

**MINUTES OF THE GENERAL MEETING
OF THE BARCALDINE REGIONAL COUNCIL
HELD IN THE COUNCIL CHAMBERS, 35 GORDON STREET, ARAMAC
ON WEDNESDAY 21 NOVEMBER 2018
COMMENCING AT 9.05AM**

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), R Rolfe (Chief Engineer), A Newton (Minute Secretary) and Hailey Winter (Executive Assistant).

PRAYER – Cr Dillon read the prayer.

CONDOLENCES

A minute's silence was observed to mark the passing of Mr. Stephen Head of Jericho and Mr. Jeremiah Clements of Aramac.

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

Cr Dillon for 3.2.10 - "I declare that I have a material personal interest in this matter (as defined by Local Government Act 2009, section 175B) as myself, my wife Sarah, mother Elsie and sister Tenile Ham stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of this matter because a boundary realignment could result in a change to my rates; and I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Bettiens for 3.4.1 - "I declare that I have a material personal interest in sections of this matter (as defined by Local Government Act 2009, section 175B). I am the director of Capricorn Plumbing and Drainage and stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of the sections of the report dealing with the Aramac-Muttaborra Water Main tender (for which I am a tenderer) and Acacia Street Stormwater (for which I am the contractor engaged to undertake the project). I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Gray for 3.4.1 - "I declare that I have a material personal interest in this matter (as defined by Local Government Act 2009, section 175B) due to my part ownership of D Gray Loader and Grader Hire which has a contract to undertake works mentioned in the report. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Peoples for 3.2.11 - "I declare that I have a material personal interest in this matter (as defined by Local Government Act 2009, section 175B) as my wife Amanda Peoples and myself are owners of Aramac Cut Price and stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of this matter. Aramac Cut Price may quote for materials used in the project; and I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Conflict of Interest

Cr Rogers for 3.1.5 – “I declare that I have a conflict of interest in this matter (as defined the Local Government Act 2009, section 175D) due to my connection with the Lake Dunn Sculpture Trail and I will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on.”

Cr Rogers for 3.2.3 – “I declare that I have a conflict of interest in this matter (as defined the Local Government Act 2009, section 175D) due to my position as representative of the North in the Wild Dog Committee and I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my 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, I acknowledge that the remaining councillors must now determine, pursuant to section 175E(4) of the Local Government Act 2009: -

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

Resolution: **Moved Cr Dillon** **Seconded Cr Bettiens**
2018/11/331 **That Councillor Rogers does not have either a real conflict of interest or perceived conflict of interest in the matter and is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter.**

Carried
6/0

Cr Rogers for 3.4.3 – “I declare that I have a conflict of interest in this matter (as defined the Local Government Act 2009, section 175D) due to my connection with the Lake Dunn Sculpture Trail; and I will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on.”

Cr Bettiens for 3.2.13 - “I declare that I have a conflict of interest in this matter (as defined by section 175D of the Local Government Act 2009) due to my position as Chair of Barcaldine Aged Care Inc. I will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on.”

Cr Gray for 3.1.4 – “I declare that I have a conflict of interest in this matter (as defined the Local Government Act 2009, section 175D) due to the business of which I am a part owner (D Gray Loader and Grader Hire) being discussed at the Community Forum held in Muttaborra (at which I left the room) and I will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on.”

Personal Gifts and Benefits - Nil

BUSINESS

1. CONFIRMATION OF MINUTES

*Summary: The following minutes required confirmation by Council:-
General Meeting – 17 October 2018.*

Resolution: 2018/11/332 **Moved Cr Dillon** **Seconded Cr Peoples**
That the minutes of the General Meeting held by Barcaldine Regional Council on the 17 October 2018 be received.

Carried
7/0

Resolution: 2018/11/333 **Moved Cr Dillon** **Seconded Cr Gray**
That the minutes of the General Meeting held by Barcaldine Regional Council on 17 October 2018 be confirmed.

Carried
7/0

2. PETITIONS - Nil

3. REPORTS

3.1 CHIEF EXECUTIVE OFFICER

3.1.1 Chief Executive Officer Information Report October-November 2018

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

Resolution: 2018/11/334 **Moved Cr Dillon** **Seconded Cr Bettiens**
That Council receives the Chief Executive Officer's Report for October-November 2018.

Carried
7/0

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 16 November 2018.

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

3.1.5 Telstra Mobile Satellite Small Cell System – Lake Dunn

Summary: From the Chief Executive Officer reporting on the possibility of establishing a mobile satellite small cell phone system at Lake Dunn.

