premier and Minister for State Development Steven Miles, at Parliament House
Thursday 3 December	• Travelled back to Proserpine • That evening attended Scottville State School Annual Awards Night.
Friday 4 December	• Attended Cannonvale State School Year 6 Graduation • Met with Whitsunday Project Worker for the Suicide Prevention Community Keisha McEwan, in Proserpine • Met with ratepayers, in Proserpine • That afternoon I attended the Volunteer Cruise Ship & Visitor Centre Ambassador Christmas Party at Whitsunday Gold Coffee
Monday 7 December	• Attended GWCoM Meeting, in Mackay • That evening attended a farewell dinner for outgoing GW3 Chairperson John Glanville
Tuesday 8 December	• Toured Resources Centre of Excellence, in Mackay • Attended PLT Meeting for DRFA & Shute Harbour projects

5. Confirmation of Previous Minutes

5.1 2020/12/09.04 CONFIRMATION OF PREVIOUS MINUTES REPORT

SUMMARY

Council is required to confirm the minutes of the Ordinary Council Meeting Minutes held on 25 November 2020.

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 25 November 2020.

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR J CLIFFORD

That Council confirms the Minutes of the Ordinary Meeting held on 25 November 2020.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## **6. Business Arising**

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No agenda items for this section.

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7. Deputations

No agenda items for this section.

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## **8. Petitions**

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No agenda items for this section.

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9. Notice of Motion

No agenda items for this section.

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## **10. Questions on Notice**

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No agenda items for this section.

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11. Questions from Public Gallery

PUBLIC QUESTION TIME

Excerpt of Council's Standing Orders:

1. Questions from the Public Gallery must be submitted in writing to Council prior to the Council Meeting.
2. The time allocated shall not exceed fifteen (15) minutes for each speaker (and no more than three (3) speakers shall be permitted to speak at any one (1) meeting).
3. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
4. 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.

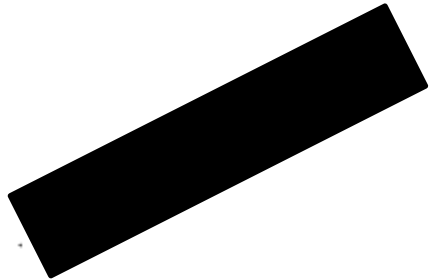
There were three public questions that were submitted for the meeting of 9th December 2020. These questions were read out during the meeting by the Chief Executive Officer.

All questions were received by Council and a formal response will be drafted and provided to the questioners, and a copy of the correspondence will be included in the minutes of the next meeting of Council.

QUESTION ONE & TWO

Name: Ruth Boast

(See attached question on next page)



5/24 Illawong St
Cannonvale

QLD 4802

23-11-2020

Dear Andrew Wilcox

There is in place a law for noise pollution. The noise decibels I have had to live with for the last three months has been horrendous. Keeping all my windows shut from 7.30-3.30 Monday to Friday and the noise permeates my life.

I have ended with horrendous headache and had to vacate my home and live with my daughter this last two weeks. No one should have endured what I have had to put up with.

The close proximity of the work no more than a metre from my home. Roebucks oldest catapilla earth mover and stone breaker is unbelievable.

No one should be made to endure this. I feel my space and peace has been purpostrated and home no longer viable to live in. Therefore I require three months of rates refunded for no liveable place to live. I have spoken to the C.O of Roebucks.

and had a belligerent reply. You will have more noise and lots of stone breaking for the foreseeable future - no time limit given.

I'm a rate payer of 75 years old and will vacate my property until the work is terminated. No other property seems to be in the vicinity. I'm sure this is not allowable by law.

Yours sincerely
Ruth Boast



5/24 Illawong St
Cannonvale
QLD 4802
3rd Nov. 20

Dear Sir, Kieren.

Due to putting a main water pipe in next to my house by Roebucks. The hillside is totally unstable as my friend and I walked up it substantiate our fears. - It proved the hillside was totally unstable - await rain and another Hideaway Bay problem. Please investigate.

I can see mesh and heavy stones needed before grass can stabilise it.

Yours faithfully,
Mrs. Ruth Boast.

QUESTION THREE

Name: Faye Chapman

Firstly, I would like to thank Mayor Willcox for allowing us to make this comment to today's council meeting.

RE: AGENDA ITEM 14.7

WHITSUNDAY PLANNING SCHEME MAJOR AMENDMENT - AIRLIE BEACH LOCAL PLAN

On behalf of the Save Our Foreshore executive, members and supporters, we would bring to councillors attention:

Page 19 of 38 item (i)

Redevelopment in the Main Street and or adjoining the Foreshore is encouraged at higher density to account for existing constraints and encourage further revitalisation, enhancement of existing laneways and development of future laneways.

Previously, before it was removed from the Draft Planning Scheme, our community agreed and applauded this statement;

The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained

Why was this statement removed when it so clearly represents our communities sentiments?

The report states that the ABLP in Attachment 5 does not vary any building heights, but at a meeting with a council officer as recently as last Friday we were informed that developers can lodge an application for any height they deem appropriate. Council is not able to reject such an application forthwith but must assess it, so what is the use of having building height restrictions?

