

**MINUTES OF THE GENERAL MEETING
OF THE BARCALDINE REGIONAL COUNCIL
HELD IN THE COUNCIL CHAMBERS, 43 DRYDEN STREET, ALPHA
ON WEDNESDAY 19 SEPTEMBER 2018
COMMENCING AT 9.10AM**

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

S Boxall (Chief Executive Officer), B Walsh (Deputy Chief Executive Officer), D Howard (District Manager – Alpha and Jericho), F Smallwood (District Manager – Aramac and Muttaborra), J Lawrence (District Manager – Barcaldine), R Rolfe (Chief Engineer) and A Newton (Minute Secretary).

PRAYER – Cr Plumb read the prayer.

CONDOLENCES

A minute's silence was observed to mark the passing of Mr. Thomas (Tom) Horman of Aramac and Mr. Daniel (Dan) Comiskey, former Councillor of Jericho Shire Council, formerly of "Clontarf" 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 Peoples informed the meeting of a material personal interest in relation to Items 3.4.1, 3.4.3, 3.4.4 and 3.5.3 (as his family business [Aramac Cut Price Store] could stand to suffer a gain or loss depending on Council's decision) and left the meeting during discussions thereon.

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 3.4.1, 3.4.3 and 3.6.1 (as Director of Capricorn Plumbing and Drainage could stand to suffer a gain or loss depending on Council's decision) and left the meeting during discussions thereon.

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 3.7.1 (as his business [Capricorn Plumbing and Drainage] could stand to suffer a loss depending on Council's decision) and left the meeting during discussions thereon.

**Resolution:
2018/09/244**

Moved Cr Rogers

Seconded Cr Bettiens

That Council does not deem Councillor Dillon's interest in Item 3.2.7 as an owner of livestock, sufficient enough that he needs to either declare an interest or leave the meeting and that he is entitled to vote on the matter.

**Carried
6/0**

3.1 CHIEF EXECUTIVE OFFICER

3.1.1 Chief Executive Officer Information Report August-September 2018

Summary: The Chief Executive Officer's report for August-September is presented to Council.

Resolution: 2018/09/254 **Moved Cr Dillon** **Seconded Cr Gray**
That Council receives the Chief Executive Officer's Report for August-September 2018.

Carried
7/0

The meeting adjourned for morning tea at 10.05am and resumed at 11.00am.

3.1.2 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 14 September 2018.

Resolution: 2018/09/255 **Moved Cr Peoples** **Seconded Cr Plumb**
That the report be received.

Carried
4/0

At this stage Councillors Rogers, Bettiens and Dillon returned to the meeting.

3.1.3 RAPAD – Air Services Forum Outcomes Paper

Summary: From the Chief Executive Officer tabling RAPAD's Air Services Forum Outcomes paper.

Resolution: 2018/09/256 **Moved Cr Peoples** **Seconded Cr Plumb**
That Council endorses RAPAD's Air Services Forum Outcomes paper.

Carried
7/0

3.1.4 RAPAD – Tourism Futures White Paper

Summary: From the Chief Executive Officer tabling RAPAD's Tourism Futures White Paper.

3.1.8 RAPAD Federal Election Advocacy Program

Summary: From the Chief Executive Officer advising of a request by RAPAD to assist with funding an advocacy program in the lead up to the next federal election advocating for local government issues.

Resolution: 2018/09/261 **Moved Cr Peoples** **Seconded Cr Bettiens**
That Council contributes up to \$15,000 as its share of the joint advocacy program to run from now until the next federal election.

Carried
6/1

3.1.9 Review of Organisational Structure

Summary: From the Chief Executive Officer tabling a revised organisational structure for Council's consideration.

Resolution: 2018/09/262 **Moved Cr Bettiens** **Seconded Cr Dillon**
That Council advertises the following positions as recommended by the Chief Executive Officer:-

- (a) Regional IT and Business Systems Officer;**
- (b) Regional Workplace Health and Safety Officer; and**
- (c) Governance and Compliance Officer.**

Carried
7/0

At this stage Councillor Dillon left the meeting.

3.1.10 Approaching 2030 Final Draft

Summary: From the Chief Executive Officer tabling the final draft of the Approaching 2030 document for Council's consideration.

Resolution: 2018/09/263 **Moved Cr Bettiens** **Seconded Cr Plumb**
That Council adopts the final draft of Approaching 2030 as amended.

