

**MINUTES OF THE GENERAL MEETING
OF THE BARCALDINE REGIONAL COUNCIL
HELD IN THE COUNCIL CHAMBERS,
71 ASH STREET, BARCALDINE
ON WEDNESDAY 16 JULY 2014
COMMENCING AT 9.05A.M.**

ATTENDANCE

Councillor R Chandler (Mayor) (In the Chair), Councillor J Gray (Deputy Mayor), Councillors G Bettiens, A Cowper, G Peoples, P Mitchell and R Glindemann.

OFFICERS

D Howard (Chief Executive Officer), R Bauer (Executive Manager – Alpha), G Buswell (Executive Manager – Aramac), B Walsh (Executive Manager – Barcaldine), J Ricks (Manager - Engineering Services) and A Newton (Minute Secretary).

PRAYER – Cr. Mitchell read the prayer.

CONDOLENCES

A minute's silence was observed to mark the passing of Mr. John Rutherford formerly of "Crewkerne" Muttaborra, Mrs. Linda Bunt (nee Parnell) formerly of Barcaldine and Mr. Beau Gleeson of "Beaufort" Alpha.

LEAVE OF ABSENCE - Nil

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Mayor acknowledged the traditional owners of the land, past and present.

DECLARATIONS OF COUNCILLORS

Material Personal Interest on any items of Business

Pursuant to Section 173 (2) of the *Local Government Act 2009*, Councillor Bettiens informed the meeting of a material personal interest in relation to Item 3.5.4 and 3.6.3 (as a contractor) and left the meeting during discussions thereon.

Pursuant to Section 173 (2) of the *Local Government Act 2009*, Councillor Gray informed the meeting of a material personal interest in relation to Item 3.5.2 (as a contractor) and left the meeting during discussions thereon.

Pursuant to Section 173 (2) of the *Local Government Act 2009*, Mr. Brett Walsh informed the meeting of a material personal interest in relation to Item 3.1.7 (as a related person) and left the meeting during discussions thereon.

Conflict of Interest

Cr Bettiens – Item 3.6.6:-

"I declare I may have a perceived conflict of interest in this matter, as defined in section 173 of the *Local Government Act 2009*, due to my membership on the Reference Group for the Artie Programme. I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on this matter that is contrary to the public interest. I honestly believe that I will best perform my responsibility of serving the overall public interest of the whole of council's area by participating in this discussion and voting on this matter."

Personal Gifts and Benefits

Cr. Gray declared that she received a scarf as a gift from the Governor of Queensland Penelope Wensley.

Cr. Chandler declared that he received a set of cufflinks as a gift from the Governor of Queensland Penelope Wensley.

BUSINESS

1. CONFIRMATION OF MINUTES

*Summary: The following minutes required confirmation by Council:-
General Meeting – 25 June 2014.*

Resolution: 2014/07/173 **Moved Cr Glindemann** **Seconded Cr Mitchell**
That the minutes of the General Meeting held by Barcaldine Regional Council on the 25 June 2014 be received.

Carried
Unanimous

Resolution: 2014/07/174 **Moved Cr Bettiens** **Seconded Cr Cowper**
That the minutes of the General Meeting held by Barcaldine Regional Council on 25 June 2014 be confirmed.

Carried
Unanimous

2. PETITIONS - Nil

3. REPORTS

3.1 CHIEF EXECUTIVE OFFICER

3.1.1 Councillor Information Bulletin

Summary: From the Chief Executive Officer tabling a list of items sent to Councillors in the Councillor Information Bulletin up to and including 11 July 2014.

Resolution: 2014/07/175 **Moved Cr Glindemann** **Seconded Cr Peoples**
That the report be received.

Carried
Unanimous

3.1.2 Artesian Beef Producers Group – Operation of Barcaldine Saleyards

Summary: From the Chief Executive Officer tabling correspondence from the Artesian Beef Producers Group regarding the operation of the Barcaldine Saleyards.