Resolution: 2018/11/339 **Moved Cr Dillon** **Seconded Cr Gray**
That:-

- (a) Council endorse the purchase of the Telstra Satellite Small Cell service for installation in the vicinity of the amenities at Lake Dunn; and**
- (b) should Council be successful with the Mobile Black Spot Program Round 4 application for Lake Dunn, the purchased Telstra Satellite Small Cell Service will be moved to an alternate location on the Lake Dunn Sculpture Trail.**

Carried
6/0

At this stage Cr Rogers returned to the meeting.

3.1.6 RAPAD Japan Visit – Developing Drone Industry

Summary: From the Chief Executive Officer reporting RAPAD's visit to Japan regarding a drone testing facility in our region and the second upcoming Jsat visit to our region.

Resolution: 2018/11/340 **Moved Cr Dillon** **Seconded Cr Gray**
That the Mayor travel with RAPAD to Japan in March 2019 as part of a delegation to develop the drone industry in the region.

Carried
7/0

3.1.7 Tourism and Small Business Forum

Summary: From the Chief Executive Officer reporting on the upcoming Tourism and Small Business Forum to be held on 1 December 2018 following community requests at Community Forums held in October 2018.

Resolution: 2018/11/341 **Moved Cr Peoples** **Seconded Cr Bettiens**
That Council endorse the actions of the Chief Executive Officer in implementing the requests of the community to hold a Tourism and Small Business Forum.

Carried
7/0

3.2 DEPUTY CHIEF EXECUTIVE OFFICER

3.2.1 Deputy Chief Executive Officer's Information Report – November 2018

Summary: The Deputy Chief Executive Officer's report for November is presented to Council.

Resolution: 2018/11/342 **Moved Cr Gray** **Seconded Cr Bettiens**
That Council receives the Deputy Chief Executive Officer's Report for November 2018.

Carried
7/0

3.2.2 Planning and Development Report

Summary: The Planning and Development Report for the period ending 13 November 2018 is presented to Council.

Resolution: 2018/11/343 **Moved Cr Bettiens** **Seconded Cr Dillon**
That Council receives the Planning and Development Report.

Carried
7/0

3.2.3 Wild Dog and Pest Committee Report

Summary: The Barcaldine Regional Council Wild Dog and Pest Management Advisory Committee minutes are presented for Council's consideration.

Resolution: 2018/11/344 **Moved Cr Plumb** **Seconded Cr Peoples**
That Council receives the minutes of the Barcaldine Regional Council Wild Dog and Pest Management Advisory Committee meeting held on 2 November 2018.

Carried
7/0

3.2.4 Annual Report 2018

Summary: The 2018 Annual Report including the audited financial statements are presented to Council for adoption.

3.2.7 Councillor Code of Conduct

Summary: The Minister for Local Government has made a Code of Conduct that sets out the standards of behaviour for Councillors in performing their duties as Councillors in accordance with Section 150D of the Local Government Act 2009.

Resolution: 2018/11/348 **Moved Cr Bettiens** **Seconded Cr Plumb**
That Council repeals the existing Code of Conduct for Councillors Policy (CG007) and adopts the Minister’s Code of Conduct for Councillors to apply from 3 December 2018.

Carried
7/0

3.2.8 Office of Liquor and Gaming Regulation

Summary: The Office of Liquor and Gaming Regulation has provided a formal response to the investigation relating to the Strikers Town Party held on 5 May 2018.

Resolution: 2018/11/349 **Moved Cr Dillon** **Seconded Cr Gray**
That Council receives the correspondence.

Carried
7/0

3.2.9 MIPP – Project Procurement

Summary: Council has been successful in obtaining funding under the Maturing the Infrastructure Pipeline Program for strategic planning for The Globe – Stage 3.

Resolution: 2018/11/350 **Moved Cr Dillon** **Seconded Cr Gray**
That Council:-

- (a) engages m3architecture and Brian Hooper Architect to conduct the planning activity for The Globe – Stage 3 under the Maturing the Infrastructure Pipeline Program for a cost of \$95,200 (exc GST); and**
- (b) resolves that it would be impractical and disadvantageous for Council to invite quotes or tenders from other suppliers because of the specialised nature of the services that are sought.**

Carried
7/0

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

3.2.10 Local Government Change Commission

Summary: The Electoral Commissioner has written to Council requesting changes to Council boundaries to be submitted well in advance of the next election.

Resolution: **Moved Cr Gray** **Seconded Cr Bettiens**
2018/11/351 **That Council communicates with Barcaldine Regional Council landholders with property crossing into neighbouring Councils regarding possible boundary changes.**

Carried
6/0

At this stage Cr Dillon returned to the meeting.

Councillor Peoples declared an interest in the following item and left the meeting during discussions thereon.

3.2.11 Stock Routes Capital Works Program

Summary: The Department of Natural Resources Mines and Energy is calling for applications for capital works projects on Council's stock routes.

