



Minutes of the Ordinary Council Meeting held on Wednesday 13 July 2022 at Council Chambers, 83-85 Main Street, Proserpine

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

Councillors Present:

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

Council Officers Present:

Rod Ferguson (Chief Executive Officer); Julie Wright (Director Community Services); Neil McGaffin (Director Development Services); Jason Bradshaw (Director Corporate Services); Adam Hagy (Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); James Ngoroyemoto (Manager, Governance and Administration); Tailah Jensen (Governance Administration Officer/Minute Taker)

Other Officers Present (Partial Attendance):

Craig Turner (Chief Operating Officer – Aviation and Tourism); Peter Ahern (Disaster Recovery Project Officer); John Cauchi (Network and Systems Administrator)

Meeting Schedule:

The meeting commenced at 9.00am

The meeting adjourned for morning tea at 10.05am

The meeting reconvened from morning tea at 10.26am

The meeting closed to the public at 10.43am

The meeting re-opened to the public at 10.51am

The meeting closed at 10.52am

Whitsunday Regional Council
**Minutes of the Ordinary Council Meeting held at
Council Chambers, 83-85 Main Street, Proserpine on
Wednesday 13 July 2022 commencing at 9:00 AM**

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1 APOLOGIES/LEAVE OF ABSENCE

There were apologies or leaves of absence requests for this meeting.

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## **2 CONDOLENCES**

### **2.1 - Condolences Report**

#### **PURPOSE**

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

#### **OFFICER'S RECOMMENDATION**

That Council observe one (1) minute's silence for the recently deceased.

#### **RESOLUTION OM2022/07/13.1**

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

That Council observe one (1) minute's silence for the recently deceased.

#### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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3 DECLARATIONS OF INTEREST

There were no declarations made during this meeting.

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## **4 MAYORAL MINUTE**

There was no mayoral minute for this meeting.

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Since my last Council meeting on June 24th, 2022

Friday 24 June	• Council Special Meeting to deliver budget, in Bowen • Council Meeting, in Bowen
Saturday 25 June	• Attended Catholic Deb Ball, in Bowen
Monday 27 June	• Attended Don River Improvement Trust meeting, in Bowen
Tuesday 28 June	• Attended commemorative service for Patrick Brady of the 11th Light Horse Regiment, in Proserpine • Travelled to Brisbane
Wednesday 29 June	• Attended LGAQ 2022 Civic Leaders Summit, in Twin Waters • That evening, attended the LGAQ Leaders Summit dinner
Thursday 30 June	• Travelled home • That afternoon, attended Tourism Whitsunday board meeting, in Bowen • That evening, attended Tourism Whitsunday's Networking night held in Bowen
Saturday 2 July	• Presented selection certificates to the Australian Under 16 Horseball team, in Cannonvale • That evening, attended Proserpine Lions Club Changeover dinner
Monday 4 July	• Travelled to Brisbane to attend the Queensland Resources Industry Development Plan launch
Tuesday 5 July	• Travelled back to Mackay to attend Regional Development Australia Greater Whitsundays' Date with Northern Australia event • Followed by a networking event with Tropical North Queensland Drought Resilience Adoption and Innovation Hub
Wednesday 6 July	• Attended Briefing Session, in Proserpine. This included the annual joint meeting with Canegrowers Proserpine and Wilmar Sugar
Saturday 9 July	• Attended Girudala NAIDOC Family Fun Day, at Bowen Front Beach • That evening, attended Bowen Bridge Club's 50th Anniversary Dinner
Sunday 10 July	• Attended Mackay Isaac Whitsunday Regional Community Forum Networking event, in Proserpine
Monday 11 July	• Attended Mackay Isaac Whitsunday Regional Community Forum, hosted at Council's Proserpine Administration Building • Filmed Council Meeting update • Attended Bowen Collinsville Enterprise meeting

6.1 - Confirmation of Minutes

PURPOSE

At each Council meeting, the minutes of the previous meeting must be confirmed by the councillors present and signed by the person presiding at the later meeting. The Minutes of Council's Ordinary Council Meeting and Special Council Meeting (Budget) held on 24 June 2022 are provided for Councils review and confirmation.