Resolution: 2014/07/176 **Moved Cr Mitchell** **Seconded Cr Bettiens**
That Council:-

- (a) supports and encourages the utilisation of the Barcaldine Saleyards; and**
- (b) continues to operate the Saleyards by making it available to any interested groups or agents to operate sales for the benefit of producers throughout the whole of Barcaldine Regional Council.**

Carried
Unanimous

3.1.3 Aramac Primary Health Clinic

Summary: From the Chief Executive Officer tabling correspondence from the Central West Hospital and Health Service regarding the proposed concept design and siting for the clinic.

Resolution: 2014/07/177 **Moved Cr Peoples** **Seconded Cr Cowper**
That the Central West Hospital and Health Service be advised that Council has budgeted \$50,000 to build the road infrastructure in McAuliffe Street, Aramac.

Carried
Unanimous

3.1.4 Central West Health Service Regional Plan - Draft Plan

Summary: From the Chief Executive Officer tabling the Central West Health Service Regional Plan Draft from the Central West Hospital and Health Service requesting comments from Council.

Resolution: 2014/07/178 **Moved Cr Gray** **Seconded Cr Bettiens**
That:-

- (a) the draft Central West Health Service Regional Plan be received; and**
- (b) a submission be made highlighting that large rural areas within our region have neither mobile phone or emergency services radio coverage which significantly disadvantages Council's residents with regard to health services.**

Carried
Unanimous

3.1.5 Annual Valuation Effective 30 June 2015

Summary: From the Chief Executive Officer advising that the Valuer-General is seeking Council's opinion on whether a valuation of Barcaldine Regional Council should be undertaken to be effective on 30 June 2015.

Resolution: 2014/07/179 **Moved Cr Cowper** **Seconded Cr Glindemann**
That Council advise the Valuer-General that it believes it should undertake a valuation to be effective on 30 June 2015.

Carried
Unanimous

3.1.6 Interim Management Report

Summary: From the Chief Executive Officer tabling correspondence from Queensland Audit Office advising that the 2014 Interim Audit is complete and forwarding the 2014 Interim Management Report.

Resolution: 2014/07/180 **Moved Cr Peoples** **Seconded Cr Bettiens**
That the report be received.

Carried
Unanimous

At this stage Mr. Brett Walsh declared an interest in the following item and left the meeting during discussions thereon.

3.1.7 Internal Audit Committee and Internal Auditor

Summary: From the Chief Executive Officer advising that Mr. Lionel Walsh has withdrawn as Council's Internal Auditor.

Resolution: 2014/07/181 **Moved Cr Bettiens** **Seconded Cr Mitchell**
That Council :-

- (a) appoints Mr. Bill Ringrose of Ringrose and Button as Internal Auditor; and**
- (b) establishes an Audit Committee and appoints Councillor Phil Mitchell, Councillor Andrew Cowper and Mr. Lionel Walsh as members of the Committee and reimburses the external members of the Committee for their time and costs.**

Carried
Unanimous

At this stage Mr. Brett Walsh returned to the meeting.

3.2 FINANCE

3.2.1 Financial Report – 30 June 2014

Summary: The Financial Report for the period ending 30 June 2014 was presented to Council.

Resolution: 2014/07/182 **Moved Cr Peoples** **Seconded Cr Cowper**
That Council receives the Financial Report for the period ending 30 June 2014.

Carried
Unanimous

3.3 MANAGER ENGINEERING SERVICES

3.3.1 Works Report

Summary: From the Manager Engineering Services submitting for Council's advice and consideration his report on engineering works and environmental matters in Barcaldine, Alpha, Jericho, Aramac and Muttaborra for the period ending 30 June 2014.

Resolution: 2014/07/183 **Moved Cr Cowper** **Seconded Cr Gray**
That the Works Report for the period June 2014 be received.