For the benefit of our new councillors and especially for the benefit of so many new council officers SOF would like to inform you of our community's passionate objections to highrise came with a development application in 2004 to take public land to build a high rise hotel on the foreshore, next to the lagoon..

With over 2500 signatures to our petition, over 1000 individual letters of objection submitted to council and support from an independent assessor appointed by the State government, the Whitsunday community fought this inappropriate development application and won against both State and local governments and a very high profile developer.

The mayor at that time, lost the next election and Michael Brunner became mayor.

Again a similar application in the guise of realigning the main street tried to put a high rise hotel on the same site. But yet again the Whitsunday community rose and after a very bitter campaign where attempts were made to malign SOF our community stood strong and we won again.

It would seem that the Mayor, now councillor Brunner, has never really come to terms with our community's strong opinions and support of Save Our Foreshore.

In fact, even though there was no item before council at the time in regards to heights, at a recent meeting, councillor Brunner stood and stated publicly that he supports highrise in Airlie Beach, which would seem to be a pre-emptive and possibly out of order statement for a councillor to make.

Working with Whitsunday Conservation Council, SOF is aware that to date approximately 700 letters of submission objecting to the Port of Airlie's application for a highrise hotel adjacent to the beach have been collected. Many more will be collected before the time comes to submit them to council.

To develop it is not necessary to destroy the reason why Airlie Beach is so attractive to visitors and locals alike. Highrise can be built up against the range to the south of Main Street and Shute Harbour Road, without distracting from our unique low rise foreshore and Main street. The Vista apartments at Hermitage Drive are an example of highrise having little impact on the overall visual beauty of Airlie Beach.

But highrise has no place on the foreshore, marina shore or anywhere where it creates a visual eyesore, standing above all about it.

Councillors, we ask you to be very astute and read this Major Amendment - Airlie Beach Local Plan, very carefully.

Airlie Beach does not have to become the second Gold Coast.
Airlie Beach is unique.

Do not allow inappropriate development or ill informed planning amendments to threaten our economic future by destroying the attractiveness which brings visitors to our beautiful town in the first place.

Your community looks to you, to keep Airlie Beach unique, low rise and beautiful.

Sincerely,
Faye Chapman
Secretary/Treasurer
Save Our Foreshore

12. Office of the Mayor and CEO

12.1 2020/12/09.05 ACTING CHIEF EXECUTIVE OFFICER

SUMMARY

This report recommends the appointment of Matthew Fanning as Acting Chief Executive Officer for the Whitsunday Regional Council to cover the Chief Executive Officer's leave, commencing 23 December 2020.

RECOMMENDATION

That Council appoint the Director Infrastructure Services, Matthew Fanning as the Acting Chief Executive Officer for the period from 23 December 2020 to 10 January 2021.

Further, that Council remove the delegation contained in the Delegations Register with regard to appointing an Acting Chief Executive Officer for a period greater than 5 business days.

And further, that Council approve a delegation to the Mayor to appoint an Acting Chief Executive Officer for all periods of absence of the Chief Executive Officer.

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR G SIMPSON

That Council appoint the Director Infrastructure Services, Matthew Fanning as the Acting Chief Executive Officer for the period from 23 December 2020 to 10 January 2021.

Further, that Council remove the delegation contained in the Delegations Register with regard to appointing an Acting Chief Executive Officer for a period greater than 5 business days.

And further, that Council approve a delegation to the Mayor to appoint an Acting Chief Executive Officer for all periods of absence of the Chief Executive Officer.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Corporate Services**

**13.1 2020/12/09.06 WOMEN LEADING IN LOCAL GOVERNMENT**

**SUMMARY**

The Department of State Development, Infrastructure, Local Government and Planning is funding the Women Leading in Local Government program, which aims to increase the leadership capabilities of women councillors elected to local government through training, coaching and support. Nominations close on 18 December 2020.

**RECOMMENDATION**

That Council support either Cr Clifford or Cr Wright if they have an interest in participating in the 'Women Leading in Local Government' program, and if accepted into the program that Council cover the associated travel and course expenses.

**RESOLUTION**

**Moved by: CR J CLIFFORD**

**Seconded by: CR M WRIGHT**

**That Council support Cr Clifford and Cr Wright if they have an interest in participating in the 'Women Leading in Local Government' program, and if accepted into the program that Council cover the associated travel and course expenses.**

**MEETING DETAILS:**

The motion was Carried 6/1

**CARRIED**

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13. Corporate Services

**13.2 2020/12/09.07 CHIEF EXECUTIVE OFFICER DELEGATION -
PROCUREMENT**

SUMMARY

Council operations will still continue during the period during the period that there are no Ordinary Council Meetings for the Christmas and New Year period therefore to allow large-sized contracts to be awarded if tenders close during this time allows Council to manage contract timeframes.

RECOMMENDATION

That Council delegate to the Chief Executive Officer / Acting Chief Executive Officer, the authority to approve large-sized contracts for goods and services in accordance with the Local Government Regulation 2012 for the period of 10 December 2020 to the 26 January 2021.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR G GRUNDY

That the item be withdrawn.

