



Etheridge

Shire Council

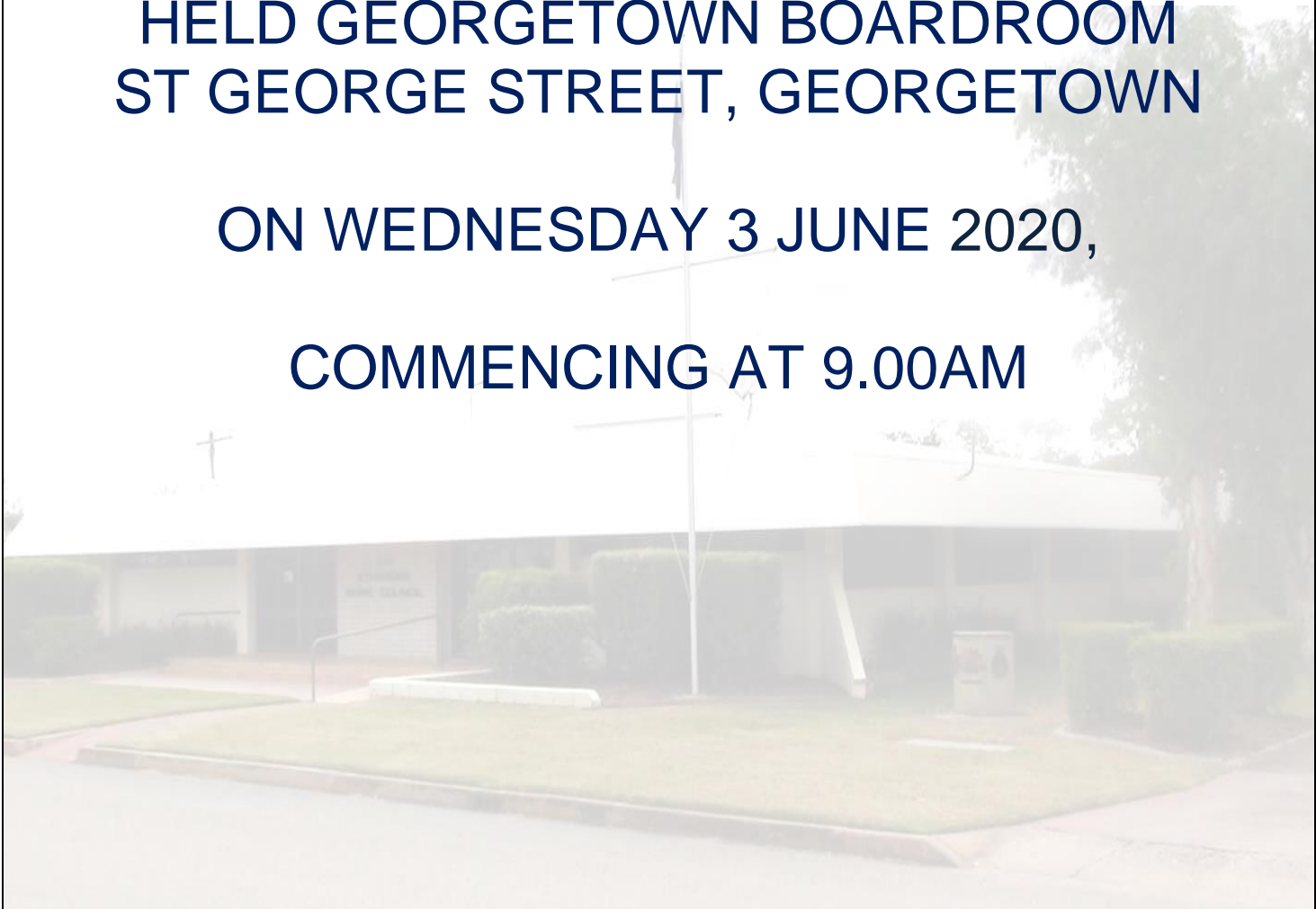
CONFIRMED MINUTES

SPECIAL GENERAL MEETING OF
ETHERIDGE SHIRE COUNCIL

HELD GEORGETOWN BOARDROOM
ST GEORGE STREET, GEORGETOWN

ON WEDNESDAY 3 JUNE 2020,

COMMENCING AT 9.00AM



ETHERIDGE SHIRE COUNCIL

MINUTES OF THE SPECIAL GENERAL MEETING

HELD AT GEORGETOWN BOARDROOM

ON WEDNESDAY 3 JUNE 2020

COMMENCING AT 9.00AM

ATTENDANCE

Crs Barry Hughes, Laurell Royes, Joe Haase, Cameron Barnes, and Tony Gallagher

Cr Royes & Cr Barns attended the meeting via teleconferencing in accordance with S.276 of the Local Government Regulation 2012

