



ADDENDUM

Meeting: General Meeting

Date: Wednesday 14th September
2022

Location: Council Chambers,
Georgetown

Commencing: 9.00am

Councillors: Cr B Hughes, L Royes, J Haase, T
Gallagher, C Barns

Open Session Addendum Attached

Ken Timms
CHIEF EXECUTIVE OFFICER

Local Government Act 2009

The principles (s4(2)) of the Act are:

- Transparent and effective processes, and decision-making in the public interest
- Sustainable development and management of assets and infrastructure, and delivery of effective services
- Democratic representation, social inclusion and meaningful community engagement
- Good governance of, and by, local government
- Ethical and legal behavior of councillors and local government employees

S.275 – Local Government Regulation 2012

275 Closed meetings

- (1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss –
 - Appointment, dismissal or discipline of a CEO or a BCC senior executive employee
 - Legal advice obtained by the Council or legal proceedings involving the Council
 - Matters that may directly affect the health and safety of an individual or group
 - Negotiations relating to a commercial matter involving the Council
 - Negotiations relating to the taking of land by the Council under the *Acquisition of Land Act 1967*
 - A matter required to be kept confidential under a law of, or formal arrangement with, the Commonwealth or a State
 - Industrial matters affecting employees
 - The Council budget
 - Rating concessions
- (2) A resolution that a meeting be closed must state the nature of the matters to be considered while the meeting is closed.
- (3) A local government or committee must not make a resolution (other than a procedural resolution) in a closed meeting.

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CONSIDERATION OF ADDENDUM OPEN SESSION REPORTS

CHIEF EXECUTIVE OFFICER

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Etheridge Shire Council

General Meeting	14 September 2022
Subject	NQ Sport Star Awards - Nomination
Classification	Open
Author	Cheryl Portch - Community Development & Events Officer

EXECUTIVE SUMMARY

Council is a member of the North Queensland Sports Foundation. The Foundation hold an annual Sports Star Award. On behalf of the Foundation, Council promoted the Awards, calling for nominations to be lodged online by the 11th September. During the nomination period, 1 nomination was received for the Junior Sports Star of the Year (under the age of 18 years category).

Only one nomination can be put forward from a Council area per category. Accordingly, Council will need to ratify the nomination before the final closing date of 26th September 2022.

RECOMMENDATION

That Council ratify [REDACTED] to be Etheridge Shire Council's nomination for the 2021 Junior Sport Star [REDACTED]

BACKGROUND

North Queensland Sport Star Award are an annual event where Councils in North Queensland nominate local sport stars to be recognised for their achievements in their sport of choice. Each Council can nominate only one person per category. All nominations will be judged by the NQ Sports Foundation and the top 15 of each category will then become finalists and be invited to the NQ Sports Awards night in Cloncurry on the 5 November 2022 where the winner of each category will be announced.

During the nomination period, only the one nomination was submitted, [REDACTED]

LINK TO CORPORATE PLAN

Aim No.4: Quality social infrastructure makes the shire a desirable place to live.

Outcome 4.1: An active community with a variety of recreational activities.

BUDGET & RESOURCE CONSIDERATIONS

Costs should they arise, will be covered by the Community Assistant budget.

CONSULTATION

n/a

LEGAL CONSIDERATIONS

n/a

POLICY IMPLICATIONS

n/a

RISK ASSESSMENT

CONSEQUENCE					
LIKELIHOOD*	Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
A (Almost certain)	H	H	E	E	E
B (Likely)	M	H	H	E	E
C (Possible)	L	M	H	E	E
D (Unlikely)	L	L	M	H	E
E (Rare)	L	L	M	H	H

OUTCOME

Low Risk

Report Prepared By:

Report Authorised By:

Cheryl Portch

Ken Timms, Chief Executive Officer

Date: 13 September 2022

Date:

ATTACHMENTS

1). Application for Junior Sportstar Award



RATES RECOVERY POLICY

1. BACKGROUND AND CONTEXT

The Etheridge Shire Council (ESC) is committed to the collection of overdue rates and charges in a fair, equitable and timely manner, but with due consideration to financial hardship faced by ratepayers.