Resolution: **Moved Cr Plumb** **Seconded Cr Gray**
2018/11/352 **That Council applies for funding for troughs and associated works at Kelly's Dam under the Stock Routes Capital Works Program.**

Carried
6/0

At this stage Cr Peoples returned to the meeting.

3.2.12 Rates and Debt Recovery Policy

Summary: The amended Rates and Debt Recovery Policy is presented to Council for adoption.

Resolution: **Moved Cr Dillon** **Seconded Cr Plumb**
2018/11/353 **That Council adopts the amended Rates and Debt Recovery Policy.**

Carried
7/0

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

3.2.13 Barcaldine Aged Care Donation

Summary: A request from Barcaldine Aged Care for an additional in-kind contribution towards the cost of construction of internal roadworks and pathways.

Resolution: 2018/11/354 **Moved Cr Dillon** **Seconded Cr Plumb**
That Council agrees to provide an additional in-kind contribution of \$40,000 to Barcaldine Aged Care Inc. for the completion of the construction of internal roadworks and pathways.

Carried
6/0

At this stage Cr Bettiens returned to the meeting.

3.3 FINANCE

3.3.1 Financial Report

Summary: The financial report for the period ending 13 November 2018 is presented to Council.

Resolution: 2018/11/355 **Moved Cr Peoples** **Seconded Cr Plumb**
That Council receives the Financial Report for the period ending 13 November 2018.

Carried
7/0

3.4 MANAGER ENGINEERING SERVICES

Cr Bettiens declared an interest in parts of the following matter and left the meeting during discussions on those particular sections. Cr Gray 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 October 2018.

Resolution: 2018/11/356 **Moved Cr Plumb** **Seconded Cr Dillon**
That the Works Report for the period October 2018 be received.

Carried
7/0

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

3.4.2 Barcaldine Regional Council Bore Testing

Summary: From the Chief Engineer detailing the outcomes of recent testing of water supply bores in Barcaldine, Jericho and Alpha.

Resolution: 2018/11/357 **Moved Cr Dillon** **Seconded Cr Peoples**
That the Officer's Report be received.

Carried
7/0

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

3.4.3 Lake Dunn Sculpture Trail

Summary: The Lake Dunn Sculpture Trail report is presented to Council for review and consideration.

Resolution: 2018/11/358 **Moved Cr Dillon** **Seconded Cr Gray**
That Council:-

- (a) receives and notes the attached Structural Report; and**
- (b) adopts the recommendations contained within.**

Carried
6/0

At this stage Cr Rogers returned to the meeting.

3.4.4 Reservoirs Refurbishment Report

Summary: The Reservoirs Refurbishment Report is provided to Council to give information and seek approval for the relining of the Jericho Ground Level reservoir and the Barcaldine Pomona reservoir.

Resolution: 2018/11/359 **Moved Cr Dillon** **Seconded Cr Gray**
That Council:-

- (a) receives and notes the Officer's Report; and**
- (b) authorises the Chief Engineer to engage with the identified consultant to undertake the relining works of the Jericho Ground Level Reservoir and the Barcaldine Pomona Reservoir.**

Carried
7/0

3.4.5 Asset Management Plan

Summary: Barcaldine Regional Council requires an Asset Management Plan to ensure better understand of our assets condition, to better budget for upcoming works and to better inform our investment decisions.

Resolution: 2018/11/360 **Moved Cr Dillon** **Seconded Cr Peoples**
That Council:-

- (a) receives and notes the Officer's Report; and**
- (b) authorise the Chief Executive Officer to engage with the identified consultant, George Bourne and Associates to undertake the work required to compile the Asset Management Plan Stage 1 this financial year and approval to plan and budget for remaining stages in future financial years.**

Carried
7/0

At 12.50pm the meeting adjourned for lunch and resumed at 1.50pm.

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: 2018/11/361 **Moved Cr Peoples** **Seconded Cr Bettiens**
That the District Manager's Information Report be received.

Carried
7/0

At this stage Cr. Plumb returned to the meeting.

3.5.2 Sheep Paddock - Alpha

Summary: Letter received from Kevin Wiltshire on behalf of the Alpha Common Committee requesting permission to utilise the Sheep Paddock located in Alpha.

Resolution: 2018/11/362 **Moved Cr Peoples** **Seconded Cr Plumb**
That Council agrees to approve the Alpha Common Committee to utilise the Sheep Paddock located in Alpha.

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: 2018/11/363 **Moved Cr Dillon** **Seconded Cr Gray**
That the District Manager's – Aramac and Muttaborra General Information Report be received.

Carried
7/0

3.6.2 Address Storage at Aramac Pool

Summary: Proposal to erect a 20ft container with painted mural and reverse hang the main gate to open inwards at the Aramac Pool.

Resolution: 2018/11/364 **Moved Cr Dillon** **Seconded Cr Bettiens**
That Council does not approve the purchase and installation of a 20ft container, on a prepared surface, with a mural and reverse hang the main gate to open inwards as the storage solution for the Aramac Pool.