Carried
Unanimous

The meeting adjourned at 10.00am for morning tea and resumed at 10.30am.

3.4 EXECUTIVE MANAGER - ALPHA

3.4.1 General Information Report

Summary: The Executive Manager's – Alpha report was presented to Council for information.

Resolution: 2014/07/184 **Moved Cr Peoples** **Seconded Cr Gray**
That the Executive Manager's – Alpha General Information Report be received.

Carried
Unanimous

3.4.2 Tenders for Proposed Alpha Swimming Pool

Summary: From the Executive Manager – Alpha advising that at the close of tenders on the 8 July 2014, five (5) tenders were received for the construction of the Alpha Swimming Pool.

Resolution: 2014/07/185 **Moved Cr Glindemann** **Seconded Cr Mitchell**
That Council :-

- (a) receive the tenders and interim report of J. H. Cockerell Pty Ltd for the construction of the Alpha Swimming Pool; and**
- (b) accept the tender from Hutchinson Builders in an amount of \$3,397,399 excluding GST as it was the lowest tender and recommended by the consultant engineer.**

Carried
Unanimous

3.4.3 Acquisition of Native Title Rights and Interests of Lot 1 on SP223511 – Waste Management Facility (Refuse Tip) Purposes

Summary: From the Executive Manager – Alpha tabling correspondence from King and Company Solicitors advising that the amending legislation to facilitate the compulsory acquisition of mining resource interests by Council had been passed by the State and Council could now proceed with the compulsory acquisition of land as required.

Resolution: 2014/07/186 **Moved Cr Cowper** **Seconded Cr Bettiens**
That Council adopt the following resolutions for the compulsory acquisition of the Native Title Rights and Interests of Lot 1 on SP223511 for Waste Management Facility (Refuse Tip) Purposes:

- (A) That in pursuance of the provisions of the *Acquisition of Land Act 1967*, the *Mineral Resources Act 1989*, the *Local Government Act 2009*, the *Native Title Act 1993 (Commonwealth)* and the *Native Title (Queensland) Act 1993* the Council propose to acquire:**
 - (a) all existing native title rights and interests (if any); and**
 - (b) all resource interests, including mining tenement interests,**

in the land described in the schedule (“the Land”) to each of the Notice of Intention to Acquire Native Title Rights and Interests and the Notice of Intention to Resume true copies of which are annexed hereto for waste management facility (refuse tip) purposes.

The reason for the proposed acquisition is that Council intends to use the Land for waste management facility (refuse tip) purposes. Council has determined that it does not have sufficient land available for use for waste management facility (refuse tip) purposes in the relevant locality. The Land has been determined to be the most suitable site within the relevant locality for use for waste management facility (refuse tip) purposes.

The Land is considered most suitable waste management facility (refuse tip) purposes because:-

- (a) infrastructure such as water supply, roads and power are readily available to the Land;
- (b) use of the Land in the manner proposed is compatible with Council's planning scheme;
- (c) use of the Land in the manner proposed is compatible with applicable State planning requirements;
- (d) use of the Land in the manner proposed promotes the efficient delivery of public services and public infrastructure;
- (e) the proposed use of the Land maximises and balances social, economic and environmental benefits to the local community;
- (f) the area and topography of the Land are suitable for the proposed use;
- (g) use of the Land in the manner proposed minimises adverse impacts on natural and historic values in the relevant locality;
- (h) the proposed use of the Land is compatible with adjoining uses of land in terms of urban planning;
- (i) the use of the Land for waste management facility (refuse tip) purposes is consistent with the current use of adjacent land;
- (j) there is a current need for the development of land in the area for waste management facility (refuse tip) purposes;
- (k) the Land is flood free and is not contaminated in any way and there is nothing that would prevent the Land being used for waste management facility (refuse tip) purposes.