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting and Special Council Meeting (Budget) held on 24 June 2022.

RESOLUTION OM2022/07/13.2

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council confirms the Minutes of the Ordinary Council Meeting and Special Council Meeting (Budget) held on 24 June 2022.

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

7 BUSINESS ARISING

There were no business arising matters for this meeting.

8 DEPUTATIONS

There were no deputations for this meeting.

9 PETITIONS

There were no petitions submitted for this meeting.

10 NOTICES OF MOTION

There were no notice of motions for this meeting.

11 QUESTIONS ON NOTICE

There were no questions taken on notice for this meeting.

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## 12 QUESTIONS FROM THE PUBLIC GALLERY

***Director Corporate Services read out the public question on behalf of Mr Bauman who was unable to attend the meeting to present his question.***

### QUESTION ONE

**Name:** Clay Bauman

**Question:**

Dear Acting Mayor and Councillors,

In the recent Cannonvale meeting the CEO said that his and my definitions were different, in a September letter from the Crime and Corruption Commission, they told me my allegation meets the definition of corrupt conduct.

In a letter dated the 8<sup>th</sup> of November last year, the CCC told me they had referred my complaint to Council and you were required by law to respond. 7 months later I am still waiting for answers the CCC said I was entitled to.

On the 9<sup>th</sup> of May I emailed council asking 3 specific questions about information supplied to you on the Shingley high-rise, one was about you being told there were only 587 properly made submissions. Documents since released to the Planning and Environment Court now say there were 926 properly made submissions, which appears to show the information provided to you was incorrect. I am still wondering about my other two questions, however I have not received a reply from Council.

This appears to stem from the CEO writing to me saying he will instruct staff not to respond to questions already addressed, yet justifiable questions, not addressed, have now been left unanswered.

The CEO's action was based upon claims I believe are false, his correspondence states that I am sending emails "generally" in regards to matters I have already been provided a response too.

So my question for today is:

Outside of the numerous follow ups I have been forced to do due to incorrect and spurious replies or the lack of any reply at all, will Council please provide the evidence to back up these allegations against me?

I thank you for your time.

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



## **13 OFFICERS REPORTS**

### **13.1 Office of the Mayor and CEO**

#### **13.1.1 - Funding Opportunity - Gambling Community Benefit Fund**

##### **PURPOSE**

To seek funding support from the Gambling Community Benefit Fund.

##### **OFFICER'S RECOMMENDATION**

That Council:

- a) Support the recommended project for the Bowen Lapidary Club (Total Project Cost \$32,760) for submission to the Gambling Community Benefit Fund Round 114 funding program.
- b) Approve the proposed Council co-contribution of \$1,300, should the funding application be successful.

##### **RESOLUTION OM2022/07/13.3**

Moved By: **CR J CLIFFORD**

Seconded By: **CR M WRIGHT**

That Council:

- a) **Support the recommended project for the Bowen Lapidary Club (Total Project Cost \$32,760) for submission to the Gambling Community Benefit Fund Round 114 funding program.**
- b) **Approve the proposed Council co-contribution of \$1,300, should the funding application be successful.**

##### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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13.2.1 - Lease - Part of Land - 125A Mt Nutt Road, Bowen - Amplitel Pty Ltd

PURPOSE

To advise Council of a request to renew the lease on Council owned land at 125A Mt Nutt Road. Bowen.

OFFICER'S RECOMMENDATION

That Council authorise the Chief Executive Officer to enter into negotiations and execute a part of land lease over Lot 2 on RP717537, with Amplitel Pty Ltd for a 10-year term in accordance with Section 236(1)(c)(iii) of the Local Government Regulation 2012.

RESOLUTION OM2022/07/13.4

Moved By: CR J COLLINS

Seconded By: CR A GRUNDY

That Council authorise the Chief Executive Officer to enter into negotiations and execute a part of land lease over Lot 2 on RP717537, with Amplitel Pty Ltd for a 10-year term in accordance with Section 236(1)(c)(iii) of the Local Government Regulation 2012.