MEETING DETAILS:

The matter was discussed, and Council will address any need for contract decisions through the calling of a special meeting in accordance with normal procedures. There was no need for the motion to be voted upon and the item was withdrawn.

The motion was Carried 5/2

CARRIED

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### **13. Corporate Services**

**13.3 2020/12/09.08 NORTHERN AUSTRALIA INSURANCE LOBBY INC**

#### **SUMMARY**

Margaret Shaw OAM (Queensland Regional Service Award & Queensland Regional Achievement and Community Awards People's Choice 2015) has approached Cr Clifford to advise that she is attempting to establish an Incorporated Association to lobby for better insurance arrangements for people living in Northern Australia and has invited Cr Clifford to join the association as Council's representative.

A number of investigations have been conducted to enquire into insurance coverage and premiums for Northern Australia and the Northern Australia Insurance Premium Taskforce was established as part of the political response to the rapid rise in insurance premiums in areas of northern Australia subject to cyclone risk.

Over the past few years, some regions in northern Australia experienced a significant increase in premiums over a short period of time. This has been particularly noticeable in northern Queensland and in some parts of north Western Australia. A range of inquiries have looked at the causes of the rise and have found that insurers are now increasingly pricing premiums to align more closely with the risk of damage to (and therefore claims by) individual properties. At the same time, losses from a number of cyclone events prompted insurers to reassess cyclone risk, resulting in premium increases in northern Australia.

#### **RECOMMENDATION**

That Council:

- a) Note the activities to establish the Northern Australia Insurance Lobby Inc;
- b) Advise the Lobby that whilst it supports the objectives to achieve better insurance coverage and lower policy costs, it does not believe that it is appropriate for Council to be involved in campaigns for or against political parties as identified in the Lobby's web site; and
- c) Does not support the appointment of a Council representative given the potential political nature of the association.

#### **RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR M WRIGHT**

**That Council:**

- a) **Note the activities to establish the Northern Australia Insurance Lobby Inc;**
- b) **Advise the Lobby that whilst it supports the objectives to achieve better insurance coverage and lower policy costs, it does not believe that it is appropriate for Council to be involved in campaigns for or against political parties as identified in the Lobby's web site; and**
- c) **Does not support the appointment of a Council representative given the potential political nature of the association.**

#### **MEETING DETAILS:**

The motion was Carried 7/0

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13. Corporate Services

13.4 2020/12/09.09 UNCONFIRMED AUDIT AND RISK COMMITTEE MEETING MINUTES

SUMMARY

Council are required to review and consider the recommendations of the Audit & Risk Committee. The minutes will also be confirmed by this Committee at the next available meeting.

RECOMMENDATION

That Council:

1. Receive the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 24th November 2020;
2. Endorse the actions arising from the Internal Audit Reports by Crowe Horwarth; and
3. Appoint current independent member Mr Graham Webb to the Whitsunday Regional Council Audit & Risk Committee as Chairperson.

RESOLUTION

Moved by: **CR J COLLINS**

Seconded by: **CR M BRUNKER**

That Council:

1. **Receive the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 24th November 2020;**
2. **Endorse the actions arising from the Internal Audit Reports by Crowe Horwarth; and**
3. **Appoint current independent member Mr Graham Webb to the Whitsunday Regional Council Audit & Risk Committee as Chairperson.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Corporate Services**

**13.5 2020/12/09.10 RESCIND COUNCIL RESOLUTION COUNCIL  
2020/02/26.30 SALE OF LAND - LOT 75 ON SP220409 -  
42-46 CARLO DRIVE, CANNONVALE**

**SUMMARY**

Council awarded the tender for the sale of land at 42-46 Carlo Drive, Cannonvale to Moloko Homes on 26 February 2020, however due to the current economic climate with COVID-19, Council was advised that the contract of sale could not be fulfilled.

**RECOMMENDATION**

That Council rescind the Ordinary Council Meeting Resolution:

*2020/02/26.30 Sale of Land - Lot 75 on SP220409 - 42-46 Carlo Drive, Cannonvale*

as the sole tenderer was not able to fulfill their requirements under the contract due to the economic impact of COVID-19 and the associated restrictions.

**RESOLUTION**

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That Council rescind the Ordinary Council Meeting Resolution:

*2020/02/26.30 Sale of Land - Lot 75 on SP220409 - 42-46 Carlo Drive, Cannonvale*

as the sole tenderer was not able to fulfill their requirements under the contract due to the economic impact of COVID-19 and the associated restrictions and that it be placed on the market for sale.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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Procedural Motion

2020/12/09.11 PROCEDURAL MOTION - ADJOURN

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That the meeting be adjourned for the purpose of morning tea at 10.04am.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**Procedural Motion**

**2020/12/09.12           PROCEDURAL MOTION - RECONVENE**

**Moved by:               CR M WRIGHT**

**Seconded by:           CR J CLIFFORD**

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

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Corporate Services

13.6 2020/12/09.13 ICT STRATEGIC PLAN

SUMMARY

Following the ICT application roadmap that was developed post the ERP project review in late 2019, the ICT Strategic Plan has been reviewed and updated to incorporate these outcomes and latest business trends and requirements. The Plan provides a clear path to the implementation of changes in Council's business systems and key applications.

