



SPECIAL MEETING AGENDA

21 January 2020

NOTICE OF MEETING

A Special Meeting of the Shire of Cue

To be held on 21 January 2020

in the Council Chambers commencing at 6.30 PM

The purpose of the Meeting is to consider the following items:

- **Consider tenders for the supply of hired road construction plant with operators for flood damage works**
- **Consider tenders for the supply of contract flood damage supervisor for flood damage works**
- **Consider quotes for town streets resealing works.**

Rob Madson

Chief Executive Officer

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations, which have not yet been adopted by Council.

SHIRE OF CUE**DISCLOSURE OF FINANCIAL INTEREST AND INTERESTS AFFECTING IMPARTIALITY**

To: Chief Executive Officer

As required by section 5.65(1)(a) or 5.70 of the Local Government Act 1995 and Council's Code of Conduct, I hereby declare my interest in the following matter/s included on the Agenda paper for the Council meeting to be held on _____ (Date)

Item No.	Subject	Details of Interest	Type of Interest Impartial/Financial	*Extent of Interest

(see below)

* Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions of the decision making process (see item 6 below). Employees must disclose extent of interest if the Council or Committee requires them to.

Name (Please Print)

Signature

Date

NB

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have declared an interest is discussed, Section 5.65(1) (a) & (b).
2. It remains Councillors'/Employees' responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor's/Employee's responsibility to ensure the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. The responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are confirmed.
5. It is recommended that when previewing Agenda, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of the Council. Where Councillors request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor's application.

Remember: The responsibility to declare an interest rests with individual Councillors / Employees. If in any doubt seek legal opinion or, to be absolutely sure, make a declaration.

Office Use Only: Date/Initials

1. Particulars of declaration given to meeting _____
2. Particulars recorded in the minutes: _____
3. Signed by Chief Executive Officer _____

Local Government Act 1995 - SECT 5.23**Meetings generally open to the public**

5.23.(1) Subject to subsection (2), the following are to be open to members of the public:

- (a) All Council meetings; and
 - (b) All meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following --
- (a) A matter affecting an employee or employees;
 - (b) The personal affairs of any person;
 - (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) A matter that if disclosed, would reveal;
 - (i) A trade secret;
 - (ii) Information that has a commercial value to a person; or
 - (iii) Information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) A matter that if disclosed, could be reasonably expected to;
 - (i) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) Endanger the security of the local government's property; or
 - (iii) Prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
 - (g) Information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
 - (h) Such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

SHIRE OF CUE

REVOKING OR CHANGING DECISIONS MADE AT COUNCIL MEETINGS

Local Government (Administration) Regulations 1996 (**Regulation No.10**)

If a previous Council decision is to be changed then support for a revocation motion must be given by an **Absolute Majority** of Councillors (that is at least 4 Councillors) if a previous attempt to rescind has occurred within the past three months or, if no previous attempt has been made the support must be given by at least **1/3rd** of all Councillors (that is at least 4 Councillors).

Regulation 10(1a) also requires that the support for revocation must be in writing and signed by the required number of Councillors, including the Councillor who intends to move the revocation motion.

Any revocation motion must be carried by the kind of vote that put the motion into place in the first instance (that is, if carried originally by an Absolute Majority or Special Majority vote then the revocation motion must also be carried by that same kind of vote).

If the original motion was carried by a Simple Majority vote then any revocation motion must be carried by an Absolute Majority vote.

To the Presiding Member,

The following Councillors give notice of their support for the bringing forward to the Council meeting to be held on _____ of a motion for revocation of Council resolution number _____ as passed by the Council at its meeting held on _____

Councillor's Names

Councillor's Signature

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**SHIRE OF CUE
Special Council Meeting
AGENDA**

To be held in the Council Chambers, 73 Austin Street Cue on
Tuesday 21 January 2020 commencing at 6:30pm

1.	DECLARATION OF OPENING	6
2.	APOLOGIES AND APPROVED LEAVE OF ABSENCE	7
3.	DISCLOSURE OF MEMBERS' INTERESTS.....	7
4.	PUBLIC QUESTION TIME.....	7
5.	CONFIRMATION OF MINUTES.....	7
6.	APPLICATIONS FOR LEAVE OF ABSENCE	7
7.	DEPUTATIONS.....	7
8.	PETITIONS	7
9.	ANNOUNCEMENTS WITHOUT DISCUSSION	7
10.	REPORTS	7
11.	MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	7
12.	MOTIONS FOR CONSIDERATION AT THE NEXT MEETING	7
13.	NEW BUSINESS OF AN URGENT NATURE.....	7
14.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	8
14.1	TENDER – FLOOD DAMAGE ROAD CONSTRUCTION PLANT WITH OPERATORS.....	8
14.2	TENDER – FLOOD DAMAGE CONTRACT SUPERVISOR.....	9
14.3	TOWN STREETS RESEALING QUOTES	10
15.	CLOSURE.....	10

1. DECLARATION OF OPENING

The Presiding Member welcomed those present and read the following disclaimer:

No responsibility whatsoever is implied or accepted by the Shire of Cue for any act, omission or statement or intimation occurring during this Meeting.

It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of council's decision, which will be provided within fourteen (14) days of this Meeting.

PRESENT:

Councillor Les Price, Deputy Shire President (Presiding Member)

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Leonie Fitzpatrick

Councillor Fred Spindler

Councillor Liz Houghton

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Ms Tracy Bachraty, Customer Service Officer

GALLERY:

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Councillor Ross Pigdon, Shire President

3. DISCLOSURE OF MEMBERS' INTERESTS

4. PUBLIC QUESTION TIME

5. CONFIRMATION OF MINUTES

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. DEPUTATIONS

8. PETITIONS

9. ANNOUNCEMENTS WITHOUT DISCUSSION

10. REPORTS

11. MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12. MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

13. NEW BUSINESS OF AN URGENT NATURE

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

<i>Council Decision:</i>	Voting requirement: Simple Majority
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MOVED:	SECONDED:
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That the meeting be closed to members of the public to discuss confidential matters.

CARRIED:

14.1 TENDER – FLOOD DAMAGE ROAD CONSTRUCTION PLANT WITH OPERATORS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell – Deputy Chief Executive Officer

DATE: 16 January 2020

Matters for Consideration:

Awarding of the tender RFT 2019-02 for the supply of plant and operators for road flood damage repair works AGRN863.

<i>Council Decision:</i>	Voting requirement: Simple Majority
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MOVED:	SECONDED:
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CARRIED:

14.2 TENDER – FLOOD DAMAGE CONTRACT SUPERVISOR

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 16 January 2020

Matters for Consideration:

Awarding of the tender RFT 2019-03 for the supply of contract supervisor for flood damage repair works AGRN863.

<i>Council Decision:</i>	Voting requirement: Simple Majority
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MOVED:	SECONDED:
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CARRIED:

14.3 TOWN STREETS RESEALING QUOTES

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 16 January 2020

Matters for Consideration:

Consider quotes for the resealing of Cue Town Streets using ten millimetre micro-surfacing slurry seal.

<i>Council Decision:</i>	Voting requirement: Simple Majority
MOVED:	SECONDED:
CARRIED:	

<i>Council Decision:</i>	Voting requirement: Simple Majority
MOVED:	SECONDED:
That the meeting be reopened to members of the public.	
CARRIED:	

15. CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at

<p>To be confirmed at Ordinary Meeting on the 18 February 2020</p> <p>Signed:.....</p> <p>Presiding Member at the Meeting at which time the Minutes were confirmed</p>