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.2.2 - Show Holidays 2023

#### PURPOSE

To provide Council the opportunity to determine the regions special holidays for the 2023 calendar year.

#### OFFICER'S RECOMMENDATION

That Council propose 'special and show holidays' for the 2023 calendar year as follows:

1. Proserpine, Airlie Beach and Cannonvale districts - 23<sup>rd</sup> June 2023;
2. Bowen district including the localities of
  - a. Bowen;
  - b. Guthalungra;
  - c. Gumlu; and
  - d. Bogie - excluding the area south of the Bogie River from its confluence with the Burdekin River to its source and then easterly by the Clark Range to the eastern boundary of the Council area - 27 June 2023.
3. Collinsville district, including the area south of the Bogie River from its confluence with the Burdekin River to its source and then easterly by the Clark Range to the eastern boundary of the Council area - 7 November 2023.

#### RESOLUTION OM2022/07/13.5

Moved By: CR M WRIGHT

Seconded By: CR A GRUNDY

That Council propose 'special and show holidays' for the 2023 calendar year as follows:

1. Proserpine, Airlie Beach and Cannonvale districts - 23<sup>rd</sup> June 2023;
2. Bowen district including the localities of
  - a. Bowen;
  - b. Guthalungra;
  - c. Gumlu; and
  - d. Bogie - excluding the area south of the Bogie River from its confluence with the Burdekin River to its source and then easterly by the Clark Range to the eastern boundary of the Council area - 27 June 2023.
3. Collinsville district, including the area south of the Bogie River from its confluence with the Burdekin River to its source and then easterly by the Clark Range to the eastern boundary of the Council area - 7 November 2023.

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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13.3.1 - Housing Affordability Consultation

PURPOSE

For Council to seek public comment on housing affordability issues in the Whitsundays by commencing public consultation in line with the Housing Affordability Community Engagement Plan.

OFFICER'S RECOMMENDATION

That Council commence public consultation on Housing Affordability initiatives in line with the Housing Affordability Community Engagement Plan.

RESOLUTION OM2022/07/13.6

Moved By: CR A GRUNDY

Seconded By: CR J CLIFFORD

That Council commence public consultation on Housing Affordability initiatives in line with the Housing Affordability Community Engagement Plan.

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.3.2 - Update on Current Social/Affordable Housing Reforms

#### PURPOSE

To provide Council with an update of the process and structures that assist affordable housing, operating at State and Local Government levels.

#### OFFICER'S RECOMMENDATION

That Council:

- a) Promote the State's Help to Home Initiative to support and increase local social housing, through Council's Communications team.
- b) Allow developments to enter into a payment schedule of infrastructure charges for a maximum period of up to 3 years if deemed appropriate by the Chief Executive Officer.

#### RESOLUTION OM2022/07/13.7

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council:

- a) Promote the State's Help to Home Initiative to support and increase local social housing, through Council's Communications team.
- b) Allow developments to enter into a payment schedule of infrastructure charges for a maximum period of up to 3 years if deemed appropriate by the Chief Executive Officer.

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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13.3.3 - Draft Whitsunday Open Space Strategy 2022

PURPOSE

For Council to consider public consultation of the draft Open Space Strategy 2022.

OFFICER'S RECOMMENDATION

That Council endorse the public consultation of the draft Whitsunday Open Space Strategy in line with the Whitsunday Open Space Strategy Community Engagement Plan.

RESOLUTION OM2022/07/13.8

Moved By: CR J COLLINS

Seconded By: CR A GRUNDY

That Council endorse the public consultation of the draft Whitsunday Open Space Strategy in line with the Whitsunday Open Space Strategy Community Engagement Plan.

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.3.4 - Whitsunday Planning Scheme Policy (Development Manual) Amendment

#### PURPOSE

That Councillors consider commencing public consultation on the Whitsunday Planning Scheme Policy (Development Manual) Amendment.

#### OFFICER'S RECOMMENDATION

That Council resolve to undertake public consultation for the Whitsunday Planning Scheme Policy (Development Manual) Amendment V3.8 in accordance with *Chapter 3, Part 1* of the *Ministers Guidelines and Rules 2020* and in line with the Development Manual and Open Space Strategy Community Engagement Plan.