RECOMMENDATION

That Council endorse the ICT Strategic Plan 2020-2023, subject to funding approval for activities detailed in future budget processes.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council endorse the ICT Strategic Plan 2020-2023, subject to funding approval for activities detailed in future budget processes.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**13. Corporate Services**

**13.7 2020/12/09.14 ORDINARY COUNCIL MEETING ACTION ITEMS**

**SUMMARY**

The status of Council Meeting Actions were previously provided to Councillors at Briefing Sessions by the Governance Team. This practice had changed following a change in staff and it is proposed to provide a report on a quarterly basis.

**RECOMMENDATION**

That Council receive the reports on the outstanding Ordinary Council Meeting Actions from 2018- 2020.

**RESOLUTION**

Moved by: CR J COLLINS

Seconded by: CR M WRIGHT

That Council receive the reports on the outstanding Ordinary Council Meeting Actions from 2018- 2020.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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13. Corporate Services

**13.8 2020/12/09.15 FINANCIAL REPORT - FY 2020/21 - PERIOD ENDING
NOVEMBER 2020**

SUMMARY

This report presents the unaudited monthly financial statements for the period ending 30th November 2020 and outlines Council's financial performance for the year.

RECOMMENDATION

That Council receive the unaudited monthly financial statements for the period ended 30th November 2020 of the Financial Year 2020/21.

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR J CLIFFORD

That Council receive the unaudited monthly financial statements for the period ended 30 November 2020 of the Financial Year 2020/21.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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### **13. Corporate Services**

#### **13.9 2020/12/09.16 CORPORATE SERVICES MONTHLY REPORT - NOVEMBER 2020**

##### **SUMMARY**

To provide an overview the Corporate Services Directorate for the month of October 2020. The Directorate's purpose is to lead innovation and organisational change in information technology, information management, asset management, project management and procurement to improve organisational outcomes. It seeks to improve Council's organisational capability to augment resilience to future business disruption and increase productivity whilst demonstrating empathy where required.

##### **RECOMMENDATION**

That Council receive the Corporate Services Monthly Report for November 2020.

##### **RESOLUTION**

Moved by: CR M WRIGHT

Seconded by: CR J CLIFFORD

That Council receive the Corporate Services Monthly Report for November 2020.

##### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Development Services

14.1 2020/12/09.17 FUNDING OPPORTUNITY: RESTART INVESTMENT TO SUSTAIN AND EXPAND (RISE)

SUMMARY

Funding is available under the Federal Government's Restart Investment to Sustain and Expand (RISE) Fund to support the reactivation of arts and cultural events.

Options have been reviewed and it is recommended that Council submit a proposal to attain resources that can be utilised by event providers to enable better utilisation of outdoor spaces and compliance with Covid-19 safe event practices.

RECOMMENDATION

That Council resolves to:

- a) Support a submission to the Federal Government's *Restart Investment to Sustain and Expand (RISE)* funding opportunity to request \$117,600 to purchase shared equipment for Whitsunday Events; and
- b) Commit to a co-contribution of \$20,000 if funding is attained from the 2020/21 Community Donations and Sponsorships Budget.

RESOLUTION

Moved by: **CR J CLIFFORD**

Seconded by: **CR M WRIGHT**

That Council resolves to:

- a) **Support a submission to the Federal Government's *Restart Investment to Sustain and Expand (RISE)* funding opportunity to request \$117,600 to purchase shared equipment for Whitsunday Events; and**
- b) **Commit to a co-contribution of \$20,000 if funding is attained from the 2020/21 Community Donations and Sponsorships Budget.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**14. Development Services**

**14.2 2020/12/09.18 FUNDING OPPORTUNITY: REGIONAL AIRPORT PROGRAM ROUND 2**

**SUMMARY**

Funding is available under the Queensland Government's Regional Airport Program to support safety upgrades at Bowen Aerodrome.

Options have been reviewed and it is recommended that Council submit a proposal to attain funds to repair the aerodromes fencing and pit & duct lighting cabling infrastructure.

**RECOMMENDATION**

That Council resolves to submit an application to the Regional Airport Program funding opportunity for fencing and lighting safety improvements at Bowen Aerodrome up to an amount of \$300,000.

**RESOLUTION**

**Moved by: CR J COLLINS**

**Seconded by: CR M WRIGHT**

**That Council resolves to submit an application to the Regional Airport Program funding opportunity for fencing and lighting safety improvements at Bowen Aerodrome up to an amount of \$300,000.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Development Services

14.3 2020/12/09.19 SMALL BUSINESS FRIENDLY COUNCILS INITIATIVE

SUMMARY

The Small Business Friendly Council's initiative aims to enhance the connection to local small businesses through increased communication and mindfulness toward issues and priorities of small business when making decisions for the local community.

RECOMMENDATION

That Council participate in the Queensland Government Small Business Friendly Council's initiative.