ESC will show due diligence in the application of administrative processes relating to payment arrangements and the selection of various actions for the effective recovery of overdue debts. The management and recovery of outstanding debts is an important aspect of ESC's financial management function.

OBJECTIVES & MEASURES

Objectives	The objective of this policy is to ensure a fair, consistent, timely and accountable approach to ESC's debt management and collection decisions, processes and practices.
Performance Measures	Aged Rates Debtor Balances Level of payment arrangement compliance
Risk Assessment	Low

2. PURPOSE AND SCOPE

The purpose of this policy is to set out Council's principles in regard to the management of debt, and to provide consistent and ethical recovery of outstanding Rates and Charges across Etheridge Shire in accordance with the parameters and requirements of the *Local Government Regulation 2012*.

This policy applies to all owners of property within the Etheridge Shire Council who have outstanding rates and charges on any rateable property including any special rates and charges.

3. DEFINITIONS

CEO means the Chief executive Officer of the Etheridge Shire Council appointed in accordance with the Local Government Act 2009.

Council means Etheridge Shire Council, its elected Councillors, its management and its employees.

ESC means Etheridge Shire Council.

Payment Arrangement means where the debtor forwards a written proposal for alternative arrangements for payment of the debt to the terms on the invoice and Council provides written approval of the proposal, in accordance with clause 4.3.

Rates and charges carries the definition contained in the *Local Government Regulation (Qld) 2012* to include differential rates, minimum general rates levies, separate rates and charges, special rates and charges, utility charges and accrued interest on outstanding balances.

Overdue rates and charges as defined in Section 132 of the Local Government Regulation 2012 includes (a) rates or charges that are not paid by the due date for payment stated in the rate notice; (b) if the local government takes the ratepayer to court to recover rate or charges and the court orders the ratepayer to pay the council's costs – the costs; and (c) the interest, if interest is payable, on the rates and charges, or costs.

4. POLICY STATEMENT

4.1 Overarching principles regarding recovery of rates and charges debt

The management and recovery of outstanding revenue is an important aspect of the Council's financial management function. It is Council's policy to pursue the collection of outstanding revenue diligently but with due concern for any financial hardship faced by ratepayers.

The principles that apply in the management of and recovery of debt are as follows:

- Effectiveness/Efficiency – meeting the financial, social, economic and environmental, and other corporate objectives stated in ESC's Corporate Plan and other related policies.
- Sustainability – revenue decisions support the financial strategies for the delivery of infrastructure and services identified in ESC's long-term planning.
- Equity – ensuring the fair and consistent application of lawful recovery principles, without bias, taking account of all relevant considerations.
- Simplicity – endeavour to ensure widespread community or stakeholder understanding of ESC's debtor management activities.
- Communication - making clear the obligations of ratepayers and the processes used by Council in assisting them meet their financial obligations
- Transparency - making the processes used to recover overdue rates and charges simple to administer and cost effective
- Flexibility - responding where necessary to changes in the local economy.

To achieve these principles consideration is given to the following:

- ESC has a responsibility to recover monies owing to it in a timely and efficient manner to finance its operations and ensure effective cash flow management.
- ESC must operate effective debt collection processes.
- ESC aims to minimise the amount of outstanding monies that it is owed.
- Ratepayers are expected to take responsibility for their debt obligations and to organise their affairs in such a way as to be able to discharge these obligations when required.
- Where financial hardship has been determined, all reasonable steps will be taken to establish a payment arrangement or negotiate settlement of the outstanding debt with the debtor concerned.

4.2 Recovery Actions – Overdue Rates & Charges

4.2.1 Initial Recovery – 1st Reminder Letter

At close of discount period, once a debt becomes overdue, initial recovery will commence. Initial Recovery includes the issuing of at least one Reminder Letter advising rates and charges are overdue. This Reminder Letter is to be approved by the Director of Corporate Services and may be issued via post or email (multiple communication options may be utilised).