#### RESOLUTION OM2022/07/13.9

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council resolve to undertake public consultation for the Whitsunday Planning Scheme Policy (Development Manual) Amendment V3.8 in accordance with *Chapter 3, Part 1* of the *Ministers Guidelines and Rules 2020* and in line with the Development Manual and Open Space Strategy Community Engagement Plan.

#### MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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13.3.5 - 20220338 - Development Application for Material Change of Use (Short-Term Accommodation) - 49 Gloucester Avenue, Hydeaway Bay - R & A Maher C/- Wynne Planning & Development

PURPOSE

Development Applications requiring decisions which are outside the Council officer delegated authority require Council consideration.

OFFICER'S RECOMMENDATION

That Council approve the application for Development Application for Material Change of Use - Short-term Accommodation, made by A W Maher & R D Maher C/- Wynne Planning & Development, on L: 93 RP: 744453 T: N1329/33 and located at 49 Gloucester Avenue Hydeaway Bay, subject to the conditions outlined in Attachment 1.

RESOLUTION OM2022/07/13.10

Moved By: CR G SIMPSON

Seconded By: CR J COLLINS

That Council approve the application for Development Application for Material Change of Use - Short-term Accommodation, made by A W Maher & R D Maher C/- Wynne Planning & Development, on L: 93 RP: 744453 T: N1329/33 and located at 49 Gloucester Avenue Hydeaway Bay, subject to the conditions outlined in Attachment 1.

MEETING DETAILS

The motion was Carried 4 / 2.

CARRIED

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**13.3.6 - 20220304 - Development Application for Material Change of Use (Short-Term Accommodation) - 42 Catherine Crescent, Jubilee Pocket - 63 RP747777**

**PURPOSE**

Development Applications requiring decisions which are outside the Council officer delegated authority require Council consideration.

**OFFICER'S RECOMMENDATION**

That Council approve the application for Material Change of Use (Short-term Accommodation), made by M Stokell & N Behar, on L: 63 RP: 747777 and located at 42 Catherine Crescent Jubilee Pocket, subject to the conditions outlined in Attachment 1.

**RESOLUTION OM2022/07/13.11**

Moved By: **CR G SIMPSON**

Seconded By: **CR J COLLINS**

That Council approve the application for Material Change of Use (Short-term Accommodation), made by M Stokell & N Behar, on L: 63 RP: 747777 and located at 42 Catherine Crescent Jubilee Pocket, subject to the conditions outlined in Attachment 1.

**MEETING DETAILS**

The motion was Lost 2 / 4.

**LOST**

*Council decided that they would prefer the item previously dealt with to lie on the table pending reasons for refusal to be developed.*

*After the item was voted and lost, a procedural motion was moved that the item lie on the table pending further advice.*

**PROCEDURAL MOTION - MATTER LIE ON THE TABLE OM2022/07/13.12**

Moved by: **CR J CLIFFORD**

That item 13.3.6 lie on the table pending further advice from the Development Services directorate regarding grounds for refusal.

**MEETING DETAILS:**

The procedural motion was Carried 4 / 2

**CARRIED**

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13.3.7 - Development Services Monthly Report - June 2022

PURPOSE

This report presents information relating to the operations of the Development Services Directorate for the month of June 2022.

OFFICER'S RECOMMENDATION

That Council receives the Development Services Monthly Report for June 2022.

RESOLUTION OM2022/07/13.13

Moved By: CR J CLIFFORD

Seconded By: CR G SIMPSON

That Council receives the Development Services Monthly Report for June 2022.

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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### 13.4.1 - Financial Support for a Junior Elite Athlete - July 2022

#### PURPOSE

For Council to consider the applications for Financial Support for a Junior Elite Athlete.