Carried
7/0

3.6.3 Approval to Fence in a Small Parcel of Council Land

Summary: Request to erect a continuation of a dog fence adjacent the Aramac Aerodrome, which would fence in a small parcel of Council land.

Resolution: 2018/11/365 **Moved Cr Bettiens** **Seconded Cr Plumb**
That Council approves the fencing in of a small parcel of Council land at no cost to Council and investigates the formal transfer of land with the applicant.

Carried
7/0

3.6.4 Kangaroo Chillers – Behind Tramway Museum

Summary: Request to reinstall two kangaroo chillers behind the Tramway Museum at Aramac.

3.8.3 Future Development of Leasehold Land in Barcaldine

Summary: From the Chief Executive Officer providing an update on the future development of leasehold land in Barcaldine.

Resolution: 2018/11/378 **Moved Cr Rogers** **Seconded Cr Bettiens**
That Council gives approval for the Chief Executive Officer to continue to investigate and communicate on Council's behalf with all interested parties, to progress the future development of Leasehold land in Barcaldine.

Carried
7/0

3.9 NOTIFIED MOTIONS - Nil

As there was no further business, the Mayor declared the meeting closed at 3.35pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

MAYOR: _____

DATED: 12 December 2018

SYSTEM:	Finance
POLICY TITLE:	Rates and Debt Recovery Policy
ADOPTED:	17 March 2010
AMENDED:	16 November 2011 21 November 2018
POLICY NO:	F009
PURPOSE	To outline Council's position in relation to appropriate actions to achieve the collection of overdue rates and debtors balances.

1. Background

Council has a responsibility to recover monies owing to it in a timely and efficient manner in order to finance its operations and ensure effective cash flow management.

Ratepayers and other debtors are expected to take responsibility for their Council debt obligations and to organise their affairs in such a way as to be able to discharge these obligations. If a ratepayer or debtor cannot meet their obligations on the due dates, it is in the interests of both parties for the ratepayer/debtor to contact Council at the earliest opportunity to make appropriate arrangements to address the outstanding debt.

The *Local Government Act 2009* provides Councils with powers to recover rates which are levied and unpaid.

2. Policy Objectives

The key objectives of the Rate and Debt Recovery Policy are to:

- Ensure a fair, consistent and accountable approach to Council's rate and debt management and collection decisions and practices
- Establish measures which provide equitable support to ratepayers experiencing financial difficulty
- Ensure the processes used to recover outstanding rates and charges are clear, simple to administer and cost effective

3. Rates and charges

3.1 Initial Recovery Action

Council will forward a reminder letter 14 days after the close of the 30 day discount period to all property owners with overdue rates, except where arrangements for payment have been negotiated.

For those rates debts which remain unpaid, a reminder letter will be issued at the end of every month.

Interest of 11% will continue to accrue on outstanding rates until the debt is paid in full.

3.2 Alternative Arrangements

The Chief Executive Officer may accept applications for payment of rates by instalments from property owners. Instalment plans should have the effect of repaying the debt in a reasonable timeframe taking into account the circumstances of the ratepayer.

Interest will continue to be charged on overdue rates which are subject to an instalment payment plan.

The applicant must comply strictly with the terms of the agreed instalment plan. A breach of the instalment plan will invalidate the agreement and the outstanding debt will be due immediately.

3.3 Sale of Land for Rate Arrears

Once rates remain unpaid for a period of three years or more and no arrangements to pay exist, Council will commence proceedings to sell the subject property in accordance with the powers provided under the *Local Government Act 2009*.

All interest accrued to the date of payment and costs of legal action incurred in the recovery of the debt are to be paid by the ratepayer.

4. Other Debtors

4.1 Initial Recovery Action

Invoices will be issued for all monies owing to Council, with payment due within 14 days from the date of issue of the invoice.

Debtor statements will be issued for all outstanding accounts at the end of each calendar month.

For those receivables that remain unpaid after 2 months, a reminder letter will be issued requiring immediate payment.

4.2 Legal Action

1.

Where a debt remains outstanding for 3 months, it will be referred to the Chief Executive Officer to authorise recovery action.

The method of recovery action taken will be that which is considered by the CEO to be most beneficial to Council. Such actions may include referral to a Debt Collection Agency, recovery through Small Claims or Magistrates Court proceedings.

The size and nature of the debt will be taken into account in selecting the most appropriate means of recovery.

Once legal action has commenced, payment of the debt in full is deemed to include, in addition to the original debt, all interest charges payable plus any recovery costs incurred to date by Council in pursuing the debt.

5. CEO Delegation

The Chief Executive Officer is authorised to write off debts owing of up to \$50 where those debts are deemed by the CEO to be unrecoverable.