OFFICERS PRESENT

Mr. David Munro, Chief Executive Officer

GALLERY

No gallery present at the commencement of the meeting.

The Mayor declared the meeting open at 9:00 am and welcomed all in attendance.

S.276 Teleconferencing

(1) Teleconferencing is the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in discussions as they happen.

(2) A local government may allow a person to take part in a meeting by teleconferencing.

(3) A councillor taking part in a meeting by teleconferencing is taken to have attended the meeting if—

- (a) the councillor was simultaneously in audio contact with each other person at the meeting; and*
- (b) the local government approved the teleconferencing arrangement.*

RESOLUTION

That Council:

Resolve pursuant to section 276 (3)(b) of the Local Government Regulation 2012 to approve teleconferencing arrangements for the Special General Meeting and furthermore in accordance with S.276 (2) of the Local Government Regulation 2012 allow Cr Royes & Cr Barns to take part in the Special General Meeting dated 3 June 2020.

MOVED: Cr. Haase

SECONDED: Cr. Hughes

CARRIED
RESOLUTION NO.2020/GM2892
4/1

Cr Gallagher voted against the motion, however Cr Gallagher does not object to teleconferencing into a General Meeting, but objects to teleconferencing into a closed session of council.

ACKNOWLEDGEMENT TO COUNTRY

We would like to acknowledge the traditional owners of this land and pay our respects to the Elders past, present and future for they hold the history, cultural practice and traditions, of their people.”

APOLOGIES, CONDOLENCES & CONGRATULATIONS

No apologies

DECLARATIONS OF INTERESTS – ITEM GMCCS1

IDENTIFICATION OF POSSIBLE CONFLICTS OF INTEREST OR MATERIAL PERSONAL INTERESTS RELATED TO THIS ITEM:

Declarations:

CONFLICTS OF INTEREST

Cr Gallagher declared that he may have a (perceived) conflict of interest (as defined by the Local Government Act 2009, section 175D) in Item GMCCS1 as Cr Gallagher determined that he is the owner of a small business which is partially supported by tourism, however Cr Gallagher believes 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 and advised that 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, he 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: -
 - i. he must leave the meeting while this matter is discussed or voted on; or
 - ii. he may participate in the meeting in relation to the matter, including by voting on the matter:

RESOLUTION

That Council:

Resolve pursuant to section 175E(4) of the Local Government Act 2009, that Cr Gallagher does not have a perceived conflict of interest in Item titled “Capital Works - Terrestrial Upgrade” and furthermore that Cr Gallagher may participate in the meeting in relation to the matter, including voting on the matter.

MOVED: Cr. Haase

SECONDED: Cr. Royes

CARRIED
RESOLUTION NO.2020/GM2893
3/0

CONFLICTS OF INTEREST

Cr Hughes declared that he may have a (perceived) conflict of interest (as defined by the Local Government Act 2009, section 175D) in Item GMCCS1 as Cr Hughes is the President of the Gulf Cattleman’s Association The Gulf Cattleman’s Association provided a donation to Council for the upgrade of the Terrestrial Centre however Cr Hughes believes 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 and advised that 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, he 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: -
 - i. he must leave the meeting while this matter is discussed or voted on; or
 - ii. he may participate in the meeting in relation to the matter, including by voting on the matter:

RESOLUTION

That Council:

Resolve pursuant to section 175E(4) of the Local Government Act 2009, that Cr Hughes does have a real conflict of interest in Item titled “Capital Works - Terrestrial Upgrade” and furthermore that Cr Hughes may participate in the meeting in relation to the matter, including voting on the matter.