Carried
5/1

At this stage Councillor Dillon returned to the meeting.

3.1.11 2019 Australia Day Ambassador Program and Great Australian Bites

Summary: From the Events and Tourism Officer submitting a request from the Premier of Queensland office for Australia Day Ambassador program and Great Australian Bites.

3.2.4 Q4 Review – Annual Operational Plan

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

Resolution: 2018/09/268 **Moved Cr Dillon** **Seconded Cr Plumb**
That Council receives the Report.

Carried
7/0

3.2.5 Review of Complaints Management System

Summary: The Queensland Ombudsman has provided a report on the Review of Council's Complaints Management System.

Resolution: 2018/09/269 **Moved Cr Peoples** **Seconded Cr Dillon**
That Council receives the Report.

Carried
7/0

3.2.6 Administrative Action Complaints Process

Summary: A draft Administrative Action Complaints Process Policy is presented for Council consideration.

Resolution: 2018/09/270 **Moved Cr Dillon** **Seconded Cr Plumb**
That Council adopts the Barcaldine Regional Council Administrative Action Complaints Process Policy and withdraws the General Complaints Process Policy.

Carried
7/0

Councillor Rogers declared an interest in the following matter and left the meeting during discussions thereon.

The meeting adjourned for lunch at 1.00pm and resumed at 1.45pm.

3.2.7 Driftway Reserve - Muttaborra

Summary: Expressions of Interest have closed for the short term agistment of Driftway Reserve at Muttaborra.

3.4 MANAGER ENGINEERING SERVICES

At this stage Councillors Bettiens and Peoples declared an interest in the following matter and left the meeting during discussions thereon.

3.4.1 Works Report

Summary: From the Chief Engineer submitting for Council's information, the status of the scopes of work assigned to Engineering Services for the period ending 31 August 2018.

Resolution: 2018/09/278 **Moved Cr Plumb** **Seconded Cr Dillon**
That the Works Report for the period August 2018 be received.

Carried
5/0

At this stage Councillors Bettiens and Peoples returned to the meeting.

3.4.2 Harney's Lane Realignment

Summary: A request has been received regarding a realignment of a section of Harney's Lane which is in close proximity to the cluster fence.

Resolution: 2018/09/279 **Moved Cr Plumb** **Seconded Cr Bettiens**
That the report be received.

Carried
7/0

Resolution: 2018/09/280 **Moved Cr Dillon** **Seconded Cr Peoples**
That Council takes no further action to realign Harney's Lane as requested.

Carried
7/0

At this stage Councillors Bettiens and Peoples declared an interest in the following matter and left the meeting during discussions thereon.

3.4.3 Aramac Aquatic Centre

Summary: From the Chief Engineer detailing the Contract status for the Aramac Aquatic Centre.

Resolution: 2018/09/281 **Moved Cr Dillon** **Seconded Cr Gray**
That the Chief Engineer's report be received.

Carried
5/0

At this stage Councillor Bettiens returned to the meeting.

At this stage Councillor Peoples declared an interest in the following matter and left the meeting during discussions thereon.

3.4.4 Unsecured Load – Infringement Notice

Summary: On Tuesday 4 September 2018 the CEO received advice from a Transport Inspector that one of Council's truck drivers had received a fine for having an unsecured load.

Resolution: 2018/09/282 **Moved Cr Dillon** **Seconded Cr Gray**
That Council organises a company to measure, supply and fit tarps.

Carried
6/0

At this stage Councillor Peoples returned to the meeting.

3.5 DISTRICT MANAGER – ALPHA AND JERICHO

3.5.1 Information Report

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

Resolution: 2018/09/283 **Moved Cr Dillon** **Seconded Cr Bettiens**
That the District Manager's Information Report be received.

Carried
7/0

3.5.2 Jericho Town Common Proposal

Summary: Letter from Cyril and Darren Couchy asking Council to consider their proposal before Council makes a decision on whether to close the Jericho Town Common due to the drought.

Resolution: 2018/09/284 **Moved Cr Plumb** **Seconded Cr Dillon**
That Council agrees to grant permission for Cyril and Darren Couchy and Sid Delandelles to keep their cattle on the Jericho Town Common and they supply feed at no cost to Council. The welfare of the cattle will continue to be monitored by Council officers and remains the responsibility of the stock owners.

Carried
7/0

At this stage Councillor Peoples declared an interest in the following matter and left the meeting during discussions thereon.