(B) That Council serve each of the Notice of Intention to Acquire Native Title Rights and Interests and the Notice of Intention to Resume, true copies of which are annexed hereto in accordance with section 7 of the *Acquisition of Land Act 1967* and thereafter proceed in accordance with the requirements of the said Act with the intent of procuring the publication in the Queensland Government Gazette of a proclamation vesting the Land in Council subject to due consideration of all objections made in accordance with the provisions of the said Act.

(C) The Council further resolves, pursuant to section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer its powers as follows:-

- (a) The power under section 24MD of the *Native Title Act 1993*, section 144 of the *Native Title (Queensland) Act 1993*, and section 7 of the *Acquisition of Land Act 1967* to execute and serve pursuant to section 7 of the *Acquisition of Land Act 1967* Notices of Intention to Acquire Native Title Rights and Interests

upon any and every person who to the knowledge of the Council:-

- (i) will be entitled to claim compensation in respect of the taking of the land/native title rights and interests concerned; or
- (ii) is a mortgagee of the Land.

For the purposes of this resolution the Land means the land/native title rights and interests particularised in the Notice of Intention to Acquire Native Title Rights and Interests a true copy of which is annexed hereto.

- (b) The power under section 7 of the *Acquisition of Land Act 1967* to execute and serve pursuant to section 7 of the *Acquisition of Land Act 1967*, Notice of Intention to Resume upon any and every person who to the knowledge of the Council:-
 - (i) will be entitled to claim compensation in respect of the taking of the Land; or
 - (ii) is a mortgagee of the Land.
- (c) The power to hear the grounds of objection to the taking of any land/native title rights and interests for and on behalf of the Council where such objection is validly made under a Notice of Intention to Acquire Native Title Rights and Interests and prepare a report thereon for the consideration of Council.
- (d) The power to hear the grounds of objection to the taking of any rights and interests in the Land for and on behalf of the Council where such objection is validly made under a Notice of Intention to Resume and prepare a report thereon for the consideration of Council.

Carried
Unanimous

3.5 EXECUTIVE MANAGER - ARAMAC

3.5.1 General Information Report

Summary: The Executive Manager's – Aramac report was submitted to Council for information.

Resolution: **Moved Cr Cowper** **Seconded Cr Peoples**
2014/07/187 **That the Executive Manager's – Aramac General Information Report be received.**

Carried
Unanimous

At this stage Cr. Gray declared an interest in the following item and left the meeting during discussions thereon.

3.5.2 Contractors Plant Hire

Summary: *From the Executive Manager – Aramac submitting a report on submissions for the Standing Offer Arrangement 2014_006 which closed on 16 June 2014.*

Resolution: **Moved Cr Bettiens** **Seconded Cr Glindemann**
2014/07/188 **That Council receive the officer's report and accept the list of suppliers for the 2014/2015 financial year.**

Carried
Unanimous

At this stage Cr. Gray returned to the meeting.

3.5.3 Harry Redford Cattle Drive Income and Expenditure 2014

Summary: *From the Executive Manager – Aramac submitting a report on the Income and Expenditure for the Harry Redford Drive and comparing the last 3 years' results.*

Resolution: **Moved Cr Cowper** **Seconded Cr Bettiens**
2014/07/189 **That Council authorise the transfer of the surplus for the 2013/2014 financial year from the Harry Redford Cattle Drive to the Harry Redford Cattle Drive Reserve.**

Carried
Unanimous

At this stage Cr. Bettiens declared an interest in the following item and left the meeting during discussions thereon.

3.5.4 Approved Contractor List - Services

Summary: *From the Executive Manager – Aramac seeking a recommendation from Council regarding the Approved Contractor List for the 2015 financial year.*

Resolution: **Moved Cr Peoples** **Seconded Cr Cowper**
2014/07/190 **That Council adopts the following Approved Contractor Lists for the year ending 30 June 2015 on the basis that the approved contractors comply with the sound contracting principles as defined in the Local Government Act 2009:**

- (a) Approved Contractor List - Electrical;**
- (b) Approved Contractor List - Building;**
- (c) Approved Contractor List – Plumbing; and**
- (d) Approved Contractor List – Other.**

Carried
Unanimous

At this stage Cr. Bettiens returned to the meeting.

