

**MINUTES OF THE GENERAL MEETING
OF THE BARCALDINE REGIONAL COUNCIL
HELD IN THE COUNCIL CHAMBERS 71 ASH STREET, BARCALDINE
ON WEDNESDAY 13 DECEMBER 2017
COMMENCING AT 9.06AM**

ATTENDANCE

Councillor R Chandler (Mayor) (In the Chair), Councillors J Gray (Deputy Mayor), G Bettiens, S Dillon, M Rogers, B Plumb and G Peoples.

OFFICERS

D Howard (Chief Executive Officer), B Walsh (Chief Operating Officer), G Frangos (Acting District Manager – Alpha and Jericho), I Kuhn (District Manager – Aramac and Muttaborra), J Lawrence (District Manager – Barcaldine), J Ricks (Manager – Engineering Services) and A Newton (Minute Secretary).

PRAYER – Mr. Des Howard read the prayer.

CONDOLENCES

A minute's silence was observed to mark the passing of Mr. Neville Melville formerly of Aramac and Mr. Ramsamy Naidoo of 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 Items 3.2.6, 3.4.1 and the Mayoral Minute (as a contractor) and left the meeting during discussions thereon.

Pursuant to Section 173 (2) of the Local Government Act 2009, Councillor Dillon informed the meeting of a material personal interest in relation to Items 3.4.1 (as a property owner supplying water to a roadworks project) and left the meeting during discussions thereon.

Conflict of Interest

Cr. Dillon for Item 3.5.2:- "I declare I have a real conflict of interest in this matter, as defined in section 173 of the Local Government Act 2009), due to my Committee membership of Alpha Campdraft Association. I propose to exclude myself from this meeting while this matter is debated and the vote is taken."

Cr. Plumb for Item 3.7.2:- "I declare I have a real conflict of interest in this matter, as defined in section 173 of the Local Government Act 2009), due to my Committee membership of Barcaldine Campdraft Association. I propose to exclude myself from this meeting while this matter is debated and the vote is taken."

Cr. Gray for Item 3.6.2:- "I declare I have a real conflict of interest in this matter, as defined in section 173 of the Local Government Act 2009), due to my Committee membership of Muttaborra Golf Club and my sponsorship of the Club. I propose to exclude myself from this meeting while this matter is debated and the vote is taken."

Personal Gifts and Benefits

The Mayor declared that he had received a bottle of liquor from LGAQ Chief Executive Officer Mr. Greg Hallam in appreciation of Council providing him with a vehicle during his recent visit to the area. The Mayor donated the bottle to Council to use for future events.

BUSINESS

1. CONFIRMATION OF MINUTES

*Summary: The following minutes required confirmation by Council:-
General Meeting – 15 November 2017.*

Resolution: 2017/12/291 **Moved Cr Gray** **Seconded Cr Plumb**
That the minutes of the General Meeting held by Barcaldine Regional Council on the 15 November 2017 be received.

Carried
7/0

Resolution: 2017/12/292 **Moved Cr Plumb** **Seconded Cr Peoples**
That the minutes of the General Meeting held by Barcaldine Regional Council on 15 November 2017 be confirmed.

Carried
7/0

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 8 December 2017.

Resolution: 2017/12/293 **Moved Cr Peoples** **Seconded Cr Dillon**
That the report be received.

Carried
7/0

3.1.2 2018 General Meeting Dates

Summary: The Council to consider meeting dates for Council's General Meetings in 2018.

Resolution: 2017/12/294 **Moved Cr Peoples** **Seconded Cr Dillon**
That Council adopts the following dates for General Meetings in 2018 and adopts these dates as the compulsory meeting dates for the purpose of Councillor Remuneration:

17 January 2018	Barcaldine	Council Chambers
21 February 2018	Jericho	Disaster Coordination Centre
21 March 2018	Alpha	Council Chambers
18 April 2018	Muttaburra	Memorial Hall
16 May 2018	Aramac	Council Chambers
27 June 2018 (Budget Adoption)	Barcaldine	Council Chambers
18 July 2018	Barcaldine	Council Chambers
15 August 2018	Muttaburra	Memorial Hall
19 September 2018	Alpha	Council Chambers
17 October 2018	Jericho	Disaster Coordination Centre
21 November 2018	Aramac	Council Chambers
12 December 2018	Barcaldine	Council Chambers

Carried
7/0

3.1.3 Q1 Review – Annual Operational Plan

Summary: The Chief Executive Officer's quarterly progress report on the implementation of the Annual Operational Plan.

