



SPECIAL MEETING

Friday 28th May, 2021

10.00 am

Council Board Room

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Item 1 - Declaration of Opening

On establishing there is a quorum, the Chair will declare the meeting open.

Item 2 - Record of Attendance and Leave of Absence

Elected Members

Mayor Jason Ned
Cr. Antoinette Diamond
Cr. Elijah Douglas
Cr. Myron Johnny
Cr. Athol Walden

Staff

Troy Fraser – Chief Executive Officer
Richard McKeown - Director Engineering
Pam Danaher – PA to CEO/Minute Taker

Absentees

Item 3 - Obligations of Councillors

3.1 PRESCRIBED CONFLICTS OF INTEREST

Pursuant to Chapter 5B, Part 2 Section 150EG when a Councillor has a prescribed conflict of interest – particular gifts or loans

- (1) A Councillor has a prescribed conflict of interest in a matter if –
 - (a) A gift or a loan is given by an entity (the donor) that has an interest in the matter in a circumstance mentioned in subsection (2); and
 - (b) The gift or loan is given during the relevant term for the Councillor; and
 - (c) All gifts, loans or sponsored travel or accommodation benefits under Section 150EH given by the donor to the Councillor, or a close associate of the Councillor, during the Councillor's relevant term total \$2,000 or more.
- (2) For subsection (1)(a), the circumstances are –
 - (a) Where –
 - (i) The donor gives the gift or loan to the Councillor; and
 - (ii) The gift or loan is required to be the subject of a return under the Local Government Electoral Act, Part 6; or
 - (b) Where –
 - (i) The donor gives the gift or loan to a group of candidates for an election when the Councillor is a member of the group, or a political party that endorses the Councillor for an election; and
 - (ii) The Councillor is a candidate in the election; and
 - (iii) The gift or loan is required to be the subject of a return under the Local Government Electoral Act, Part 6 or the Electoral Act Part 11 Division 11; or
 - (c) Where the donor gives a gift to the Councillor, or a close associate of the Councillor, other than in a circumstance mentioned in paragraph (a) or (b).
- (2A) Subsection (3) applies for gifts or loans given by a donor –
 - (a) To a group of candidates when the Councillor is a member of the group; or
 - (b) To a political party that endorses the Councillor.

- (3) For working out the total gifts or loans given by the donor for subsection (1)(a), the amount of each gift or loan given to the group or political party must first be divided by –
- (a) For a group of candidates for an election – the total number of candidates in the group stated in the record of the membership of the group under the Local Government Electoral Act 2011, Section 41; or
 - (b) For a political party endorsing the candidate for an election – the total number of candidates endorsed by the political party in Queensland on the nomination day for the election under the Local Government Electoral Act 2011.

Pursuant to Chapter 5B, Part 2 Section 150EH when a Councillor has a prescribed conflict of interest – sponsored travel or accommodation benefits

- (1) A Councillor has a prescribed conflict of interest in a matter if –
- (a) A sponsored travel or accommodation benefit is given by an entity (the donor) that has an interest in the matter to –
 - (i) The Councillor; or
 - (ii) A close associate of the Councillor; and
 - (b) The sponsored travel or accommodation benefit is given –
 - (i) During the relevant term for the Councillor; and
 - (ii) While the Councillor holds office as Councillor; and
 - (c) All gifts, loans or sponsored travel or accommodation benefits given by the donor to the Councillor or close associate during the Councillor's relevant term total \$2,000.00 or more.
- (1A) Section 150EG(2A) and (3) applies for working out the total gifts or loans given by the donor for subsection (1)(c).