3.5.3 Application for Mobile Roadside Vending Permit

Summary: An application has been received from Geoff and Kate Taylor for a Mobile Roadside Vending Permit in Alpha.

Resolution: Moved Cr Dillon Seconded Cr Bettiens
2018/09/285 That Council does not agree to approve the application received from Geoff and Kate Taylor for a Mobile Roadside Vending Permit to sell takeaway style food and beverages in Alpha.

Carried
5/1

At this stage Councillor Peoples returned to the meeting.

3.5.4 Request for Assistance – Alpha Junior Football and Cricket Club

Summary: The Alpha Junior Football & Cricket Club requesting financial assistance of \$1,000.00 to help cover the cost for a free BBQ for the Alpha Merchandise Golf and Footy Finals Night on the 30th September 2018 at the Alpha Golf Club.

Resolution: Moved Cr Gray Seconded Cr Dillon
2018/09/286 That Council agrees to donate \$1,000.00 to the Alpha Junior Football & Cricket Club to help cover the cost for a free BBQ.

Carried
7/0

3.5.5 Use of the Oliver Gallagher Pavilion for the establishment of a Boot Camp Fitness Centre in Alpha

Summary: Use of the Oliver Gallagher Pavilion for the establishment of a Boot Camp Fitness Centre in Alpha.

Resolution: Moved Cr Dillon Seconded Cr Gray
2018/09/287 That Council agrees to grant permission for the use of the Oliver Gallagher Pavilion at the Alpha Showgrounds for the establishment of a Boot Camp Fitness Centre for the Alpha Community.

Carried
7/0

3.6 DISTRICT MANAGER – ARAMAC AND MUTTABURRA

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

3.6.1 General Information Report

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

Resolution: 2018/09/288 **Moved Cr Bettiens** **Seconded Cr Gray**
That the District Manager's – Aramac and Muttaborra General Information Report be received.

Carried
6/0

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: 2018/09/289 **Moved Cr Dillon** **Seconded Cr Gray**
That the District Manager's – Barcaldine General Information Report be received.

Carried
6/0

At this stage Councillor Bettiens returned to the meeting.

At this stage Councillor Rogers left the meeting.

3.7.2 Request for Waiver of Development Fees – Joelene Barwick

Summary: Letter received from Joelene Barwick requesting waiver and reimbursement of development fees of \$1,199.20 paid on 25 June 2018 for new dwelling.

Resolution: 2018/09/290 **Moved Cr Dillon** **Seconded Cr Gray**
That Council waives and reimburses fees of \$1,199.20 paid for development application lodged by Joelene Barwick on 25 June 2018.

Carried
6/0

At this stage Councillor Rogers returned to the meeting.

3.8 CONFIDENTIAL REPORTS - Nil

3.9 NOTIFIED MOTIONS - Nil

Mayoral Minute

Resolution: Moved Cr Chandler
2018/09/291 That Council:-

- (a) endorses the action of the CEO to engage Kenneth Hunt HR to provide Human Resources services to Council for a period ending 14 December 2018; and**
- (b) resolves that because of the specialised nature of the services that are sought it would be impractical for council to invite quotes or tenders.**

Carried
6/1

As there was no further business, the Mayor declared the meeting closed at 4.05pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

MAYOR: _____

DATED: 17 October 2018

SYSTEM:	Governance
POLICY TITLE:	Administrative Action Complaints Process
ADOPTED:	19 September 2018
POLICY NUMBER:	G001
PURPOSE:	To provide Council with an approach to manage complaints in relation to the administrative actions of Council.

1. Legislation

Section 268 of *Local Government Act 2009* requires Council to adopt a process for resolving administrative action complaints.

Section 306 of *Local Government Regulation 2012* provides the process for resolving complaints about administrative actions of Council made by affected persons.

Section 187 of *Local Government Regulation 2012* outlines the details to be included in the annual report about the Administrative Action Complaints Process.

2. Purpose and Scope

The objective of this policy is to provide a process for managing complaints in relation to the administrative actions of the Council and its employees.

It does not cover complaints about a councillor conduct.

It does not cover the initial requests for service or requests for information.

3. Definitions

The following definitions apply for the purposes of this Policy:

“administrative action complaint” is a complaint that:

- (a) is about an administrative action of Council including
 - i. a decision or failure to make a decision including a failure to provide a written statement of reasons for a decision
 - ii. an act or a failure to act
 - iii. the formulation of a proposal or intention
 - iv. the making of a recommendation and
 - 1.
- (b) is made by an affected person.

