



SPECIAL MEETING Minutes

27 January 2021

NOTICE OF MEETING

A Special Meeting of the Shire of Cue

To be held on 27 January 2021

in the Council Chambers commencing at 6.30 PM

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

- **Considering quotes for the Wilgie Mia Road sealing
(Matter will be behind closed doors)**

Rob Madson

Chief Executive Officer

SHIRE OF CUE
Special Council Meeting
Minutes

To be held in the Council Chambers, 73 Austin Street Cue on
Tuesday 27 January 2021 commencing at 6:30pm

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1. DECLARATION OF OPENING 6.39PM

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 Ross Pigdon, Shire President

Councillor Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Leonie Fitzpatrick

Councillor Liz Houghton

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Mr Glenn Boyes, Manager Finance

Ms Tracy Bachraty, Customer Service Officer

GALLERY:

1.1 ATTENDANCE BY TELECONFERENCE CR PRICE

APPLICANT: Cr Les Price
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 27 January 2021

Matters for Consideration:

Attendance at Council meeting by teleconference.

Background:

Cr Price 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 town site 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 call will be borne by the Shire. Cr Price 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 Price's private office at his residence at Unit 1, 18 Robert Street, Como as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Price to attend this meeting by instantaneous communications in the form of a teleconference.*

Council Decision: 01012021**Voting requirement: Absolute Majority****MOVED: Cr Fitzpatrick****SECONDED: Cr Dennis**

1. *That Council approves of Cr Price's private office at his residence at Unit 1, 18 Robert Street, Como as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Price to attend this meeting by instantaneous communications in the form of a teleconference.*

CARRIED: 4/0**1.2 ATTENDANCE BY TELECONFERENCE CR HOUGHTON**

APPLICANT: Cr Liz Houghton

DISCLOSURE OF INTEREST: Nil

AUTHOR: Rob Madson –Chief Executive Officer

DATE: 27 January 2021

Matters for Consideration:

Attendance at Council meeting by teleconference.

Background:

Cr Houghton 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 ...

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(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 town site 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 call will be borne by the Shire. Cr Houghton 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 Houghton's private office at her residence at 10 Audrey Court, High Wycombe, as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Houghton to attend this meeting by instantaneous communications in the form of a teleconference.*

Council Decision: 02012021**Voting requirement: Absolute Majority****MOVED: Cr Fitzpatrick****SECONDED: Cr Houghton**

1. *That Council approves of Cr Houghton's private office at her residence at 10 Audley Court, High Wycombe, as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Houghton to attend this meeting by instantaneous communications in the form of a teleconference.*

CARRIED: 4/0

Cr Price entered the meeting at 6.40pm via zoom.

Cr Houghton entered the meeting at 6.41pm via telephone conference.

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Councillor Fred Spindler

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: 03012021** **Voting requirement: Simple Majority****MOVED: CR FITZPATRICK** **SECONDED: CR DENNIS**

That the meeting be closed to members of the public to discuss confidential matters.

CARRIED: 5/1**AGAINST: CR HOUGHTON****14.1 QUOTES – WILGIE MIA ROAD SEALING**

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Rob Madson – Chief Executive Officer

DATE: 25 January 2021

Matters for Consideration:Consideration of quotes for the supply and laying of 88,000m² of bitumen on Wilgie Mia Road.**Council Decision: 04012021** **Voting requirement: Simple Majority****MOVED: CR DENNIS** **SECONDED: CR HOGBEN**That Council accept the quote from Bitutek Pty Ltd to supply and lay 88000m² of bitumen on Wilgie Mia Road at a total estimated value of \$317,000 + GST as calculated by submitted rates.**CARRIED: 4/2****AGAINST: CR HOUGHTON, CR FITZPATRICK****Council Decision: 05012021** **Voting requirement: Simple Majority****MOVED: CR FITPATRICK** **SECONDED: CR PRICE**

That the meeting be re-opened 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 7.04PM

To be confirmed at Ordinary Meeting on the 15 September 2020

Signed:.....

Presiding Member at the Meeting at which time the Minutes were confirmed