- (2) In this section –
- Employment-related or upgraded, in relation to a person's travel or accommodation, means –
- (a) The travel or accommodation is paid for by the State or a local government; or
 - (b) The travel or accommodation –
 - (i) Is undertaken or used by the person in the course of the person's employment; and
 - (ii) Is contributed to, whether financially or non-financially, by the person's employer; or
 - (c) If the person is a director or a corporation – the travel or accommodation –
 - (i) Is undertaken or used by the person in the course of carrying out the person's duties as a director; and
 - (ii) Is contributed to, whether financially or non-financially, by the corporation; or
 - (d) If the travel is airline travel – an upgrade to the travel is given by the provider of the travel for no charge; or
(example – a free air travel upgrade to business class)
 - (e) An upgrade to the accommodation is given by the provider of the accommodation for no charge.
(example – a free accommodation upgrade to a larger room)

Sponsored travel or accommodation benefit, received by a person, means travel or accommodation undertaken or used by the person, other than employment-related or upgraded travel or accommodation, if –

- (a) Another entity contributed, whether financially or non-financially, to the cost of the travel or accommodation; and
- (b) The other entity is not the person's spouse, other family member or friend.

Pursuant to Chapter 5B, Part 2 Section 150EI when a Councillor has a prescribed conflict of interest – other

A Councillor has a prescribed conflict of interest in a matter if –

- (a) The matter is or relates to a contract between the Local Government and the Councillor, or a close associate of the Councillor, for –
 - (i) The supply of goods or services to the Local Government; or
 - (ii) The lease or sale of assets by the Local Government; or
- (aa) a person who is being considered for appointment as the Chief Executive Officer of the Local Government is a close associate of the Council and the matter is or relates to the appointment of the person; or

- (b) The Chief Executive Officer is a close associate of the Councillor and the matter is or relates to the appointment, discipline, termination, remuneration or other employment conditions of the Chief Executive Officer; or
- (c) The matter is or relates to an application made to the Local Government for the grant of a licence, permit, registration or approval or consideration of another matter under a Local Government Act, if –
 - (i) The application was made to the Local Government by the Councillor or a close associated of the Councillor; or
 - (ii) The Councillor or a close associate of the Councillor makes or has made a written submission to the Local Government in relation to the Application before it is or was decided.

3.2 DECLARABLE CONFLICTS OF INTEREST

Pursuant to Chapter 5B, Part 3 Section 150EN What is a declarable conflict of interest

Subject to section 150EO, a Councillor has a declarable conflict of interest in a matter if -

- (a) The Councillor has, or could reasonably be presumed to have, a conflict between the Councillor's personal interests, or the personal interests of a related party of the Councillor, and the public interest; and
- (b) Because of the conflict, the Councillor's participation in a decision about the matter might lead to a decision that is contrary to the public interest.

3.3 COUNCILLORS TO REVIEW EXISTING REGISTER OF INTERESTS AND RELATED PARTY DISCLOSURE

ITEM 4 - REPORT

4. DIRECTOR OF ENGINEERING REPORT

REPORT AUTHOR: Richard McKeown, Director of Engineering
REPORT APPROVED BY: Troy Fraser, Chief Executive Officer
DEPARTMENT: Infrastructure and Building Works

4.1 QUOTATION FOR RESEAL OF WOOLGARANG EAST ROAD, DOOMADGEE

Results of requests for Quotations have seen Gulf Civil being chosen for the project for the sum of \$401,312.34 due to the fact that no other contractors in the area could not carry out the works prior to 30th June, 2021.

Due to the works being in excess of \$200,000.00 Council is bound to pass a resolution confirming the appointment of Gulf Civil for the works to be carried out.

It is noted that no other Contractor quoted on the works.

Quotation and Evaluation Spreadsheet will be tabled at the Special Council Meeting.

Recommendation: That the Council award the Quotation to Gulf Civil, Civil Engineering & Construction for the reseal of Woolgarang East Road, Doomadgee, in the amount of \$401,312.34 as they are on Local Buy No. BUS 270 and are the only Contractors who can complete the works required prior to 30th June, 2021.

Moved:
Seconded:

ITEM 5 - MEETING CLOSED

Meeting closed at