Resolution: 2017/12/295 **Moved Cr Peoples** **Seconded Cr Bettiens**
That Council receives the report.

Carried
7/0

3.1.4 Locality Names and Boundaries

Summary: A proposal from the Chief Executive Officer to change Locality names and boundaries to better reflect the community interest.

Resolution: 2017/12/296 **Moved Cr Dillon** **Seconded Cr Gray**
That Council applies to the Department of Natural Resources and Mines (Place Names) to create 5 localities within the Barcaldine Regional Council area and to align the names of the localities with local communities of interest - Alpha, Jericho, Barcaldine, Aramac and Muttaburra.

Carried
7/0

3.1.5 Project Committees

Summary: A proposal from the Chief Executive Officer to establish Project Committees for Council projects.

Resolution: 2017/12/297 **Moved Cr Dillon** **Seconded Cr Plumb**
That Council establishes a Project Committee, with a Councillor as the Chair of the Committee, for each future major project of Council.

Carried
7/0

3.2 CHIEF OPERATING OFFICER

3.2.1 Information Report - December 2017

Summary: From the Chief Operating Officer submitting a report on general matters of interest for the month of December 2017 relevant to the region's operations.

Resolution: 2017/12/298 **Moved Cr Peoples** **Seconded Cr Gray**
That Council receives the Chief Operating Officer's Information Report.

Carried
7/0

3.2.2 Audit Committee Minutes

Summary: The Barcaldine Regional Council Audit Committee minutes are presented for Council's consideration.

Resolution: 2017/12/299 **Moved Cr Plumb** **Seconded Cr Dillon**
That Council receives the minutes of the Barcaldine Regional Council Audit Committee held on 19 October 2017.

Carried
7/0

3.2.3 Acceptable Requests Guidelines

Summary: The amended Councillor Acceptable Requests Guidelines as required by 170A of the Local Government Act 2009 are presented for adoption.

Resolution: 2017/12/300 **Moved Cr Dillon** **Seconded Cr Bettiens**
That Council adopts the Barcaldine Regional Council – Councillor Acceptable Requests Guidelines (as per Attachment 1).

Carried
6/1

3.2.4 Community Forums

Summary: A summary report on the issues raised at the recent community forums.

Resolution: 2017/12/301 **Moved Cr Dillon** **Seconded Cr Plumb**
That Council receives the report.

Carried
7/0

The meeting adjourned for morning tea at 10.35am and resumed at 11.05am.

3.2.5 Approaching 2030

Summary: A summary report on the issues raised at the Community Planning Workshop and future actions to develop a new Community Economic Plan.

Resolution: 2017/12/302 **Moved Cr Bettiens** **Seconded Cr Peoples**
That Council receives the report and prepares a Project Plan to further develop the project.

Carried
7/0

At 11.10am Mr. Warren Williams from Trakgood Consultancy attended the meeting to update Council on the Barcaldine Racecourse Upgrade project. Mr. Williams left the meeting at 12.05pm. Cr. Bettiens left the meeting during discussions as a contractor involved with the project.

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

3.2.6 Planning & Development Report

Summary: The Planning and Development Report for December 2017 is presented for consideration.

Resolution: 2017/12/303 **Moved Cr Peoples** **Seconded Cr Gray**
That Council receives the Planning and Development Report for December 2017.

Carried
6/0

At this stage Cr. Bettiens returned to the meeting.

3.3 FINANCE

3.3.1 Financial Report – 2017

Summary: The financial report for the period ending 4 December 2017 is presented to Council.

Resolution: 2017/12/304 **Moved Cr Plumb** **Seconded Cr Bettiens**
That Council receives the Financial Report for the period ending 4 December 2017.

