



# **MINUTES**

**Monday, 27 September 2021**

**Special Council Meeting**

**MINUTES OF MAREEBA SHIRE COUNCIL  
SPECIAL COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS  
ON MONDAY, 27 SEPTEMBER 2021 AT 4:00PM**

**1 MEMBERS IN ATTENDANCE**

Cr Kevin Davies, Cr Mary Graham, Cr Angela Toppin (Mayor), Cr Lenore Wyatt, Cr Lachlan (Locky) Bensted, Cr Daniel (Danny) Bird, Cr Mario Mlikota

**2 APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS**

Nil

**3 DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST**

I, **Councillor Angela Toppin**, inform the meeting that I have a declarable conflict of interest as a result of my relationship with Nipper Brown. The interest in this matter is he is the principal of Evy Entertainment Pty Ltd.

Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias because he was simply another candidate for the position of Mayor in the previous Local Government election, noting there is no animosity between us. Therefore I will choose to remain in the meeting. However, I will respect the decision of the meeting on whether I can remain and participate in the decision.

I, **Councillor Kevin Davies**, inform the meeting that I have a declarable conflict of interest as a result of my relationship with Nipper Brown. The interest in this matter is he is the principal of Evy Entertainment Pty Ltd. I ran in the team in which he was the Mayoral candidate at the last local government election.

As a result of the conflict of interest I will leave the meeting room while the matter is considered and voted on.

I, **Councillor Mary Graham**, inform the meeting that I have a declarable conflict of interest as a result of my relationship with Nipper Brown. The interest in this matter is he is the principal of Evy Entertainment Pty Ltd. I ran in the team in which he was the Mayoral candidate at the last local government election.

As a result of the conflict of interest I will leave the meeting room while the matter is considered and voted on.

I, **Councillor Mario Mlikota**, inform the meeting that I have a declarable conflict of interest as a result of my relationship with Nipper Brown. The interest in this matter is he is the principal of Evy Entertainment Pty Ltd. I ran in the team in which he was the Mayoral candidate at the last local government election.

As a result of the conflict of interest I will leave the meeting room while the matter is considered and voted on.

I, **Councillor Lenore Wyatt**, inform the meeting that I have a declarable conflict of interest as a result of my relationship with Nipper Brown. The interest in this matter is he is the principal of Evy Entertainment Pty Ltd.

Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias because he has previously employed my father who has retired but is available to work casual shifts. Therefore I will choose to remain in the meeting. However, I will respect the decision of the meeting on whether I can remain and participate in the decision.

The two unconflicted Councillors then dealt with the declarable conflicts of interest for Councillors Toppin and Wyatt.

**MOTION: DECLARABLE CONFLICT OF INTEREST CR ANGELA TOPPIN**

**RESOLUTION 2021/168**

Moved: Cr Lachlan (Locky) Bensted

That it is in the public interest that Councillor Angela Toppin does not participate and vote on the matter and leaves the room.

**CARRIED**

**MOTION: DECLARABLE CONFLICT OF INTEREST CR LENORE WYATT**

**RESOLUTION 2021/169**

Moved: Cr Bird

Seconded: Cr Lachlan (Locky) Bensted

That it is in the public interest that Councillor Lenore Wyatt participates and votes on the matter because a reasonable person would trust that the final decision is made in the public interest.

**CARRIED**

Given there are insufficient non-conflicted Councillors to form a quorum Council resolved as follows:

**MOTION: CREATION OF AND DELEGATION TO A COMMITTEE OF COUNCIL**

**RESOLUTION 2021/170**

Moved: Cr Bird

Seconded: Cr Lachlan (Locky) Bensted

That Council:

1. Creates a Committee of Council to consider all matters pertaining to tender T-MSC2021-08 Waste Management Services; and
2. Appoints Councillors Bird, Bensted and Wyatt to this Committee; and
3. Appoints Councillor Wyatt as Chair of the Committee; and
4. Delegates authority to this Committee to make all decisions regarding tender T-MSC2021-08 Waste Management Services.

**CARRIED UNANIMOUSLY**

**4 CORPORATE AND COMMUNITY SERVICES**

**4.1 PROBITY AUDITOR ENGAGEMENT**

This matter has been referred to the Committee.

**5 NEXT MEETING OF COUNCIL**

The next meeting of Council will be held at 9.00am on 20 October 2021.

There being no further business, the meeting closed at 4.12pm.

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Cr Angela Toppin

Chairperson