

GYMPIE REGIONAL COUNCIL

MINUTES

of the

SPECIAL MEETING

CHAIRMAN: Cr GC Hartwig (Mayor)

Held in Fossickers Room

Civic Centre

Gympie Q 4570

On Monday, 8 June 2020

At 9.00am



Gympie Regional Council **SPECIAL**

Mayor GC Hartwig (Chairman)

*Crs J Milne, NG Jensen, SA Waldock, BM Devereaux, DH Stewart, HT Smerdon,
WA Polley and RA Fredman.*

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The meeting commenced at 9.02am.

PRESENT: Mayor Cr GC Hartwig (Chairman), Crs J Milne, NG Jensen, SA Waldock, BM Devereaux, DH Stewart, HT Smerdon, WA Polley and RA Fredman.

Also in attendance were Acting Chief Executive Officer (Ms P Gordon), Acting Director Corporate Services/CFO (Mr D Lewis), Acting Director Planning (Mr M Ball), Acting Director Economic and Community Development (Ms S Cormack), Manager - Governance (Mr B Hayes) and Minutes Clerk (Ms T Byrne).

SECTION 1: APOLOGIES / LEAVE OF ABSENCE

SECTION 2: DISCLOSURE OF INTERESTS

The Mayor asked if any Councillor needed to disclose an interest in any agenda item.

Nil

SECTION 3: OFFICE OF THE CEO

3.1 Request for Information by Subcontractors of Ri-Con Contractors Pty Ltd

PORTFOLIO: Governance and ICT

DIRECTORATE: Office of the CEO

DOC ID:

LINKS TO CORPORATE/OPERATIONAL PLAN

STRATEGIC THEMES:

5. Our Organisation - accountable, responsive, efficient and innovative

1. BACKGROUND AND PREVIOUS COUNCIL CONSIDERATION

In January 2020 Sunshine Coast builder Ri-Con Contractors Pty Ltd went into liquidation leaving debts to subcontractors and secured creditors. This included local Gympie sub-contractor O'Brien Plumbing who was among those impacted for work undertaken at the Kilkivan Equestrian Centre and the Gympie Youth Hub.

At its Ordinary Meeting on 4 March 2020, Council resolved via minute M10/03/20:

"That council instructs the CEO to cooperate fully with any official investigation relating to the collapse of Ricon, by providing all information and any documents that relate to the investigation and that staff be instructed by the CEO to assist and cooperate with official investigators at all times. "

2. REPORT

In their efforts to recoup outstanding payments owing to them a request has been made by O'Brien Plumbing to Council to produce the following information:

1. Copies of the statutory declarations or any documents that Ri-Con submitted to Council in regard to payments
2. A copy of the insurance policy Ri-Con gave for both the Kilkivan Equestrian Centre and The Gympie Youth Hub Projects
3. A copy of the tender document pack that was sent to Ri-Con Contractors for both the Kilkivan Equestrian Centre and The Gympie Youth Hub Projects.

With respect to item 2 above, Council requests copies of Certificates of Currency for various insurances required via the tendering process. Council is not in possession of any insurance policy document(s) in relation to the above matter.

Further to Council resolution on 4 March 2020, to assist local subcontractors, it is proposed that Council extends the aforementioned minute to include *"That the Acting CEO be authorised and requested to assist and cooperate with subcontractors in their efforts to recoup outstanding payments owed to them by releasing the following information:*

- 1. Copies of the statutory declarations or any documents that Ri-Con submitted to Council in regard to payments*
- 2. A copy of the insurance related Certificates of Currency Ri-Con gave for both the Kilkivan Equestrian Centre and The Gympie Youth Hub Projects*
- 3. A copy of the tender document pack that was sent to Ri-Con Contractors for both the Kilkivan Equestrian Centre and The Gympie Youth Hub Projects."*

3. BUDGET IMPLICATIONS

There is a risk that Ri-Con Contractors Pty Ltd may take legal action against Council for disclosing information.

4. POLICY IMPLICATIONS

There are no policy implications.

5. CONSULTATION

Officers have sought legal advice on the release of the information

6. CONCLUSION

Further to Council resolution on 4 March 2020, to assist local subcontractors, it is proposed that Council extends its assistance and cooperation to be inclusive of subcontractors.

M01/06/20

Moved Cr HT Smerdon

Seconded Cr DH Stewart

That the Acting CEO be authorised and requested to assist and cooperate with subcontractors in their efforts to recoup outstanding payments owed to them by releasing the following information:

- 1. Copies of the statutory declarations or any documents that Ri-Con submitted to Council in regard to payments.**
- 2. A copy of the insurance related Certificates of Currency Ri-Con gave for both the Kilkivan Equestrian Centre and The Gympie Youth Hub Projects.**
- 3. A copy of the tender document pack that was sent to Ri-Con Contractors for both the Kilkivan Equestrian Centre and The Gympie Youth Hub Projects.**

Carried

FOR: Cr HT Smerdon, Cr DH Stewart, Cr RA Fredman, Cr NG Jensen, Cr GC Hartwig, Cr SA Waldock, Cr WA Polley, Cr BM Devereaux and Cr J Milne

AGAINST: Nil

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There being no further business the meeting closed at 9.09am.

Confirmed this TWENTY-FOURTH day of JUNE 2020



Cr GC Hartwig
CHAIRMAN