Carried
7/0

3.4 MANAGER ENGINEERING SERVICES

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

3.4.1 Works Report

Summary: From the Manager of Engineering Services submitting for Council's information, the status of the scopes of work assigned to Engineering Services for the period ending 30 November 2017.

Resolution: 2017/12/305 **Moved Cr Plumb** **Seconded Cr Gray**
That the Works Report for the period November 2017 be received.

Carried
5/0

At this stage Cr. Bettiens and Cr. Dillon returned to the meeting.

3.4.2 Bitumen Tender

Summary: From the Manager of Engineering Services submitting for Council's determination a list of responses received for the supply, cart, heat and spray of bituminous products in the Barcaldine Region, called under Tender 2017-006.

Resolution: 2017/12/306 **Moved Cr Gray** **Seconded Cr Plumb**
That Council endorses the Chief Executive Officer's decision to award the Tender for the 'Supply, Cart, Heat and Spray of Bituminous Products associated with Tender 2017-006 to Road Surfaces Group Pty Ltd and that Rock n Road Bitumen are to be engaged only if Road Surfaces Group cannot provide service in a reasonably requested time frame.

Carried
7/0

3.4.3 Gravel Contract

Summary: From the Manager of Engineering Services submitting for and on behalf of the Chief Executive Officer requesting ratification by Council of the Chief Executive Officer's decision to engage Davidson Livestock Pty Ltd ("Cheshire") on a sole invitee basis to rip and stockpile gravel at Cheshire pit.

Resolution: 2017/12/307 **Moved Cr Bettiens** **Seconded Cr Dillon**
That Council ratifies the Chief Executives decision to engage Davidson Livestock Pty Ltd ("Cheshire") on a sole invitee basis to rip and stockpile gravel at Cheshire pit.

Carried
7/0

3.4.4 E-coli Testing Kits

Summary: From the Manager of Engineering Services, submitting for and on behalf of the Chief Executive Officer, requesting ratification by Council of the Chief Executive Officers decision to purchase E-coli testing kits for Barcaldine and Alpha.

Resolution: 2017/12/308 **Moved Cr Dillon** **Seconded Cr Plumb**
That Council ratifies the Chief Executive Officer's decision to purchase E-coli Testing Kits for Barcaldine and Alpha.

Carried
7/0

3.4.5 Barcaldine Recreational Park - Tender

Summary: From the Manager of Engineering Services, Barcaldine Regional Council, submitting for and on behalf of the Chief Executive Officer requesting ratification by Council of the Chief Executive Officers decision to award the tender for the Design of Recreational Lake (Earthworks) to SMK Consultants.

Resolution: 2017/12/309 **Moved Cr Dillon** **Seconded Cr Bettiens**
That Council ratifies the Chief Executive Officer's decision to award the Tender for the Design of Recreational Lake (Earthworks) to SMK Consultants.

Carried
7/0

At 1.00pm the meeting adjourned for lunch and resumed at 2.20pm.

3.5 ACTING DISTRICT MANAGER – ALPHA AND JERICHO

3.5.1 Information Report

Summary: From the Acting District Manager – Alpha and Jericho submitting the Information Report for information.

Resolution: 2017/12/310 **Moved Cr Peoples** **Seconded Cr Gray**
That the Acting District Manager’s Information Report be received.

Carried
7/0

Cr. Dillon declared an interest in the following item and left the meeting during discussions thereon.

3.5.2 Alpha Golden Oxbow Campdraft

Summary: A request for support for the Alpha Golden Oxbow Campdraft Event 2018.

Resolution: 2017/12/311 **Moved Cr Gray** **Seconded Cr Bettiens**
That Council agrees to provide \$1,000 to the Alpha Rodeo Association Inc. to support the 2018 Alpha Golden Oxbow Campdraft.

Carried
6/0

At this stage Cr. Dillon returned to the meeting.

3.5.3 Alpha Tourism Association Requests

Summary: A letter from Alpha District Tourism Association submitting a concept proposal for an Alpha Beef Museum and Relocation of the Art Gallery to the Shakespeare Street Alpha.

Resolution: 2017/12/312 **Moved Cr Gray** **Seconded Cr Dillon**
That Council receives the correspondence.