RESOLUTION

Moved by: CR A GRUNDY

Seconded by: CR G SIMPSON

That Council participate in the Queensland Government Small Business Friendly Council's initiative.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## **14. Development Services**

### **14.4 2020/12/09.20 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) EXTENSION FUNDING PROJECT(S) SELECTION**

#### **SUMMARY**

Whitsunday Regional Council has been advised by the Federal Government of a Nominal Funding Allocation offer of \$1,629,782 to deliver road and community infrastructure projects as part of the Federal Governments economic stimulus response to Covid-19.

Council can apply for one or more projects via a project nomination process to access these funds. It is recommended that the following projects are submitted:

- 1) Collinsville Water Park \$1.2M
- 2) Bowen Seagulls sport park Irrigation and Fencing upgrades (Denison Park) \$150k
- 3) New Cannonvale Skate Bowl \$300k

#### **RECOMMENDATION**

That Council resolve to utilise the funds provided under the Local Roads and Community Infrastructure (LRCI) Program to deliver the following projects in 2021:

- 1) Collinsville Water Park \$1.2M;
- 2) Bowen Seagulls sport park Irrigation and Fencing upgrades (Denison Park) \$150,000; and
- 3) New Cannonvale Skate Bowl \$300,000.

#### **RESOLUTION**

Moved by: **CR M WRIGHT**

Seconded by: **CR J COLLINS**

That Council resolve to utilise the funds provided under the Local Roads and Community Infrastructure (LRCI) Program to deliver the following projects in 2021:

- 1) Collinsville Water Park \$1.2M;
- 2) Bowen Seagulls sport park Irrigation and Fencing upgrades (Denison Park) \$150,000; and
- 3) New Cannonvale Skate Bowl \$300,000.

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Development Services

14.5 2020/12/09.21 WHITSUNDAY TRAILS CONCEPT PLAN

SUMMARY

In early 2020, the potential of new land-based tourism infrastructure opportunities were investigated, specifically associated with a Mountain Bike trail network throughout the region.

Following initial consultation with the local tourism sector around infrastructure and interest in a more developed network of trails, the Whitsunday Trails Concept Plan project was initiated.

RECOMMENDATION

That Council support community and stakeholder engagement on the Whitsunday Trails Concept Plan with a feedback report to be presented to Council for consideration.

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR A GRUNDY

That Council support community and stakeholder engagement on the Whitsunday Trails Concept Plan with a feedback report to be presented to Council for consideration.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**14. Development Services**

**14.6 2020/12/09.22 BUILDING OUR REGIONS - AIRLIE BEACH  
SUSTAINABLE WATER INFRASTRUCTURE PROJECT  
- FUNDING REQUIREMENTS**

**SUMMARY**

The Department of State Development, Tourism and Innovation has requested a revised Council resolution for legal purposes in relation to Council's commitment to delivery of the Airlie Beach Sustainable Water Infrastructure Program.

**RECOMMENDATION**

That Council resolves to:

- a) Confirm Council's commitment to the Airlie Beach Sustainable Water Infrastructure Program and the budgeted co-contribution to the project of \$9,364,216 and Council's further contribution of \$500,000 for pre-project and ineligible project costs;
- b) Commit to delivery of the Project; and
- c) Acknowledge responsibility for any funding shortfall if costs or other contributions change.

**RESOLUTION**

Moved by: **CR J CLIFFORD**

Seconded by: **CR A GRUNDY**

That Council resolves to:

- a) **Confirm Council's commitment to the Airlie Beach Sustainable Water Infrastructure Program and the budgeted co-contribution to the project of \$9,364,216 and Council's further contribution of \$500,000 for pre-project and ineligible project costs;**
- b) **Commit to delivery of the Project; and**
- c) **Acknowledge responsibility for any funding shortfall if costs or other contributions change.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Development Services

**14.7 2020/12/09.23 WHITSUNDAY PLANNING SCHEME MAJOR
AMENDMENT - AIRLIE BEACH LOCAL PLAN**

SUMMARY

Overview of the Airlie Beach Local Plan, to be included within the Major amendment package for the *Whitsunday Planning Scheme 2017*.

RECOMMENDATION

That Council approve the inclusion of the Airlie Beach Local Plan and Building height overlay amendments in the Major Amendment to the Whitsunday Planning Scheme 2017, including any necessary administrative amendments.

RESOLUTION

Moved by: CR M BRUNKER

Seconded by: CR J COLLINS

That Council approve the inclusion of the Airlie Beach Local Plan and Building Height overlay amendments in the Major Amendment to the Whitsunday Planning Scheme 2017, including any necessary administrative amendments.

AMENDMENT

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That Council approve the inclusion of the Airlie Beach Local Plan and Building Height overlay amendments in the Major Amendment to the Whitsunday Planning Scheme 2017, including any necessary administrative amendments and that the overlay amendments include the following wording:

The character of Airlie Beach, which includes its vital, small town scale, tropical climate, pedestrian neighbourhoods, compact Main Street form, blue views to the sea and green views to Airlie Hill, visually penetrable buildings and heights and lush landscape elements, is maintained.

