



SPECIAL MEETING MINUTES

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

**SHIRE OF CUE
Special Council Meeting
MINUTES**

Held in the Council Chambers, 73 Austin Street Cue on
Tuesday 21 January 2020 commencing at 6:32pm

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1. DECLARATION OF OPENING 6.32PM

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

*via Telephone Conference

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Ms Tracy Bachraty, Customer Service Officer

GALLERY:

Ms Catherine Willett

1.1 ATTENDANCE BY TELEPHONE CR HOGBEN

APPLICANT: Cr Ron Hogben
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 21 January 2020

Matters for Consideration:

Attendance at Council meeting by telephone.

Background:

Cr Hogben has requested permission to attend the January Special Council meeting by teleconference.

Comments:

Nil

Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 5.25

5.25 . Regulations about council and committee meetings and committees

(1) *Without limiting the generality of section 9.59, regulations may make provision in relation to — ...*

(ba) the holding of council or committee meetings by telephone, video conference or other electronic means; and ...

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 14A

14A . Attendance by telephone etc. (Act s. 5.25(1)(ba))

(1) *A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —*

(a) *the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and*

(b) *the person is in a suitable place; and*

(c) *the council has approved* of the arrangement.*

(2) A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person (other than a person with a disability) who was not physically present was taken to be present in accordance with this regulation.

(3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.

(4) In this regulation —

disability has the meaning given in the **Disability Services Act 1993 section 3**;

suitable place —

(a) in relation to a person with a disability — means a place that the council has approved* as a suitable place for the purpose of this paragraph; and

(b) in relation to any other person — means a place that the council has approved* as a suitable place for the purpose of this paragraph and that is located —

(i) in a townsite or other residential area; and

(ii) 150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;

Policy Implications:

Nil

Financial Implications:

The cost of the telephone call will be borne by the Shire. Cr Hogben will be entitled to receive a meeting attendance fee.

Strategic Implications:

Nil

Consultation:

Shire President – Cr Ross Pigdon

Officer's Recommendation:

Voting Requirement: Absolute Majority

1. *That Council approves of Cr Hogben's private office at his residence at 1 Calamar Place Woorree as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Hogben to attend this meeting by instantaneous communications in the form of a teleconference.*

Council Decision: 01012020

Voting requirement: Absolute Majority

MOVED: CR DENNIS

SECONDED: CR SPINDLER

CARRIED: 5/0

Cr Hogben joined the meeting by telephone conference at 6.49pm

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Councillor Ross Pigdon, Shire President

3. DISCLOSURE OF MEMBERS' INTERESTS

NIL

4. PUBLIC QUESTION TIME

NIL

5. CONFIRMATION OF MINUTES

NIL

6. APPLICATIONS FOR LEAVE OF ABSENCE

NIL

7. DEPUTATIONS

NIL

8. PETITIONS

NIL

9. ANNOUNCEMENTS WITHOUT DISCUSSION

NIL

10. REPORTS

NIL

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

NIL

12. MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

NIL

13. NEW BUSINESS OF AN URGENT NATURE

NIL

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Council Decision: 02012020	Voting requirement: Simple Majority
MOVED: CR HOUGHTON	SECONDED: CR HOGBEN
That the meeting be closed to members of the public to discuss confidential matters.	
CARRIED: 6/0	

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.

Council Decision: 03012020	Voting requirement: Simple Majority
MOVED: CR DENNIS	SECONDED: CR HOUGHTON
<i>That Council award the tender RFT 2019-02 for Supply of Plant and Operators for Road Flood Damage Repairs to Lacy Bros Pty Ltd, with the contract having an estimated value of \$3,589,425.00 + GST as calculated by submitted rates.</i>	
CARRIED: 5/1	
AGAINST: CR SPINDLER	

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.

Council Decision: 04012020 **Voting requirement: Simple Majority**

MOVED: CR FITZPATRICK **SECONDED: CR HOUGHTON**

That Council award the tender RFT 2019-03 for Supply of Contract Supervisor for Flood Damage Repairs to General Terrain Services (Greg Smith), with the contract having an estimated value of \$223,070.00 + GST as calculated by submitted rates.

CARRIED: 6/0

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.

Council Decision: 05012020	Voting requirement: Simple Majority
MOVED: CR SPINDLER	SECONDED: CR DENNIS
<i>That Council award the quote for Micro-surfacing Cue Town Streets to Colas Solutions Pty Ltd.</i>	
CARRIED: 6/0	

Council Decision: 06012020	Voting requirement: Simple Majority
MOVED: CR HOUGHTON	SECONDED: CR FITZPATRICK
That the meeting be reopened to members of the public.	
CARRIED: 6/0	

15. CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 7.44pm

<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>
