

**5. CONFIRMATION OF MINUTES**

**5.2 Adopt Special Meeting of Council Minutes 29 August 2022**

The Purpose of this Report is for Council to adopt the Minutes of the Special Meeting of Council held on Wednesday, 29 August 2022

**COUNCIL RESOLUTION**

**Moved By** Cr. A. N. Smith

**Seconded By** Cr. M. J. James

That this Report be received and that:

1. The Unconfirmed Minutes of the Special Meeting of Council held on 29 August 2022, copies of which have been circulated to Members, be taken as read and confirmed.

**CARRIED**



**Special Meeting of Council Minutes**

**Date:** Monday, 29 August 2022  
**Time:** 9:00am  
**Location:** WDRC - Corporate Office - Boardroom  
30 Marble Street, Dalby Qld 4405

**Councillors:**

- Cr. P. M. McVeigh
- Cr. A. N. Smith (Chairperson)
- Cr. K. A. Bourne
- Cr. P. T. Saxelby
- Cr. K. A. Maguire
- Cr. I. J. Rasmussen
- Cr. M. J. James
- Cr. O. G. Moore
- Cr. C. T. Tillman

**Officers:**

- J. Taylor, Chief Executive Office
- G. Cook, General Manager (Infrastructure Services)
- B. Bacon, General Manager (Corporate Services)
- D. Fletcher General Manager (Community and Liveability)
- C. Craig, Senior Executive Officer
- A. Lyell, Executive Services Administration Officer
- H. Wex, Executive Officer to the Mayor

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**1. MEETING OPEN**

Special Meeting of Council - Chinchilla Cultural Centre opened at 9.00am

**Moved by:** Cr. M. J. James

**Seconded by:** Cr. P. T. Saxelby

That Council approves the attendance of Cr. P. M. McVeigh, Cr. K. A. Bourne, Cr. I. J. Rasmussen, and Cr. O. G. Moore by teleconference.

**CARRIED**

**2. APOLOGIES**

NIL.

**3. DECLARATION OF CONFLICT OF INTEREST**

**Moved by:** Cr C. T. Tillman

**Seconded by:** Cr P. M. McVeigh

That Council notes Cr. P. T. Saxelby's participation in Special Council Meeting - Chinchilla Cultural Centre Project, notwithstanding his previous non-participation in the consideration of the Chinchilla Cultural precinct redevelopment and exterior works project which was based on an a previous overly cautious misinterpretation of the conflicts of interest provisions.

**FORESHADOWED MOTION**

Cr. K. A Bourne foreshadowed that if the motion on the floor failed, she would move a motion that Cr P. T. Saxelby's previous Conflict of Interest remains and that he not participate in the meeting.

'I believe that Cr. P. T. Saxelby may potentially have a conflict of interest which I am required by legislation to notify this meeting. The reason for my belief is that he is currently an executive on the Lapunyah Art Gallery Committee and should not participate in the meeting.'

Cr. I. J. Rasmussen left the meeting at 9.34am.

Cr. I. J. Rasmussen re-joined the meeting at 9.36am

**AMENDMENT NO. 1**

**Moved by:** Cr O.G Moore

That Council approves Cr. P. T. Saxelby's participation in Special Council Meeting - Chinchilla Cultural Centre Project, notwithstanding his previous non-participation in the consideration of the Chinchilla Cultural precinct redevelopment and exterior works project which was based on an a previous overly cautious misinterpretation of the conflicts of interest provisions.

The amendment lapsed for want of a seconder.

The **ORIGINAL MOTION** was **PUT** and **LOST** (2 to 6)

**FORESHADOWED MOTION MOVED**

**Moved by:** Cr. K. A. Bourne

**Seconded by:** Cr. K. A. Maguire

I believe that Cr. P. T. Saxelby may potentially have a conflict of interest which I am required by legislation to notify this meeting. The reason for my belief is that he is currently an executive on the Lapunyah Art Gallery Committee and should not participate in the meeting.

**POINT OF ORDER**

Cr. I. J. Rasmussen raised the following Point of Order:

That a foreshadowed motion cannot be amended from original statement

**FORESHADOWED MOTION**

**Moved by:** Cr. M. J. James

Cr. M. J. James foreshadowed that if the motion on the floor failed, she would move:

'I believe that Cr. P. T. Saxelby may potentially have a conflict of interest which I am required by legislation to notify this meeting. The reason for my belief is: that he is currently an executive on the Lapunyah Art Gallery Committee and should participate in the meeting but does not vote.'

The **ORIGINAL MOTION** was **PUT** and **CARRIED** (5 to 3)

Cr. P. T. Saxelby left the meeting at 10.02am

**4. CORPORATE SERVICES**

**4.1 Corporate Services Report - Tender MM16-21-22 for the Chinchilla Cultural Precinct Redevelopment and Exterior Works Projects**

This Report presents the evaluation results and recommendation for the award of Tender MM16-21-22 for the Chinchilla *Cultural Precinct Redevelopment and Exterior Works* projects.

**Moved by:** Cr. I. J. Rasmussen

**Seconded by:** Cr. K. A. Maguire

That council does not proceed with this project at this time due to the extreme financial risk associated with the funding agreement.

**FORESHADOWED MOTION**

Cr. K. A. Bourne foreshadowed that if the motion on the floor failed, she would move:

'That Council resolves to:

1. approve an increase in the combined allocated budgets for the *Chinchilla Cultural Centre Precinct Redevelopment and Exterior Works* by \$1,477,454 (excluding goods and services tax);
2. award tender MM16-21-22:
  - a. *Project 1 Chinchilla Cultural Centre Precinct Redevelopment* to New State Builders Pty Ltd ABN 70 140 266 575 or its negotiated principal contractor; and
  - b. *Project 2 Chinchilla Cultural Centre Precinct Exterior Works* to New State Builders Pty Ltd ABN 70 140 266 575; and
3. delegate to the Chief Executive Officer the power to make, amend or discharge two (2) contracts to deliver the awarded tender via the two (2) projects:
  - a. *Project 1 Chinchilla Cultural Centre Precinct Redevelopment*; and
  - b. *Chinchilla Cultural Centre Precinct Exterior Works*.'

The **ORIGINAL MOTION** was **PUT** and **LOST** (2 to 6)

**FORESHADOWED MOTION MOVED**

**Moved BY:** Cr. K. A. Bourne

**Seconded by:** Cr. P. M. McVeigh

That Council resolves to:

1. approve an increase in the combined allocated budgets for the Chinchilla Cultural Centre Precinct Redevelopment and Exterior Works by \$1,477,454 (excluding goods and services tax);
2. award tender MM16-21-22:
  - a. *Project 1 Chinchilla Cultural Centre Precinct Redevelopment to New State Builders Pty Ltd ABN 70 140 266 575 or its negotiated principal contractor; and*
  - b. *Project 2 Chinchilla Cultural Centre Precinct Exterior Works to New State Builders Pty Ltd ABN 70 140 266 575; and*
3. delegate to the Chief Executive Officer the power to make, amend or discharge two (2) contracts to deliver the awarded tender via the two (2) projects:
  - a. *Project 1 Chinchilla Cultural Centre Precinct Redevelopment; and*
  - b. *Chinchilla Cultural Centre Precinct Exterior Works.*

**CARRIED (6 to 2)**

**5. MEETING CLOSURE**

The Meeting concluded at 10:43am.