In deciding whether a complaint is an administrative action complaint it is irrelevant:

- a. how quickly the complaint was resolved or
 - b. to which area of Council the complaint was made or
 - c. whether the complaint was a written or verbal complaint or
 - d. whether or not the complaint was made anonymously.
- 2.

“affected person” is a person who is apparently directly affected by an administrative action of Council.

“complaints management process” is the process for resolving complaints about the administrative actions of Council as set out in this Policy.

“complaints management system” is the system for recording and reporting complaints about the administrative actions of Council

“complaints officer” is the Chief Executive Officer or a person appointed by the Chief Executive Officer.

4. Receipt of Administrative Action Complaints

An affected person may make a complaint in any of the following ways-

- verbally, either by telephone or in person to a Council officer
- by email or on-line via the Council’s website
- in writing by letter or by completing the Council’s complaint form, whether signed or unsigned
3.
- through an agent acting on behalf of the affected person
4.

A complaint may be made anonymously. However Council is unable to respond to that complaint.

All complaints must be immediately referred to the Complaints Officer.

5. Complaints by agents

Council will respond to a complaint lodged by a person acting as agent for an affected person, directly to the affected person and not to the agent, unless a letter of authority is provided indicating the agent is acting on behalf of the affected person and the Council considers that the appointment as agent has been validly made.

6. Determination as to Whether a Complaint is an Administrative Action Complaint

Once a complaint is received by the Complaints Officer, a determination must be made on whether the complaint is an administrative action complaint.

The determination will be made by the Chief Executive Officer or a person appointed by the Chief Executive Officer to make that determination.

The Mayor will make the determination with regard to a complaint received that refers to the administrative actions of the Chief Executive Officer.

If a complaint is determined not to be an administrative action complaint, the Chief Executive Officer may handle the matter in an appropriate manner including referring the matter to another officer to respond. The affected person must be advised in writing of the determination and the process for investigating the complaint.

7. Recording of an Administrative Action Complaint

If a complaint is determined to be an administrative action complaint, the complaint must be recorded in Council’s Complaint Management System and treated in accordance with this Policy.

The Complaints Officer must immediately advise the affected person or their agent in writing that the complaint has been received and the process for investigating the complaint.

8. Investigating an Administrative Action Complaint

If the Complaints Officer determines that there is sufficient information provided in the complaint and the matter has not previously been investigated or resolved and the matter is not frivolous or vexatious then the complaint will be investigated.

The complaint must be referred to an officer with the appropriate skills and experience to investigate the complaint. That officer must be more senior than the original decision maker and must not have a real or perceived conflict of interest in the matter.

Administrative Action Complaints shall be dealt with quickly and efficiently and resolved as soon as practicable.

External Investigation

An external investigation of a complaint will be conducted where the administrative action in question was taken by-

- (a) the Council, or a committee of the Council or
- (b) the mayor or the chairman of a standing committee or
- (c) the Chief Executive Officer or
- (d) the matter is serious enough to require the skills of an independent investigator.

9. Communication of Outcome of the Complaint

Council will endeavour to meet the following timeframes for dealing with a complaint-

- for urgent matters—within 7 days
- for non-urgent complaints that are not considered to be complex—within 21 days
- for complex complaints or where the complaint is to be investigated under the external review mechanism—within 45 days.

The timeframe for dealing with a complaint is measured from the date of receipt of a complaint to the date the complainant is informed of the outcome of the complaint.

The affected person will be advised in writing immediately after a decision is made in relation to the complaint. The advice shall set out:

- a. the details of the complaint
- b. the details of the investigation
- c. the decision made as a result of the investigation and
- d. the review options if the affected person is not satisfied with the outcome.

These details will also be recorded in Council's Complaint Management System.

10. Reviewing a Decision

An affected person may request a review of a decision made in relation to the complaint.

The review must be conducted by an officer or a panel or an external reviewer who has not been involved in the original investigation of the complaint.

The request for a review will be classified as an administrative action complaint.

11. Reporting on the Operation of the Complaints Management Process

Council must include in its annual report details of the Complaints Management Process including the number of complaints made for the year.

Internal reports on the operation of the Complaints Management Process must be provided to senior management to identify, analyse and respond to complaint trends and to monitor the effectiveness of the Process.