

MINUTES OF THE SPECIAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ERNEST BROCK ROOM ON 29 JULY 2020 SCHEDULED TO COMMENCE AT 2.45PM

ATTENDANCE

Mayor Cr T D Golder chaired the meeting with Deputy Mayor Cr G B McMullen, Cr J R P Birkett, Cr J L Guthrie, Cr J M Hancock, Cr W L Ladbrook, Cr C J O'Neil, Cr W M Taylor, Chief Executive Officer – Julie Reitano and Minutes Officer – Brittany Lafrenais in attendance.

AS REQUIRED

Deputy Chief Executive Officer/Director Development, Facilities & Environmental Services – Rob Hayward, Director Corporate & Community Services – Sharon Frank, Deputy Director / Strategic Road Management – Cameron Hoffmann, Manager Water, Sewerage & Gas – Graham Sweetlove, Program Funding & Budget Coordinator – Cindy Irwin.

WELCOME

The Mayor welcomed all present and declared the meeting open at 2.57pm.

APOLOGIES

Resolution No. SM/07.2020/103	
Moved Cr O'Neil	Seconded Cr McMullen
I move an apology for Cr. Edwards.	
CARRIED	8/0

DECLARATION OF CONFLICTS OF INTEREST

Cr Guthrie

Item	Subject Heading
C.3	Request for letter of support

Cr Guthrie advised:

I, Cr Julie Guthrie, declare that I have a 'Perceived Conflict of Interest' as defined by the *Local Government Act 2009*, section 175D & E for the agenda item C.3, with the subject heading – Request for letter of support. The personal interest arises because of my relationship with an organisation called Stride. The nature of my relationship with this organisation is that I've been invited to join their consortium as a member and I will be dealing with this matter by leaving the room while the matter is discussed and voted upon.

Mayor Golder asked the Councillors if there were any other conflicts [of interest], Cr McMullen then asked Cr Hancock if she had one from the other day [Ordinary Meeting on 22 July 2020].

Cr Hancock explained that she didn't have a conflict of interest on the bore [in Surat]. It was on consultation.

Cr O'Neil then raised a question in relation to the conflict of interest declaration from Cr Guthrie and the Item number C.3 as the matter declared, with the report being listed under her name.

Cr Guthrie then clarified that the report was only listed under her name because she shared a copy of the email [in relation to the letter of support request to the Councillors and Executive Team] as a point of disclosure.

Cr Guthrie then mentioned that she shared the request for the letter of support, but it could have been anyone that presented the report to Council.

Cr Golder

Item	Subject Heading
8.4	Headspace Roma

Cr Golder advised:

I, Cr Tyson Golder, declare that I have a 'Conflict of Interest' as defined by the *Local Government Act 2009*, section 175D & E for the agenda item 8.4, with the subject heading – Headspace Roma, because I have been invited on the tender panel. I am declaring that I will be dealing with this matter by leaving the room while the matter is discussed and voted upon.

Cr McMullen raised an error with the printing and that the item numbers 8.1, 8.2, 8.3 and 8.4 should have been C.1, C.2, C.3 and C.4 as they are confidential items.

Cr Guthrie stated that therefore the Mayor's conflict of interest will be on C.4 not 8.4.

The Chief Executive Officer then clarified that the changes for the item numbers need to be a manual adjustment and the system defaults to a number.

Mayor Golder then confirmed his declaration of item 8.4 is item C.4.

Cr Hancock raised the question that there were two letters of support for the same [item] and asked why the item C.3 and C.4 were separate [reports]. The Mayor advised that he would be leaving the room [in relation to C.3 and C.4].

The Chief Executive Office advised Councillors that Council may decide to group them.

Cr O'Neil asked Mayor Golder if the two conflicts of interest were the same.

Cr Guthrie advised that they are two different groups, with Cr McMullen adding they are two different identities.

For completeness, Cr Golder advised:

I, Cr Tyson Golder, declare that I have a 'Conflict of Interest' as defined by the *Local Government Act 2009*, section 175D & E for agenda item C.3, and also said C.4, with the subject heading – Request for letter of support, because I have been invited on the tender panel for Headspace and I will be dealing with this matter by leaving the room while the matter is discussed and voted on.

Cr O'Neil raised the question on whether Cr Guthrie would also then have a conflict of interest on item C.4 as well.

Cr Guthrie responded that she wouldn't as she knows nothing about them.

Cr McMullen then added that they are two different things all together.