MEETING DETAILS:

The amendment was Carried 7/0

The amendment became the motion.

The motion was carried 7/0

CARRIED

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#### **14. Development Services**

#### **14.8 2020/12/09.24 FINALISATION OF THE WHITSUNDAY START-UP BUSINESS SUPPORT PROGRAM ROUND 2**

##### **SUMMARY**

Round 2 of the Whitsundays Small Business Start-Up (WSBSU) Program, delivered during 2020 will close in December 2020. Nutricq, one of the two applicants that attained funds in 2020, has completed the program objectives and has successfully established a new innovative business in the Whitsundays. The other successful applicant, Whitsunday Wood-Fired Pizza & Catering, has failed to meet program requirements to attain funds with the recommendation from Council officers to withdraw the funding offer and encourage a submission in potential future rounds.

##### **RECOMMENDATION**

That Council resolves to:

- a) Withdraw the funding offer to Whitsunday Wood Fired Pizza and Catering due to failure to successfully enter into a grant agreement during the program term; and
- b) Review and revisit the program in 2021 for its relevance given the impact of Covid-19 on the economy.

##### **RESOLUTION**

Moved by: **CR J COLLINS**

Seconded by: **CR G SIMPSON**

That Council resolves to:

- a) **Withdraw the funding offer to Whitsunday Wood Fired Pizza and Catering due to failure to successfully enter into a grant agreement during the program term; and**
- b) **Review and revisit the program in 2021 for its relevance given the impact of Covid-19 on the economy.**

##### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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14. Development Services

**14.9 2020/12/09.25 DEVELOPMENT SERVICES MONTHLY REPORT -
NOVEMBER 2020**

SUMMARY

Development Services Monthly Report – November 2020

RECOMMENDATION

That Council receives the Development Services Monthly Report for November 2020.

RESOLUTION

Moved by: CR J COLLINS

Seconded by: CR A GRUNDY

That Council receives the Development Services Monthly Report for November 2020.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## **15. Community Services**

**15.1 2020/12/09.26 RADF - 2020/21 FUNDING ROUND 2 - AUGUST - NOVEMBER 2020**

### **SUMMARY**

The Regional Arts Development Fund (RADF) is a partnership between Council and the Queensland Government through Arts Queensland which invest in quality arts and cultural experiences by providing four rounds of grant opportunities in a funding period.

### **RECOMMENDATION**

That Council:

- a) Receive the minutes from the Regional Arts Development Fund (RADF) Local Committee meeting held on 17 November 2020; and
- b) Approve the following RADF grant (subject to conditions) for Round 2 from budget code GL: 3640.6405 – Arts & Culture Development (3640) / Donations (6405), as recommended to Council by the RADF Local Committee:
  - Pam Finlay - \$2,465.00

### **RESOLUTION**

**Moved by: CR M WRIGHT**

**Seconded by: CR J CLIFFORD**

That Council:

- a) Receive the minutes from the Regional Arts Development Fund (RADF) Local Committee meeting held on 17 November 2020; and
- b) Approve the following RADF grant (subject to conditions) for Round 2 from budget code GL: 3640.6405 – Arts & Culture Development (3640) / Donations (6405), as recommended to Council by the RADF Local Committee:
  - Pam Finlay - \$2,465.00

### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.2 2020/12/09.27 DONATION ON COUNCIL FEES - NOVEMBER 2020

SUMMARY

Community groups are invited to apply for a Donation on Council Fees when submitting applications to Council prior to the event or works commencing.

RECOMMENDATION

That Council donate the value of \$200.00, from budget code JC: 2967.11074 - Community Donations (2967) / Donations (11074) for the Volunteer Marine Rescue Whitsundays Inc. – Local Law Licence Renewal.

RESOLUTION

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That Council donate the value of \$200.00, from budget code JC: 2967.11074 - Community Donations (2967) / Donations (11074) for the Volunteer Marine Rescue Whitsundays Inc. – Local Law Licence Renewal.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.3 2020/12/09.28 SPORT & RECREATION FACILITY MANAGEMENT GRANT - BOWEN SPORTING COMPLEX CO-ORDINATION ASSOCIATION INC.**

**SUMMARY**

Council offers annual funding to grass roots organisations across the region that manage multi use Council facilities.

**RECOMMENDATION**

That Council approve the payment of a Sport & Recreation Facility Management Grant – Band 1 of \$20,000.00, from budget code JC: 2967.10250 – Community Donations (2967) / Club Grants (10250), to Bowen Sporting Complex Co-ordinating Association Inc.

**RESOLUTION**

**Moved by: CR M WRIGHT**

**Seconded by: CR M BRUNKER**

**That Council approve the payment of a Sport & Recreation Facility Management Grant – Band 1 of \$20,000.00, from budget code JC: 2967.10250 – Community Donations (2967) / Club Grants (10250), to Bowen Sporting Complex Co-ordinating Association Inc.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.4 2020/12/09.29 SPORT & RECREATION CLUB GRANTS - NOVEMBER 2020

SUMMARY

Council offers annual funding to grass roots sport & recreation clubs across the region to support the general functions of the club.