Carried
7/0

3.5.4 Alpha Showground User Group Minutes

Summary: The minutes of the Alpha Showground User Group are presented for Council consideration.

Resolution: 2017/12/313 **Moved Cr Dillon** **Seconded Cr Plumb**
That Council receives the Minutes.

Carried
7/0

3.6 DISTRICT MANAGER – ARAMAC AND MUTTABURRA

3.6.1 General Information Report

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

Resolution: 2017/12/314 **Moved Cr Peoples** **Seconded Cr Gray**
That the District Manager's – Aramac and Muttaborra General Information Report be received

Carried
7/0

Cr. Gray declared an interest in the following matter and left the meeting during discussions thereon.

3.6.2 Request for Donation – Muttaborra Golf Club

Summary: A request for assistance has been received from the Muttaborra Golf Club for a cash donation of \$1,000. The purpose of the request is to help promote and assist volunteers for the 90th anniversary of the founding of the Muttaborra Golf Club.

Resolution: 2017/12/315 **Moved Cr Peoples** **Seconded Cr Dillon**
That Council agrees to provide sponsorship of \$1,000 for the 90th anniversary of the founding of the Muttaborra Golf Club.

Carried
6/0

At this stage Cr. Gray returned to the meeting.

3.6.3 Council Housing – Request from Education Queensland

Summary: Requests have been received from Education Queensland to lease Council houses situated at 10 McWhannell Street Aramac, 47 McWhannell Street Aramac, 53 Burt Street Aramac and 22 Edkins Street Muttaborra.

Resolution: 2017/12/316 **Moved Cr Gray** **Seconded Cr Plumb**
That Council approves the requests from Education Queensland to lease Council houses situated at 10 McWhannell Street Aramac, 47 McWhannell Street Aramac, 53 Burt Street Aramac and 22 Edkins Street Muttaborra.

Carried
7/0

3.6.4 Clean Out Aramac Creek

Summary: Due to the current dry weather it is an opportune time to maintain Aramac Creek by the removal of sediment from the bottom of the creek channel at the western side of the bridge at the town entrance on the Aramac-Barcaldine Road.

Resolution: 2017/12/317 **Moved Cr Rogers** **Seconded Cr Bettiens**
That Council:-

- (a) approves an increase of \$10,000 to the 2017/18 expenditure budget to allow for the desilting of Aramac Creek; and**
- (b) obtains a permit or exemption from the Department of Natural Resources and Mines to perform the task.**

Carried
7/0

3.7 DISTRICT MANAGER – BARCALDINE

3.7.1 General Information Report

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

Resolution: 2017/12/318 **Moved Cr Peoples** **Seconded Cr Plumb**
That the District Manager's – Barcaldine General Information Report be received.

Carried
7/0

Cr. Plumb declared an interest in the following matter and left the meeting during discussions thereon.

3.7.2 Barcaldine Campdraft – Waiver of Fees

Summary: Barcaldine Campdraft Association has written to Council requesting waiver of water fees charged for the campdraft held on 22-24 September for the financial sustainability of the Association for future events.

Resolution: 2017/12/319 **Moved Cr Dillon** **Seconded Cr Gray**
That Council waives the water fee of \$434.00 for water used by Barcaldine Campdraft Association.

Carried
6/0

At this stage Cr. Plumb returned to the meeting.

3.7.3 Barcaldine Racecourse Shade

Summary: Barcaldine Racing Club have an opportunity to purchase a second hand shade structure from Blackall St Joseph's School and are asking if Council would contribute 50% towards the purchase and construction over the playground at the Racecourse.

Resolution: 2017/12/320 **Moved Cr Gray** **Seconded Cr Dillon**
That Council makes a contribution of 50% towards the purchase of the shade cover and construction over the playground at the Barcaldine Racecourse.

Carried
7/0

3.8 RURAL SERVICES MATTERS – NIL

3.9 CONFIDENTIAL REPORTS

Procedural Motion

Resolution: 2017/12/321 **Moved Cr Dillon** **Seconded Cr Gray**
That Council move into closed session pursuant to Section 72 of the Local Government Act 2009, for the consideration of staff matters.

Carried
7/0

Procedural Motion

Resolution: 2017/12/322 **Moved Cr Bettiens** **Seconded Cr Gray**
That the meeting move into open session.