3.6 EXECUTIVE MANAGER – BARCALDINE

3.6.1 General Information Report

Summary: The Executive Manager's – Barcaldine report was submitted to Council for information.

Resolution: 2014/07/191 **Moved Cr Peoples** **Seconded Cr Mitchell**
That the Executive Manager's – Barcaldine General Information Report be received.

Carried
Unanimous

3.6.2 Amended Expenses Reimbursement Policy

Summary: From the Executive Manager – Barcaldine submitting the Expenses Reimbursement Policy to Council for review.

Resolution: 2014/07/192 **Moved Cr Cowper** **Seconded Cr Peoples**
That Council receives the Barcaldine Regional Council Expenses Reimbursement Policy and resolves that it remain as adopted on 15 January 2014.

Carried
Unanimous

At this stage Cr. Bettiens declared an interest in the following item and left the meeting during discussions thereon.

The meeting adjourned for lunch at 1.10pm and resumed at 1.50pm.

3.6.3 Barcaldine Cultural Precinct Tenders

Summary: From the Executive Manager – Barcaldine submitting the revised tenders for the upgrade of the Globe Hotel building for Council's consideration.

Resolution: 2014/07/193 **Moved Cr Gray** **Seconded Cr Peoples**
That the matter be deferred to a future meeting of Council.

Carried
Unanimous

At this stage Cr. Bettiens returned to the meeting.

3.6.4 Planning and Development Report – June 2014

Summary: From the Executive Manager – Barcaldine presenting the Planning and Development and Adopted Infrastructure Charges Notices Report for June 2014 for consideration.

Resolution: 2014/07/194 **Moved Cr Peoples** **Seconded Cr Gray**
That Council receives the Planning and Development Report and the Adopted Infrastructure Charges Notice Report for June 2014.

Carried
Unanimous

3.6.5 2015 Annual Operational Plan

Summary: From the Executive Manager – Barcaldine presenting the 2015 Annual Operational Plan to Council for adoption.

Resolution: 2014/07/195 **Moved Cr Gray** **Seconded Cr Peoples**
That Council adopts the Annual Operational Plan for the year ending 30 June 2015.

Carried
Unanimous

At this stage Cr. Bettiens declared an interest in the following item. Cr. Bettiens remained in the room but took no part in discussions and refrained from voting on the motion.

3.6.6 Former Origin Greats – Use of Council Vehicle

Summary: From the Executive Manager – Barcaldine tabling a request from FOGS for donation of use of a Council vehicle during visits to Barcaldine for Council's consideration.

Resolution: 2014/07/196 **Moved Cr Cowper** **Seconded Cr Peoples**
That Council agrees to donate the use of a Council vehicle during visits by the Former Origin Greats and that the following conditions apply:

- (a) Fuel for the vehicle is the responsibility of the FOGS;**
- (b) The vehicle is to be left in a clean and tidy condition;**
- (c) Only persons authorised by Council are to drive and travel in the vehicle.**

Carried
Unanimous

3.7 RURAL SERVICES MATTERS

3.7.1 Regional Rural Lands Coordinator's Report

Summary: From the Regional Rural Lands Coordinator submitting a summary of lands activities for June 2014.

Resolution: 2014/07/197 **Moved Cr Gray** **Seconded Cr Bettiens**
That Council receives the Regional Rural Lands Coordinator's Report.

Carried
Unanimous

3.8 CONFIDENTIAL REPORTS - Nil

4. CLOSE OF MEETING

As there was no further business, the Mayor declared the meeting closed at 3.10pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

MAYOR: _____

DATED: 20 August 2014