Cr O'Neil stated he doesn't believe so from his reading of this because the letter of support is for the same Headspace Centre.

Cr McMullen then stated that they are two different groups applying for the job. It called for tenders for groups to take on the position.

Cr O'Neil stated that he accepts that - he is just asking if Cr Guthrie has a conflict then on item C.4, given that they are tendering for the same thing.

Cr Hancock suggested that items C.3 and C.4 be put together when making a decision on [Cr Guthrie added *writing letters of support*] and Cr McMullen adding [two different letters], which Cr Hancock agreed.

Cr O'Neil suggested to Cr Hancock that they would only do that because both C.3 and C.4 relate to the same thing with Cr Hancock adding that the requesting of the letter of support is for the same thing.

Mayor Golder then raised a question for Cr Guthrie whether she thought she should declare a same conflict on that item [Item C.4].

Cr Guthrie stated that she was more than happy to step out for item C.4 as well and to do a declaration of a perceived conflict of interest just for transparency.

Cr Guthrie

Item	Subject Heading
C.4	Headspace Roma

Cr Guthrie advised:

I, Cr Julie Guthrie, declare that I have a 'Perceived Conflict of Interest' as defined by the *Local Government Act 2009*, section 175D & E for the agenda item C.4, with the subject heading of Headspace Roma. The personal interest arises from my relationship with another organisation and the nature of the relationship is that because I've been invited to join a consortium of another organisation that is also vying for the same tender, it could be perceived as perception of conflict or a perception of a conflict of interest. I will be dealing with the matter by leaving the room while the matter is discussed and voted upon.

Mayor Golder asked if there were any other conflicts.

Cr McMullen raised a question that Item C.4 is for two letters anyway. So there is actually three letters for Council's consideration.

Item Number: 5.1 **File Number:** D20/73080

SUBJECT HEADING: COMMUNICATION INFRASTRUCTURE - DUNKELD

Councillor's Title: Cr. Tyson Golder

Executive Summary:

On Sunday 26 July 2020, there was a community meeting held at the Dunkeld Community Hall to discuss the mobile network plans for the Dunkeld community.

Resolution No. SM/07.2020/104

Moved Cr Golder

Seconded Cr Birkett

That Council:

1. **Compile a preliminary submission by 31 July 2020 and liaise with the Dunkeld community for the need for a macro tower sought through the Black Spot funding program, suggesting it could be located at the HCRC [corrected reference] tower near Dunkeld due to flood events, bush fires, remote access and road accidents.**
2. **Write to our Federal Member requesting assistance to / to request that the small cells that have been granted for areas in the Maranoa, be elevated to achieve the maximum coverage possible.**

[Cr Golder amended the wording in point 2 from his original motion following a suggestion by Cr Birkett].

CARRIED

8/0

Responsible Officer

Executive Customer Service Officer - Office of the Mayor/CEO, Chief Executive Officer, Deputy Chief Executive Officer

BUSINESS

Item Number:

6.1

File Number: D20/72653

SUBJECT HEADING:

YULEBA WAR MURAL TREATMENT PROJECT

Officer's Title:

Specialist - Arts & Culture

Executive Summary:

Council in conjunction with the South West Queensland Regional Arts have a small budget (\$12,000) to engage a contractor, to professionally investigate a possible restoration to the Yuleba War Memorial Mural.

With the total cost of the restoration project being \$18,276.50, a shortfall in the budget of \$6,276.50 had been identified. It was requested that this shortfall be drawn from the Arts & Culture Materials and Services Budget GL 02885.2001.2001.

The matter was laid on the table at the Ordinary Meeting held on 22 July 2020, pending receipt of further information. The requested information was previously circulated to Councillors via e-mail and was provided in this report for Council's consideration.

Resolution No. SM/07.2020/105

Moved Cr Birkett

Seconded Cr Guthrie

That Council approves the allocation of funds from the Arts & Culture - Materials and Services Budget, GL (General Ledger) 2885.2201.2001 at a total cost of \$6,276.50 to allow for the completion of this project.

CARRIED

8/0

Responsible Officer

Specialist - Arts & Culture

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss items it has deemed to be of a confidential nature and specifically pertaining to the following sections:

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

Resolution No. SM/07.2020/106	
Moved Cr Hancock	Seconded Cr Ladbrook
That the Committee close the meeting to the public. [at 3.07pm].	
CARRIED	8/0

Cr. Golder, having previously foreshadowed a 'Conflict of Interest' in Items C.3 and C.4 for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the meeting at 3.10pm, taking no part in discussion on the matters.