4.2.2 Intermediate Recovery – Final Reminder Letter

At 30 days after initial recovery commenced, intermediate recovery will commence. Intermediate recovery includes the issuing of a Final Reminder Letter advising rates and charges are overdue. This letter also advises the ratepayer that if they fail to pay outstanding rates within 14 days from the date of this letter, Council may refer the unpaid rates and charges to a commercial debt collection agency for debt recovery.

The purpose of intermediate recovery is to also identify potential financial hardship.

4.2.3 Advanced Recovery – Debt Recovery Letter of Demand

At 14 days after the Final Reminder Letter has been sent, advanced recovery will begin. This includes referring all outstanding rates and charges to Council's debt collection agency (Recoveries & Reconstruction Aust Pty Ltd) for the issuing of a Letter of Demand.

Council shall proceed with legal recovery action against any property owner who has not satisfactorily responded to any Notices previously sent by issuing a Claim that will be served on the Property Owner. Once Judgment is obtained, the application to execute and the method of execution will be approved by the appropriately delegated officer. Further action will proceed as outlined in the Collection Process Flowchart.

4.2.4 Advanced Recovery – Sale of Land

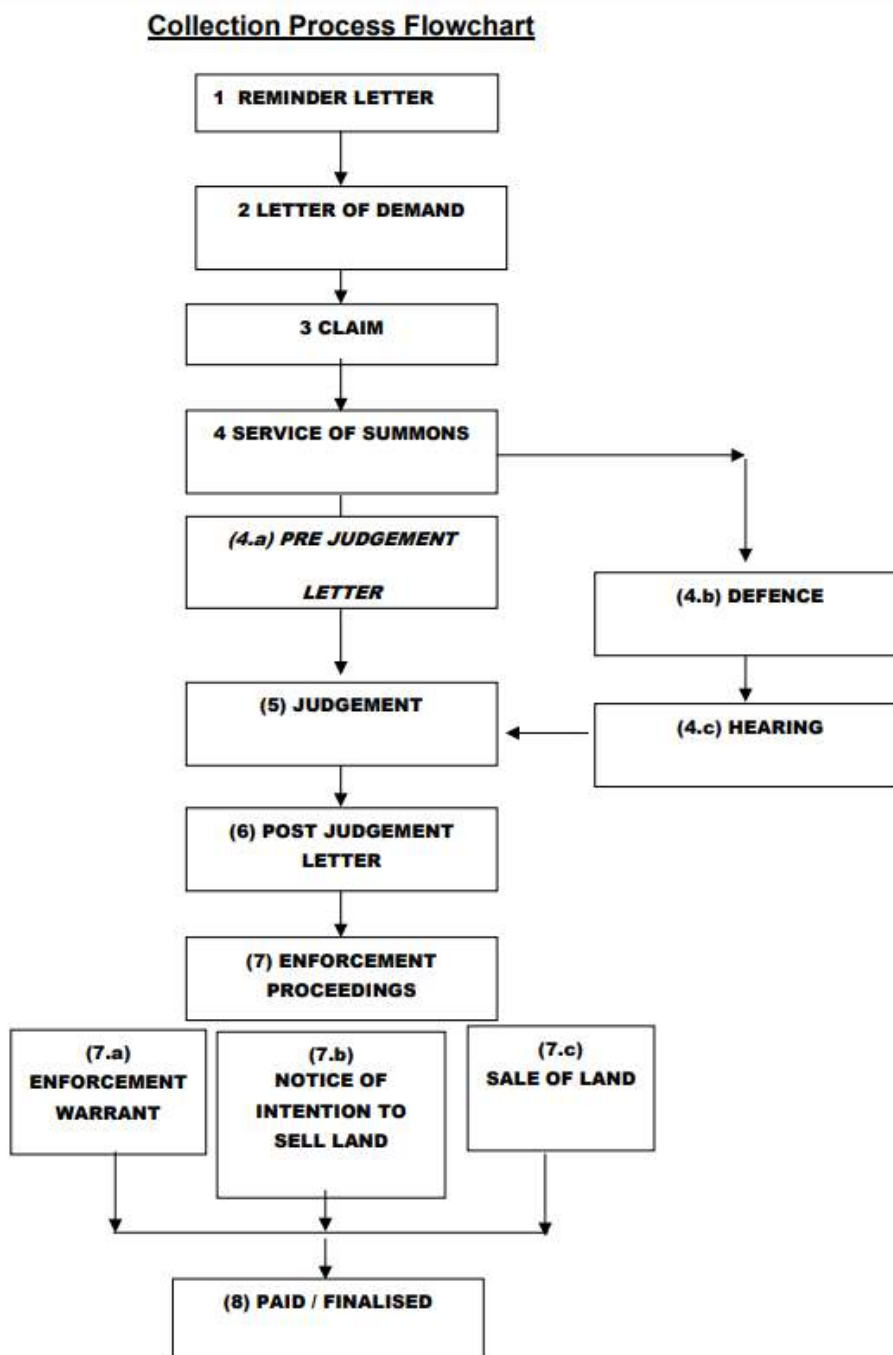
At least once in every financial year the rates and charges Debtors Ledgers will be analysed to identify properties eligible for sale of land for rate arrears under the provisions of the Local Government Regulation 2012. Properties identified for sale under these provisions, including those owned by ratepayers receiving rate concessions from ESC on their rates and charges who have decided not to enter into a payment arrangement for their overdue rates and charges, will be presented to Council to consider a recommendation to sell the properties to recover the rate arrears. Once Council has resolved to sell land for arrears of rates, payment arrangements will not be considered.

