

Special General Council Meeting

Meeting of the Central Highlands Regional Council held
in the **Council Chambers, 65 Egerton Street, Emerald**
on

Monday, 11 February 2019
Commenced at 8.00am

COUNCIL MINUTES

unconfirmed

CENTRAL HIGHLANDS REGIONAL COUNCIL

SPECIAL GENERAL MEETING OF COUNCIL

MONDAY 11 FEBRUARY 2019

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Unconfirmed

MINUTES – SPECIAL GENERAL COUNCIL MEETING
HELD AT 8.00AM MONDAY 11 FEBRUARY 2019 IN THE CENTRAL HIGHLANDS REGIONAL
COUNCIL CHAMBERS, EMERALD OFFICE

PRESENT

Councillors

Councillor (Crs) K. Hayes (Mayor), G. Godwin-Smith (Deputy Mayor)
Councillors (Crs) C. Brimblecombe, M. Daniels, A. McIndoe, G. Nixon, C. Rolfe and G. Sypher

Officers

Chief Executive Officer S. Mason, General Manager Communities D. Fletcher, Acting General Manager Corporate Services R. Ferguson, General Manager Customer and Commercial Services M. Webster, General Manager Infrastructure and Utilities G. Joubert, Manager Recreation and Parks J. Bryant, Minute Secretary M. Wills

Attendance

Cr Godwin-Smith attended the meeting at 8.01am

APOLOGIES

Cr Bell AM is an apology for the meeting as he is representing Central Highlands Regional Council at a Comet State Primary School event this morning.

Resolution:

Cr Nixon moved and seconded by Cr Brimblecombe “That a leave of absence be granted for Cr Bell for today’s meeting be recorded.”

2019 / 02 / 11 / 001

Carried (8-0)

MATERIAL PERSONAL INTEREST, CONFLICT OF INTEREST, PERSONAL GIFTS AND BENEFITS

Cr McIndoe declared that he has a conflict of interest in this matter McIndoe Amenities Building Construction (as defined by section 175D of the *Local Government Act 2009*) as follows: -

- (a) That McIndoe Park is a facility that is named after him;

Cr McIndoe determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest. He will best perform his responsibility of serving the overall public interest of the whole of the Council’s area by participating in the discussion and voting on this matter.

However, Cr McIndoe acknowledged that the remaining councillors must now determine, pursuant to section 175E(4) of the *Local Government Act 2009*: -

- (a) Whether he has a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
(b) If so, whether: -
a. He must leave the meeting while this matter is discussed or voted on; or
b. If he may participate in the meeting in relation to the matter, including by voting on the matter.

Cr McIndoe left the meeting at 8.05am

Resolution:

Cr Daniels moved and seconded by Cr Nixon “That Cr McIndoe has a perceived conflict of interest in the matter and, accordingly, must leave the meeting room, including any place set aside for the public, and stay away while this matter is discussed and voted on.”

2019 / 02 / 11 / 002

Carried (7-0)

Attendance

Chief Executive Officer S. Mason invited Cr McIndoe to return to the meeting at 8.14am
Cr McIndoe returned to the meeting at 8.14am

Attendance

Upon being informed of Council's decision, Cr McIndoe left the meeting at 8.15am

CLOSED SESSION

Into Closed Session

Resolution:

Cr Nixon moved and seconded by Cr Brimblecombe "That Council close its meeting to the public in accordance with Section 275 (1) (e) of the Local Government Regulation 2012 and that Council staff involved in the closed discussions remain in the room."

2019 / 02 / 11 / 003

Carried (7-0)

The meeting was closed at 8.15am

McIndoe Amenities Building Construction

Out of Closed Session

Resolution:

Cr Brimblecombe moved and seconded by Cr Godwin-Smith "That the meeting now be re-opened to the public."

2019 / 02 / 11 / 004

Carried (7-0)

The meeting was opened at 9.23am

Attendance

General Manager Infrastructure and Utilities G. Joubert left the meeting 9.23am

McIndoe Amenities Building Construction

Executive summary:

The report provides details in relation to RAM Constructions request for a project variation for the plumbing component of the McIndoe Park Amenities Building project. The report also notes other variation requests from RAM Constructions and the expected overall impact on the project budget.

Resolution:

Cr Brimblecombe moved and seconded by Cr Godwin-Smith "That Central Highlands Regional Council enter into negotiations with RAM Constructions regarding an increase to the contract sum to reflect the plumbing component, which was excluded from the original tender submission. Further, that the value of the aforementioned works not exceed the amount included on the schedule tabled (solution 2) at this meeting.

Further again, that Council's budget be amended accordingly."

2019 / 02 / 11 / 005

Carried (5-2)

Cr Sypher requested that her vote be recorded against this motion

Attendance

Chief Executive Officer S. Mason invited Cr McIndoe to return to the meeting
Cr McIndoe and General Manager Infrastructure and Utilities G. Joubert returned to the meeting at 9.25am

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 9.26am

CONFIRMED

MAYOR

DATE

Unconfirmed