RECOMMENDATION

That Council approve the payment of a Sport & Recreation Club Grant, from budget code JC: 2967.10250 - Community Donations (2967) / Club Grants (10250), to the following recipients:

- Bowen Tennis Association Inc. – Band 3 - \$1,500.00
- Proserpine BMX Club Inc. – Band 3 - \$1,500.00
- Bowen Touch Association Inc. – Band 2 - \$3,000.00
- Whitsunday Touch Association Inc. – Band 2 - \$3,000.00
- Collinsville Horse & Pony Club Inc. – Band 4 - \$1,000.00

RESOLUTION

Moved by: **CR M WRIGHT**

Seconded by: **CR J CLIFFORD**

That Council approve the payment of a Sport & Recreation Club Grant, from budget code JC: 2967.10250 - Community Donations (2967) / Club Grants (10250), to the following recipients:

- Bowen Tennis Association Inc. – Band 3 - \$1,500.00
- Proserpine BMX Club Inc. – Band 3 - \$1,500.00
- Bowen Touch Association Inc. – Band 2 - \$3,000.00
- Whitsunday Touch Association Inc. – Band 2 - \$3,000.00
- Collinsville Horse & Pony Club Inc. – Band 4 - \$1,000.00

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**15. Community Services**

**15.5 2020/12/09.30 SALE OF COLLINSVILLE INDEPENDENT LIVING FACILITY - 7833 BOWEN DEVELOPMENTAL ROAD, COLLINSVILLE**

**SUMMARY**

The below report sets notes the finalisation of the sale of the Collinsville Independent Living Facility to Jangga Operations Pty Ltd on 5 November 2020.

**RECOMMENDATION**

That Council note the completion of the sale of 7833 Bowen Developmental Road, Collinsville also known as the Collinsville Independent Living Facility to Jangga Operations Pty Ltd.

**RESOLUTION**

**Moved by: CR M BRUNKER**

**Seconded by: CR M WRIGHT**

**That Council note the completion of the sale of 7833 Bowen Developmental Road, Collinsville also known as the Collinsville Independent Living Facility to Jangga Operations Pty Ltd.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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15. Community Services

15.6 2020/12/09.31 COMMUNITY SERVICES - MONTHLY REPORT - NOVEMBER 2020

SUMMARY

To provide an overview of the Community Services Directorate for the month of November 2020.

RECOMMENDATION

That Council receive the Community Services Monthly Report for November 2020.

RESOLUTION

Moved by: CR M WRIGHT

Seconded by: CR J CLIFFORD

That Council receive the Community Services Monthly Report for November 2020.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## **16. Infrastructure Services**

### **16.1 2020/12/09.32 DISASTER RECOVERY FUNDING ARRANGEMENTS & SHUTE HARBOUR PROJECT CAPITAL PROGRESS REPORT – NOVEMBER 2020**

#### **SUMMARY**

The report provides a summary of key Capital projects underway during the 19/20, 20/21 & 21/22 financial years. The attachments include multi-year projects that remain active or have been completed during this financial year. This month's report lists the DRFA Flood Event 2019, the Shute Harbour Project and the Qld Monsoonal Event 2020.

Current Financial Progress:

DRFA – Flood Event 2019 – Expenditure of \$33,239,208.03, to date with forecast of a further \$10,965,612.18 budgeted by the end of 20/21 Financial Year. Three submissions have been closed and reimbursed 100% with seven now with the QRA for acquittal.

Shute Harbour – Expenditure of \$29,962,098.80 to date with a forecast of a further \$24,537,901.20 budgeted by the end of 20/21 Financial Year. QRA budget \$48.7m plus \$2.8m Council contribution from insurance payout.

Qld Monsoonal Flood Event 2020 – Expenditure of \$737,463.60 to date with a forecast of a further \$14,061,009.32 budgeted by the end of 20/21 Financial Year and \$4,052,802.90 budgeted for 21/22.

#### **RECOMMENDATION**

That Council receives the Disaster Recovery Funding Arrangements & Shute Harbour Project capital progress report for the month of November 2020.

#### **RESOLUTION**

Moved by: **CR M WRIGHT**

Seconded by: **CR J CLIFFORD**

**That Council receives the Disaster Recovery Funding Arrangements & Shute Harbour Project capital progress report for the month of November 2020.**

#### **MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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16. Infrastructure Services

16.2 2020/12/09.33 TENDER RECOMMENDATION – 500.2020.0125, 500.2020.0127 & 500.2020.0128 DISASTER RECOVERY FUNDING ARRANGEMENTS ROAD PACKAGES - BOWEN

SUMMARY

Whitsunday Regional Council (Council) requires a suitably experienced and qualified contractor to carry out repairs and rehabilitation work on Council's rural road network in localities near Bowen. In February/March 2020, North Queensland suffered another severe weather event and Council's assets once again received significant damage. The new road works will now be funded under the Queensland State Government's Disaster Recovery Funding Arrangements (DRFA) as the Qld Monsoon Event 2020.