4.2.5 Cease Recovery

Further recovery action is suspended at any point in the policy process if:

- Payment is made in full; or
- The rate payer enters into and complies with an approved payment arrangement

4.2.6 Collection Process Flowchart



4.3 Payment Arrangements

Identification of ratepayers experiencing financial hardship is an intrinsic component of the Rate Recovery process. Where a ratepayer has the intention, but not the capacity, to make payment within the timeframe required, consideration will be given to special consideration under hardship. A failure to have a capacity to pay can be identified by any of the following:

- the ratepayer themselves
- Council's Rates Officer, Director of Corporate Services and / or Chief Executive Officer
- an independent accredited financial counsellor
- a not-for-profit organisation providing assistance to people experiencing financial difficulties.

An application for consideration under this section must be completed on an approved form. A request to renegotiate an arrangement by the ratepayer requires an amended form to be lodged. Any payment arrangement negotiated under this section must take into account the ratepayer's capacity to pay and allow the arrangement to be re-negotiated at the request of the ratepayer if there is a demonstrable change in their circumstances. Arrangements negotiated under this section will generally be based on weekly or fortnightly instalments but irregular arrangements will be considered based on the ratepayer's individual circumstances.

Council will not pursue further recovery action against a ratepayer who has a signed payment arrangement agreed by Council, while the arrangement is current, and the ratepayer adheres to the agreed payment schedule.

An agreed payment arrangement ensures outstanding rates and charges are paid and the rate account does not fall further in arrears. An agreed payment arrangement will result in all overdue rates and charges being paid in full within 26 weeks of the arrangement being made. In the event a payment commitment is not maintained within the agreed terms, recovery action will continue.

4.4 Interest

In accordance with Section 133 of the *Local Government Regulation 2012*, any rates and charges which are not paid within the specified timeframe as per the respective Council Revenue Statement, shall bear interest compounding daily at the rate resolved by Council at its Budget Meeting.

5. RISK

This policy aims to address the risks that debt owed to Council due to overdue rates and charges grow to unacceptable levels and impact council operations and financial sustainability. It also aims to reduce the risk that such debts are recovered inconsistently and unfairly. It addresses these by outlining how staff must address and recover such debts consistently and ethically, consistent with the provisions of the Local Government Regulations.

6. AUTHORITIES AND ACCOUNTABILITIES

- Local Government Act 2009
- Local Government Regulation 2012
- Information Privacy Act 2009

7. RELATED COUNCIL DOCUMENTATION

- Etheridge Shire Council Revenue Policy
- Etheridge Shire Council Revenue Statement

8. APPROVAL TABLE

Approved by Council		Meeting number and date	
		Resolution number	
Approval by CEO			
Effective date		Review date	
1 July 2022		1 July 2025	
Policy Author			
Rates Officer			
Current incumbent			
Renee Bester			
Implementation Officer			
Rates Officer			
Current incumbent		Contact number	Official file no.
Renee Bester		4079 9090	



Etheridge Shire Council

CHIEF EXECUTIVE OFFICER

Briefing Report

1 Update

Welcome to my September "Briefing" Report.