Carried
7/0

3.9.1 Contracts of employment - Chief Operating Officer and District Manager - Barcaldine

Summary: Approval for the Mayor and Chief Executive Officer to sign a new contract of employment for the Chief Operating Officer and note a new contract of employment will be signed for the District Manager Barcaldine.

Resolution: 2017/12/323 **Moved Cr Bettiens** **Seconded Cr Dillon**
That Council authorises:

(a) the Mayor and Chief Executive Officer to sign a new contract of employment for the Chief Operating Officer; and

Attachment 1

**Barcaldine Regional Council
Policy**

SYSTEM:	Professional Governance
POLICY TITLE:	Councillor Acceptable Requests Guidelines
ADOPTED:	13 October 2010
AMENDED:	13 December 2017
POLICY NO:	CG011
PURPOSE:	To establish guidelines for dealing with Councillor requests for advice.

Legislation

Section 13(3)(f) of the Local Government Act 2009 provides that the Chief Executive Officer has the following responsibilities: -

- (f) complying with requests from councillors under section 170A —
 - (i) for advice to assist the councillor carry out his or her role as a councillor; or
 - (ii) for information, that the local government has access to, relating to the local government.

Section 170 Giving directions to local government staff

- (1) The mayor may give a direction to the chief executive officer or senior executive employees.
- (2) No councillor, including the mayor, may give a direction to any other local government employee.

Section 170A Requests for assistance or information

- (1) A councillor may ask a local government employee to provide advice to assist the councillor carry out his or her responsibilities under this Act.
- (2) A councillor may, subject to any limits prescribed under a regulation, ask the chief executive officer to provide information, that the local government has access to, relating to the local government.
- (3) Subsection (2) does not apply to information—
 - (a) that is a record of the regional conduct review panel or the tribunal; or
 - (b) if disclosure of the information to the councillor would be contrary to an order of a court or tribunal; or
 - (c) that would be privileged from production in a legal proceeding on the ground of legal professional privilege.
- (4) A request of a councillor under subsection (1) or (2) is of no effect if the request does not comply with the **acceptable requests guidelines**.
- (5) Subsection (4) does not apply to—
 - (a) the mayor; or
 - (b) the chairperson of a committee of the council if the request relates to the role of the chairperson.

- (6) The **acceptable requests guidelines** are guidelines, adopted by resolution of the local government, about—
- (a) the way in which a councillor may ask a local government employee for advice to help the councillor carry out his or her responsibilities under this Act; and
 - (b) reasonable limits on requests that a councillor may make.
- (7) In this section a **local government employee** includes a person prescribed under a regulation.
- (8) The chief executive officer must make all reasonable endeavours to comply with a request under subsection (2)

Section 171 Use of information by councillors

- (1) A person who is, or has been, a councillor must not use information that was acquired as a councillor to—
- (a) gain, directly or indirectly, a financial advantage for the person or someone else; or
 - (b) cause detriment to the local government.
- (2) Subsection (1) does not apply to information that is lawfully available to the public.
- (3) A councillor must not release information that the councillor knows, or should reasonably know, is information that is confidential to the local government.

Acceptable Requests Guidelines

A Councillor may request advice to help the Councillor make a decision from the following employees: -

Chief Executive Officer
Chief Operating Officer
Manager of Engineering Services
District Manager – Alpha & Jericho, Barcaldine, Aramac & Muttaborra

A Councillor's request for advice from an employee, to help the councillor make a decision, must be made in accordance with the following guidelines: -

- The request for advice must be made in writing (letter, memo, facsimile or email) unless the employee receiving the request agrees to accept the request verbally.
- The request for advice must include sufficient information for the employee to provide a detailed response.
- The request for advice must not take the form of an attempt to direct or pressure an employee to prepare a response in a certain manner.
- A Councillor must forward a copy of all requests for advice to the Mayor and Chief Executive Officer.
- An employee must respond in writing and forward a copy of a response to a request to the Mayor and Chief Executive Officer.
- A Councillor must inform the Mayor and Chief Executive Officer if they believe an employee has not appropriately responded to a request for advice.