#### OFFICER'S RECOMMENDATION

That Council approve financial support for the following applicants:

- a) Jake Pettigrew - Northern 13-16 years Boys Football (Soccer) Team - \$250
- b) Eneliko Savelio – Queensland U15 Rugby League Championships - \$500
- c) Justin Meeks - Boxing U19 Australian Championships - \$1,000
- d) Russell Harris - 2022 ISAF Open Skiff World Championships at Lac de Carcans, Maubuisson, France - \$2,000
- e) Connor Harris - 2022 ISAF Open Skiff World Championships at Lac de Carcans, Maubuisson, France - \$2,000

#### RESOLUTION OM2022/07/13.14

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council approve financial support for the following applicants:

- a) Jake Pettigrew - Northern 13-16 years Boys Football (Soccer) Team - \$250
- b) Eneliko Savelio – Queensland U15 Rugby League Championships - \$500
- c) Justin Meeks - Boxing U19 Australian Championships - \$1,000
- d) Russell Harris - 2022 ISAF Open Skiff World Championships at Lac de Carcans, Maubuisson, France - \$2,000
- e) Connor Harris - 2022 ISAF Open Skiff World Championships at Lac de Carcans, Maubuisson, France - \$2,000

#### MEETING DETAILS

The motion was Carried 6 / 0.

**CARRIED**

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13.4.2 - Sport & Recreation Clubs Grant - July 2022

PURPOSE

For Council to consider the payment of the Sport & Recreation Club Grants for July 2022 in accordance with Council's Sport & Recreation Grant Guidelines.

OFFICER'S RECOMMENDATION

That Council approve the payment of a Sport & Recreation Clubs Grant to the following recipients:

1. Cannonvale Kyokushin Karate Club Inc. – Band 1 - \$5,500
2. Collinsville Sports Inc. – Band 2 - \$3,000
3. Whitsunday Moto Sport Club Inc. – Band 2 - \$3,000
4. Proserpine Veteran Golfers Association Inc. – Band 3 - \$1,500
5. Whitsunday Bald Eagles Inc. – Band 3 - \$1,500
6. Proserpine Bowls Club Inc. – Band 3 - \$1,500
7. Bowen Athletics Club Inc. – Band 3 - \$1,500
8. Whitsunday Athletics Club Inc. Band 3 - \$1,500
9. Proserpine District Lawn Tennis Association Inc. – Band 3 - \$1,500
10. Cricket Whitsundays Inc. – Band 3 - \$1,500

RESOLUTION OM2022/07/13.15

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council approve the payment of a Sport & Recreation Clubs Grant to the following recipients:

1. Cannonvale Kyokushin Karate Club Inc. – Band 1 - \$5,500
2. Collinsville Sports Inc. – Band 2 - \$3,000
3. Whitsunday Moto Sport Club Inc. – Band 2 - \$3,000
4. Proserpine Veteran Golfers Association Inc. – Band 3 - \$1,500
5. Whitsunday Bald Eagles Inc. – Band 3 - \$1,500
6. Proserpine Bowls Club Inc. – Band 3 - \$1,500
7. Bowen Athletics Club Inc. – Band 3 - \$1,500
8. Whitsunday Athletics Club Inc. Band 3 - \$1,500
9. Proserpine District Lawn Tennis Association Inc. – Band 3 - \$1,500
10. Cricket Whitsundays Inc. – Band 3 - \$1,500

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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*Cr Clifford advised she has a perceived conflict of interest in this item as she is a council appointed Director on this Committee but does not hold an executive role. In making the declaration Cr Clifford stayed and participated in the discussion and decision including voting on the matter.*

### **13.4.3 - Request for Funding 2022/23 - Greater Whitsunday Communities**

#### **PURPOSE**

For Council to consider a request for funding from Greater Whitsunday Communities for the 2022/23 financial year.

#### **OFFICER'S RECOMMENDATION**

That Council approve a financial commitment of \$82,800 (plus GST) to Greater Whitsunday Communities in support of Strengthening Communities across Greater Whitsunday Region program for the 2022/23 financial year only.