Operationally Council progressing well, however some projects are lagging and need to be delivered.

My intentions are to employ 2 project Managers

- First Manager is to take on and deliver Capital Projects, such as street-scaping, drainage at the sports center and finalise the Charleston Dam.
- Second Manager is to take on and deliver Corporate Projects, such as housing and W4Q projects.

In the short term, I have enlisted a relieving Engineer to fill the first position.

2 Operational Plan Matters

Operationally Council is progressing well through the strategies set by Council and Management have acknowledged the project priorities identified by Council at a recent Workshop.

3 Immerging Issues

Early rains are predicted and Management are shuffling projects to enable delivery.

4 Projects

I am currently working on the following projects, and if you have any comments do not hesitate to ask.

- **Tourism Master Plan**
 - Discussion and presentation on the 2 documents
Uneath Etheridge
These need to be formally adopted by Council
- **Road Policy**
 - Road Register, AMP will be presented to the October Meeting for adoption
 - Rural addressing will be confirmed (style) and is ready to implement
- **Economic Development Plan**
 - Status of an Economic Development Plan
 - Currently searching for existing documents
 - Also working with FNQROC to link in with a new Regional Plan
 - Reminder of our 5 pillars "Etheridge Futures"
 - Etheridge Agriculture
 - Energising Etheridge
 - Etheridge Rocks
 - Uneath Etheridge
 - Etheridge Transport
 - Growing Etheridge
- **Industrial Land**
 - Pending an offer from DOR to purchase land.

- Namoi Cotton
 - Pending a “Round Table” to promote Etheridge Agriculture

5 Calendar of Events

Over the past month

• 17 th	Council	Board Room	Council Meeting
• 18 th	CEO	Teams	FNQROC Regional Plan
• 22 nd	CEO/Works	Board Room	RACAS demonstration
• 23 rd	Council	Sports Centre	Councillor Workshop
• 23 rd	Council	Sports Centre	ARUP waste presentation
• 24 th	CEO	Teams	Griffith Tourism Update
• 25 th	CEO/Works	Workshop	QRA Update
• 26 th	CEO	Teams	LGMAQ Update
• 26 th	CEO	Teams	Griffith Tourism Update
• 29 th	Audit Committee	Board Room	Internal Audit Meeting
• 29 th 1 st	EHO	ESC	Food Licensing
• 2 nd	RDATN	Teams	Update Meeting
• 5 th	CEO/PM	CEO Office	Commencement of Project Manager
• 6 th 9 th	CEO	Gladstone	LGMAQ Conference
• 7 th	CEO	Teams	FNQROC Regional Plan
• 7 th	CEO	Teams	Griffith Tourism Update
• 13 th	EMT	Board Room	Managers Meeting
• 14 th	Council	Board Room	Council Meeting

Next month

• 14 th	Mayor/CEO	Board Room	Developer
• 14 th	CEO/Works	Workshop	QRA Update
• 14 th	CEO	Teams	Smart Sheet Update
• 14 th	CEO	Teams	Griffith Tourism Update
• 14 th	CEO	Teams	FNQROC Regional Plan
• 15 th 2 nd	CEO	ALeave	Holidays
• 19 th 23 rd	Admin		Auditors
• 21 st	Councillors		Road Run / Projects
• 22 nd	Staff	Public Holiday	Day of mourning - Queen
• 3 rd	Staff	Public Holiday	King’s Birthday
• 5 th 6 th	Council	Forsayth	FNQROC Meeting
• 6 th 7 th	Deputy mayor	Cloncurry	NWQROC Meeting
• 12 th	Council	Board Room	Council Meeting

6 Other

There is a lot on over the next 2 months, but planning is underway to cover all.

I am on holidays from Friday 16th to Saturday 2nd, I can be contacted on mobile phone or email.

Ken Timms
CHIEF EXECUTICE OFFICER