MOVED: Cr. Haase

SECONDED: Cr. Royes

CARRIED
RESOLUTION NO.2020/GM2894
3/0

The Mayor handed the Chair to the Deputy Mayor (Cr Royes) at 9.10am during the discussions as to whether Cr Gallagher and Mayor Hughes has a real conflict of interest in this matter or a perceived conflict of interest in this matter and to determine whether the Councillors must leave the meeting while this matter is discussed or voted on; or the Councillors may participate in the meeting in relation to the matter, including by voting on the matter.

The Mayor resumed the Chair from the Deputy Mayor (Cr Royes) at 9.30am

SUSPENSION OF STANDING ORDERS

RESOLUTION:

That Council suspends standing orders to move into Closed Session Reports at 9.31am.

MOVED: Cr Gallagher

SECONDED: Cr Royes

CARRIED
RESOLUTION NO.2020/GM2895
5/0

CLOSURE OF MEETING

RESOLUTION:

That in accordance with Section 275(1) e & h of the Local Government Regulation 2012, the meeting be closed to the public to discuss the following matters;

- *Capital Works – Terrestrial Upgrade.*

MOVED: Cr Gallagher

SECONDED: Cr Barns

CARRIED
RESOLUTION NO.2020/GM2896
5/0

RESUMPTION OF STANDING ORDERS

RESOLUTION:

That Council resumes standing orders at 10.20 am.

MOVED: Cr Haase

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2020/GM2897
5/0

CONSIDERATION OF CLOSED REPORTS

GMCCS1.

EXECUTIVE SUMMARY

Council has been advised that it has been successful with its Grant application under the Building Our Regions (Round 5) Program.

As part of the approval process Council needs to acknowledge the Grant and furthermore confirm that it has budgeted for the full financial contribution towards the upgrade of the Terrestrial Centre and that Council is committed to delivering the project, and acknowledges responsibility for any funding shortfall if costs and other contributors change.

RESOLUTION:

That Council:

Resolve the following:

- 1. Council resolves pursuant to section 262 of the Local Government Act 2009, to approve the minor variation to the contract entered into with Richardson Building Services Pty Ltd on [insert date January 2020] for the upgrade and expansion of the Terrestrial Visitor Centre (which incorporates an enclosed 25 seat theatre, café & seating, new front entrance, open display area and furthermore that Council resolve to accept that within the variation of works there is an allowance for the re-design and construction of the accessible access ramp and front stairs to comply with the Queensland Development Code and Building Code of Australia as the existing accessible ramp and stairs did not originally meet the required building standards when the building was first constructed;**
- 2. Council resolves pursuant to section 235 (a) of the Local Government Regulation 2012, that it is satisfied that Richardson Building Services Pty Ltd being the contractor engaged to undertake the upgrade and expansion of the Terrestrial Visitor Centre, is the only supplier reasonably available and able to complete the rectification works in conjunction with the expansion and upgrade of the Centre under the contract and within the approved time frame and budget in accordance with the sound contracting principles.**
- 3. Council resolves pursuant to section 257 of the Local Government Act 2009 and section 238 of the Local Government Regulation 2012, to delegate to the Chief Executive Officer the power to finalise the variation to the contract entered into with Richardson Building Services Pty Ltd for the upgrade and expansion of the Terrestrial Visitor Centre**
- 4. That Council resolve to endorse option “B” for the front façade of the building;**
- 5. That Council resolve to endorse the amended pricing for the upgrade of the Terrestrial Building;**
- 6. That Council resolve to accept the funding provided under the Building our Regions (Round 5) Grant and furthermore that Council confirm that it has budgeted for the full financial contribution towards the upgrade of the Terrestrial Centre and furthermore council is committed to delivering the project, and acknowledges responsibility for any funding shortfall if costs and other contributors change.**

REASONS FOR DECISION

MOVED: Cr Royes

SECONDED: Cr Haase

CARRIED
RESOLUTION NO.2020/GM2898
5/0

CONCLUSION

There being no further business the Mayor declared the Meeting closed at 10.25 am.

These minutes will be confirmed by Council at the General Meeting held on the Wednesday the 17th June 2020.

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MAYOR

...../...../.....
DATE