#### **RESOLUTION OM2022/07/13.16**

**Moved By: CR J CLIFFORD**

**Seconded By: CR A GRUNDY**

**That Council approve a financial commitment of \$82,800 (plus GST) to Greater Whitsunday Communities in support of Strengthening Communities across Greater Whitsunday Region program for the 2022/23 financial year only.**

#### **MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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13.4.4 - Community Services Monthly Report - June 2022

PURPOSE

The purpose of the report is to set out an account of statistics pertaining to the functions of each branch within the Community Services Directorate for the month of June 2022.

OFFICER'S RECOMMENDATION

That Council receive the Community Services Monthly Report for June 2022.

RESOLUTION OM2022/07/13.17

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

That Council receive the Community Services Monthly Report for June 2022.

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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*At the commencement of the morning tea break, presentations were made to Elite Athletes Nelson Malady and Xavier Goswell and to staff member Sarah Collins, for the Best Communications Digital Professional Award.*

##### PROCEDURAL MOTION - ADJOURNMENT OM2022/07/13.18

Moved by: CR J CLIFFORD

Seconded by: CR A GRUNDY

That the meeting be adjourned for the purpose of morning tea at 10.05am.

##### MEETING DETAILS:

The procedural motion was Carried 6 / 0

CARRIED

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PROCEDURAL MOTION - RECONVENE OM2022/07/13.19

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That the meeting be reconvened from morning tea at 10.26am.

MEETING DETAILS:

The procedural motion was Carried 6 / 0

CARRIED

13.5 Infrastructure Services

13.5.1 - 500.2022.0034 Disaster Recovery Funding Arrangements (DRFA) Sealed Road Package E4 - Regional

PURPOSE

This report presents to Council for consideration the Evaluation Panel's Recommendation to award Contract 500.2022.0034 Disaster Recovery Funding Arrangements (DRFA) Sealed Road Package E4 – Regional.

OFFICER'S RECOMMENDATION

That Council award Contract 500.2022.0034 Disaster Recovery Funding Arrangements (DRFA) Sealed Road Package E4 – Regional to Beddaws Pty Ltd T/As Copp & Co Plant Hire for the amount of \$952,657.51 (excluding GST).

RESOLUTION OM2022/07/13.20

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council award Contract 500.2022.0034 Disaster Recovery Funding Arrangements (DRFA) Sealed Road Package E4 – Regional to Beddaws Pty Ltd T/As Copp & Co Plant Hire for the amount of \$952,657.51 (excluding GST).

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

13.5.2 - 500.2022.0051 Disaster Recovery Funding Arrangements (DRFA) Road Packages K4 & C4 – Collinsville Region

PURPOSE

This report presents to Council for consideration the Evaluation Panel's Recommendation to award Contract 500.2022.0051 Disaster Recovery Funding Arrangements (DRFA) Road Packages K4 & C4 – Collinsville Region.

OFFICER'S RECOMMENDATION

That Council award Contract 500.2022.0051 Disaster Recovery Funding Arrangements (DRFA) Road Packages K4 & C4 – Collinsville Region as follows:

- a) Separable Portion 1 - DRFA Road Package K4 - Collinsville Central to LD & LJ Hillery Pty Limited for the amount of \$158,937.14 (excluding GST)
- b) Separable Portion 2 - DRFA Road Package C4 - Glen Avon to Adam Stroud Enterprises Pty. Ltd. for the amount of \$1,333,975.00 (excluding GST)

RESOLUTION OM2022/07/13.21

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council award Contract 500.2022.0051 Disaster Recovery Funding Arrangements (DRFA) Road Packages K4 & C4 – Collinsville Region as follows:

- a) **Separable Portion 1 - DRFA Road Package K4 - Collinsville Central to LD & LJ Hillery Pty Limited for the amount of \$158,937.14 (excluding GST)**
- b) **Separable Portion 2 - DRFA Road Package C4 - Glen Avon to Adam Stroud Enterprises Pty. Ltd. for the amount of \$1,333,975.00 (excluding GST)**

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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## 14 MATTERS OF IMPORTANCE

### MATTERS OF IMPORTANCE – VOTE OF THANKS TO AIRLIE BEACH COMMUNITY RESOLUTION OM2022/07/13.22

Moved By: CR J CLIFFORD

Seconded By: CR A GRUNDY

That Council move a vote of thanks to the Airlie Beach Community who played a role in helping the stranded passengers on the recently cancelled flight from Hamilton Island.

### MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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15 LATE REPORT ITEMS

There were no late items for this meeting.

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## 16 CONFIDENTIAL MATTERS

### PROCEDURAL MOTION - CLOSURE OF MEETING (CONFIDENTIAL SESSION) OM2022/07/13.23

Moved by: CR J COLLINS

Seconded by: CR J CLIFFORD

That Council close the meeting to the public at 10.43am in accordance with Section 254J of the Local Government Regulations 2012 for closed meetings, for the purpose of discussing the following items and the reasons for going into closed session:

#### 16.1.1 – Microsoft Volume Licensing Government Agreement Extension - Data#3

*(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.*

#### 16.1.2 - Shoreline Whitsunday CTS 34049 - Cancellation of Water Charging Agreement

*(d) rating concessions.*

### MEETING DETAILS:

The procedural motion was Carried 6 / 0

CARRIED

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PROCEDURAL MOTION - REOPEN MEETING OM2022/07/13.24

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council reopen the meeting to the general public at 10.51am.

MEETING DETAILS:

The motion was Carried 6 / 0

CARRIED

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16.1 Corporate Services

### 16.1.1 - Microsoft Volume Licensing Government Agreement Extension - Data#3

#### CONFIDENTIAL

#### **S254J Local Government Regulation 2012 - Closed Meetings**

- (1) *A local government may resolve that all or part of a meeting of the local government be closed to the public.*
- (3) *However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—*
  - ***(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.***

#### PURPOSE

This report:

- Provides an update to Council on the Microsoft software licensing agreement term extension for an additional three-year period. This extension does not change the terms or conditions of the Microsoft government agreement and only extends our term under the agreement.
- Seeking Council endorsement of the use of Data#3 as the reseller under local buy contract BAU274.

|                                                  |                             |
|--------------------------------------------------|-----------------------------|
| Customer Name                                    | Whitsunday Regional Council |
| Volume Licensing Program                         | Enterprise 6                |
| Enrollment Number                                | 64979749                    |
| Contract Type                                    | Government                  |
| Enrollment Version                               | 20201                       |
| Reseller or Software Advisor                     | Data#3 Ltd                  |
| Microsoft Business and Services Agreement Number | U8644109                    |
| Agreement Number                                 | E2313229                    |
| Start Effective Date                             | 2022-07-01                  |
| Anniversary Dates                                | 2023-07-01                  |

Expiration Date

2024-07-01  
2025-06-30

**RESOLUTION OM2022/07/13.25**

**Moved By: CR J CLIFFORD**

**Seconded By: CR G SIMPSON**

**That Council:**

- 1. Award contract to Data#3 – Microsoft Agreement E2313229**
- 2. Approve the contract extension signed by the Chief Executive Officer, for a contract period to 30 June 2025.**

**MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

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16.1.2 - Shoreline Whitsunday CTS 34049 - Cancellation of Water Charging Agreement

CONFIDENTIAL

S254J Local Government Regulation 2012 - Closed Meetings

- (1) *A local government may resolve that all or part of a meeting of the local government be closed to the public.*
- (3) *However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—*
 - (d) rating concessions.*

PURPOSE

To review the request from Shoreline Whitsunday CTS34049 Jessies Way, Cannonvale to cancel their Water Charging Agreement with Council and commence water charging in accordance with Council's Sub-Meter Policy.

RESOLUTION OM2022/07/13.26

Moved By: CR A GRUNDY

Seconded By: CR J CLIFFORD

That Council:

- 1. Cancel the Water Charging Agreement between Shoreline Whitsunday CTS 34049 Body Corporate and Whitsunday Regional Council dated March 2013.**
- 2. Charge water usage within Shoreline Whitsunday CTS34049 under Council's Sub-Meter Policy.**

MEETING DETAILS

The motion was Carried 6 / 0.

CARRIED

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**The Meeting closed at 10.52am**

**Confirmed as a true and correct recording this 27 July 2022**

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**Cr Michael Brunker  
ACTING MAYOR**