The Deputy Mayor took the role of 'Acting Chair' in the Mayor's absence.

At cessation of discussion on items C.3 and C.4, Cr Golder returned to the meeting at 3.29pm.

Cr. Guthrie, having previously foreshadowed a 'Perceived Conflict of Interest' in Items C.3 and C.4 for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the meeting at 3.10pm, taking no part in discussion on the matters.

At cessation of discussion on items C.3 and C.4, Cr Guthrie returned to the meeting at 3.29pm.

Cr Edwards joined the meeting in person from 3.25pm and stayed for the remainder of the meeting.

Resolution No. SM/07.2020/107	
Moved Cr O'Neil	Seconded Cr Ladbrook
That the Committee open the meeting to the public [at 3.27pm].	
CARRIED	7/0

The Chief Executive Officer asked Councillors if they would like to resolve to add the items together with Cr O'Neil moving a motion as follows.

Resolution No. SM/07.2020/108	
Moved Cr O'Neil	Seconded Cr Hancock
That Council consider items C.3 and C.4 together.	
CARRIED	7/0
[Cr Hancock seconded this motion, but as this was a procedural motion, no seconder was required]	

Item Numbers (Combined): C.3 File Number: D20/73278
 C.4 File Number: D20/73262

SUBJECT HEADING: HEADSPACE ROMA AND REQUESTS FOR LETTERS OF SUPPORT

Councillor's Title: Cr Julie Guthrie
Officer's Title: Manager - Economic & Community Development

Executive Summary:

Council had been approached to provide letters of support for the Headspace Roma tender that is underway.

Resolution No. SM/07.2020/108	
Moved Cr O'Neil	Seconded Cr Ladbrook
That Council provide a letter to the nominating tenderers, in support of the program.	
CARRIED	7/0

Responsible Officer	Chief Executive Officer / Deputy Chief Executive Officer
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Item Number: C.1 File Number: D20/73252

SUBJECT HEADING: SURAT BORE 1 DRILLING AND CONSTRUCTION

Officer's Title: Manager - Procurement & Plant
Manager - Water, Sewerage & Gas

Executive Summary:

Council publicly invited tenders from suitably qualified and experienced contractors to construct a new bore (Bore 1) at Surat.

Responses were reviewed by an evaluation panel and the report was submitted for Council's consideration.

Resolution No. SM/07.2020/109	
Moved Cr McMullen	Seconded Cr Hancock
That:	
<ol style="list-style-type: none"> 1. Council select <i>Johnson Drilling Australia Pty Ltd</i> as the recommended tenderer for Tender 20028 – Surat Bore 1, Drilling and Construction. 2. Council authorise the Chief Executive Officer (or delegate) to enter into final negotiations with <i>Johnson Drilling Australia Pty Ltd</i>, noting the tender value of \$538,500 (exc GST) plus \$53,850 GST for a total price of \$592,350, and accept the contract if the final terms are acceptable. 3. Expenditure be assigned to Work Order 20802 (Surat Bore). 	
CARRIED	9/0

Responsible Officer	Manager - Procurement & Plant
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Item Number: C.2 **File Number:** D20/73253
SUBJECT HEADING: TENDER 20029 YULEBA BORE 2 DRILLING AND CONSTRUCTION
Officer's Title: Manager - Procurement & Plant
 Manager - Water, Sewerage & Gas

Executive Summary:

Council publicly invited tenders via LGTenderbox from suitably qualified and experienced contractors to construct a new bore (bore 1) at Yuleba.

Responses received were reviewed by an evaluation panel and this report was submitted for Council's consideration.

Resolution No. SM/07.2020/110

Moved Cr McMullen

Seconded Cr Birkett

That:

1. Council select *Johnson Drilling Australia Pty Ltd* as the recommended tenderer for Tender 20029 – Yuleba Bore 2 Drilling and Construction.
2. Council authorise the Chief Executive Officer (or delegate) to enter into final negotiations with *Johnson Drilling Australia Pty Ltd*, noting the tender value of \$349,550 (Exc GST) with GST of \$34,955 for a total sum of \$384,505, and accept the contract if final terms are acceptable.
3. The works are charged to Work Order [WO] 20801.

[Following a query from others' present, Cr McMullen added the words "and accept the contract if final terms are acceptable" to point 2].

CARRIED

9/0

Responsible Officer

Manager - Procurement & Plant

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 3.35pm.

These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 12 August 2020 at 9.00AM.

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 Mayor.

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 Date.