RECOMMENDATION

That Council award the following contracts to D J Brazil Pty Ltd:

- a) 500.2020.0125 Disaster Recovery Funding Arrangements Road Package V3 - Bowen North 1 for the amount of \$1,634,942.75 (excluding GST);
- b) 500.2020.0127 Disaster Recovery Funding Arrangements Road Package T3 - Bowen North 2 for the amount of \$1,444,688.95 (excluding GST); and
- c) 500.2020.0128 Disaster Recovery Funding Arrangements Road Package U3 - Bowen Central for the amount of \$1,017,323.90 (excluding GST).

RESOLUTION

Moved by: **CR M WRIGHT**

Seconded by: **CR J CLIFFORD**

That Council award the following contracts to D J Brazil Pty Ltd:

- a) **500.2020.0125 Disaster Recovery Funding Arrangements Road Package V3 - Bowen North 1 for the amount of \$1,634,942.75 (excluding GST);**
- b) **500.2020.0127 Disaster Recovery Funding Arrangements Road Package T3 - Bowen North 2 for the amount of \$1,444,688.95 (excluding GST); and**
- c) **500.2020.0128 Disaster Recovery Funding Arrangements Road Package U3 - Bowen Central for the amount of \$1,017,323.90 (excluding GST).**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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## 17. Matters of Importance

*There were several matters of importance raised at the meeting that did not require a formal resolution and all matters were actioned by the Directors offline.*

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Given the nature of the negotiations with the shortlisted tenderers, including commercial-in-confidence information, the value of the contract involved and the nature and complexity of the contract, this matter is to be dealt with in a Closed Meeting under the Local Government Regulation 2012.

Local Government Regulation 2012 - Section 254J Closed meetings

(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;

Procedural Motion

2020/12/09.34 PROCEDURAL MOTION - CLOSURE OF MEETING

Moved by: CR J CLIFFORD

Seconded by: CR G SIMPSON

That Council close the meeting to the public at 12.18pm in accordance with Section 254J (3)(g) of the Local Government Regulations 2012, for the purpose of discussing the following:

18.1 TENDER RECOMMENDATION – 500.2020.0081 - DESIGN AND CONSTRUCT FLAGSTAFF HILL CULTURAL AND CONFERENCE CENTRE

(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 motion was Carried 7/0

CARRIED

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**Procedural Motion**

**2020/12/09.35      PROCEDURAL MOTION - ADJOURN**

**Moved by:              CR A GRUNDY**

**Seconded by:        CR J CLIFFORD**

**That the meeting be adjourned for the purpose of a break at 12.18pm.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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Procedural Motion

2020/12/09.36 PROCEDURAL MOTION - RECONVENE

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That the meeting be reconvened from the break at 12.22pm.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**Procedural Motion**

**2020/12/09.37      PROCEDURAL MOTION – REOPEN OF MEETING**

**Moved by:              CR J CLIFFORD**

**Seconded by:        CR A GRUNDY**

**That Council reopen the meeting to the general public at 12.32pm.**

**MEETING DETAILS:**

The motion was Carried 7/0.

**CARRIED**

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18. Supplementary Agenda

18.1 2020/12/09.38 TENDER RECOMMENDATION – 500.2020.0081 - DESIGN AND CONSTRUCT FLAGSTAFF HILL CULTURAL AND CONFERENCE CENTRE

SUMMARY

Whitsunday Regional Council (Council) requires a suitably experienced and qualified Contractor to carry out the design and construction of the Flagstaff Hill Cultural and Conference Centre in Bowen.

The Whitsunday Region suffered considerable damage as a result of Tropical Cyclone Debbie and Whitsunday Regional Council (Council) assets were not excluded. Council's major buildings suffered considerable damage one of these buildings was the Flagstaff Hill Interpretive Centre. Council has received funding to create an Indigenous Tourism Experience.

Tenders for these works were called and this report recommends that the Hutchinson Builders be appointed to deliver the design and construction of the new Flagstaff Hill Cultural and Conference Centre.

RECOMMENDATION

That Council resolves to:

- a) Appoint J Hutchinson Pty Ltd T/As Hutchinson Builders as the preferred Contractor for 500.2020.0081 Design and Construct - Flagstaff Hill Cultural and Conference (Project); and
- b) Delegate to the Chief Executive Officer the authority to negotiate and award the Contract up to the value of \$3,000,000.00 (excluding GST) to J Hutchinson Pty Ltd T/As Hutchinson Builders.

RESOLUTION

Moved by: CR M BRUNKER

Seconded by: CR M WRIGHT

That Council resolves to:

- a) **Appoint J Hutchinson Pty Ltd T/As Hutchinson Builders as the preferred Contractor for 500.2020.0081 Design and Construct - Flagstaff Hill Cultural and Conference (Project); and**
- b) **Delegate to the Chief Executive Officer the authority to negotiate and award the Contract up to the value of \$3,000,000.00 (excluding GST) to J Hutchinson Pty Ltd T/As Hutchinson Builders.**
- c) **Encourage the successful tenderer to use local contractors where possible.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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***The meeting closed at 12.39pm***

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Confirmed as a true and correct recording this 27 January 2021.

**Cr Andrew Willcox
MAYOR**