

Thank you to everyone that attended Wednesday's meeting. We had council staff having to add additional seating to the public gallery area thanks to another great turnout.

The meeting was opened with Pastor Daniel quoting a long time saying that "Answering before listening is folly and shame". He then asked the councillors to listen today before answering. How apt was this statement!!

6.1 Corporate Services Directorate Update

An interesting point of this report is where two budget revisions have been prepared and presented for Council's consideration after the original annual budget was adopted by Council on the 25 July 2023. At its 27 September 2023 Ordinary Meeting, Council adopted proposed amendments to the 2023-24 capital program. These amendments included updates to capital projects to include the 2022-23 carry forward capital budgets for projects that were not financially completed during the 2022-23 financial year.

At the 25 October 2023 Ordinary Meeting of Council, several minor operational budget adjustments and an updated capital program, amended to reflect project milestones were presented for consideration and subsequent adoption.

Interestingly the report states the impacts of both of the budget reviews were immaterial and effectively there was no change to Council's overall financial position. This supports the October meeting when Cr Polley asked if the carry over budget would increase the budget for the 2023-24 capital works budget and the council officer replied that it would not.

The 2022-23 Financial Statement have continued with the external auditors on site for the final audit visit from the 3 October 2023. The Annual Report is to be presented to Council for adoption within 30 days of the Auditor General's clearance of the financial statements. At this stage, council officers anticipate that Council's 2022-23 financial statements will be presented to Council at its December 2023 Ordinary Meeting. It is a pity that no one apart from Qld Treasury can undertake a review of council's financial position.

75% of Gympie's 530 employees completed the 2023 Staff Engagement Survey.

Cr Stewart asked the question if the staff survey could be made public? To which the CEO stated it was under review internally and would look to see if that can be made public.

Cr Milne asked if the funding arrangements for events like the Mary St, Christmas event is across the board?

The mayor stated that the funding was following an application from Skillshare to develop a traineeship for event management similar to one that is being trialled in Maryborough.

6.2 Request to Repeal Gympie Regional Council's Councillor Code of Conduct

Under section 150D of the Local Government Act 2009 (the Act), the Minister for Local Government (the Minister) must make a Code of Conduct stating the standards of behaviour for Councillors in the performance of their responsibilities as Councillors.

Well, this topic certainly woke the crowd. It is amazing that questions were being openly asked by councillors as to what effect repealing the Gympie Regional Council Councillor Code of Conduct (GRC010) policy would have on councillors.

Cr Polley asked if it is just a cut and paste of the current policy?

The council officer stated that the Local Government Act the code of conduct for councillors is cleaner with minor differences with the Gympie Regional Council Code of Conduct and that it standardises the policy across Qld.

The report notes there is no formal requirement for a separate GRC Code of Conduct and noting the duplication between the GRC Code of Conduct and the Code of Conduct for Councillors in Queensland, council officers recommend that the GRC Code of Conduct be repealed and that the Code of Conduct for Councillors in Queensland be adopted by Council.

Cr Devereaux asked what words were adopted with the council officer unable to identify the changes so would get them to councillors.

Cr Milne stated that she had read both policies and said it was basically a cut and paste and couldn't see the difference.

Cr Polley asked if they were to accept the proposed policy would they lose any controls over reviewing the document?

The mayor stated that as with other policies they can be reviewed at any time through a motion being raised. Cr Devereaux questioned that statement saying it wasn't quite that easy. Cr Devereaux then raised a motion that the item be tabled until track changes of the document could be forwarded to councillors for review and brought back for the December meeting. The motion was carried.

The most interesting part of this item was that again, Brisbane is developing policies, procedures and legislation that is to be used with a broad brush application across Qld without the public's input or consent. This is another example of how the Qld government is undermining the process of government by the people control by the government.

6.3 Acceptable Request Guidelines and Staff Interaction Policy

The council officer proposed that councillors approve to repeal the Acceptable Request Guidelines for Councillor Requests for Assistance and Information (OCG017). The purpose of the policy is to give councillors direction on who to contact regarding enquiries. It also includes legislative definitions under the Act.

Cr Milne stated she had concerns with Part 13 Non-Council related interactions where it states,

'a council related matter is raised by either party; it is appropriate to terminate that topic of discussion and advise the councillor or staff member to raise the matter through the appropriate council channels'.

Cr Milne requested examples of those items that should not be discussed.

The council officer asked if Cr Milne was meaning in the definitions section of the document?

Cr Polley was concerned he wouldn't know three quarters of the staff and could innocently make a mistake. The mayor stated that they just needed to be mindful about discussions with the general public regarding council matters.

This is exactly what the Qld government wants. They want the council representatives to be so worried they will be disciplined under the Local Government Act that councillors will be scared to speak with the public.

Cr Milne asked for it to be clearly defined on what "Council related matters" means.

The mayor then decided that he had concerns with Part 13 with regards to dehumanising councillors. If at a public forum and a member of the public wants to talk about council's purchase of a certain type of grader and they want to discuss why did council purchase a certain brand when they like another brand, he would be interested in knowing why and maybe the procurement report might have identified that so he could discuss that with the public.

The mayor pointed out that there needs to be a level of trust and from the previous council term there was poor management and staff and things have changed.

Cr Jensen stated council is changing a three page document and replacing it with an eleven page document and councillors are having trouble with the three page version.

Of note was a comment from Cr Polley who stated that he hadn't put anything on his Facebook page for three years as he is too scared to.

What an absolute absurdity that a so called public representative is too worried to put something up on his page to inform the public of the corporations activities, as he is concerned about repercussions under Section 170A(7) of the Local Government Act 2009 (the Act). This is by design. The government ensures councillors are too scared to be held liable for a breach of the Act for them to do their civic duty and consult with the public.

Cr Polley stated that he learnt more in the first six months of his term than anytime since. You could assume councillors might go in with all good intentions but the system is designed to change that if they allow it.

Cr Milne kept her record with a change of face with declaring the document is a lot clearer and covers more. That is after her declaring she had issues with the document. She then went on to question the council officer with the opportunities that were available to councillors to give feedback, which the council officer replied feedback was received from the workshop and by email.

Cr Stewart moved the motion that the item remain on the table until the issues raised were clarified. Motion carried.

6.4 First Quarter Update - Operational Plan 2023-2024

The Report is provided for the information of Council. The Report highlights progress achieved in furthering the initiatives nominated in Council's Operational Plan 2023-2024. The plan has been made available for the community on the website. (Link attached) www.gympie.qld.gov.au/downloads/file/4609/operational-plan-2023-2024

Cr Devereaux questioned the advocacy material in the plan. The council officer stated that this is in regard to state and federal government stakeholders. Cr Devereaux asked how do we go with those matters?

The mayor responded by saying council looks for opportunities to gain funding from other areas other than ratepayer funding.

Cr Milne as usual thanked council officers for the work they do and suggested that she was looking forward to the local laws review process. We are looking forward to that process as well, following our ability to discuss with the CEO and mayor that the process of local laws is for the public input as to whether or not the public accept them. The CEO stated that the public would have an ability for input with them. The CEO was reminded that input required presentations and feedback in each of the divisions represented with plenty of notice given to the public. When questioned, the CEO stated the reviews would be at first draft. We the people intend to keep them to that!!!

6.5 Audit and Risk Committee Update

The Committee expressed concern at the Council's ability to deliver the \$111 million capital works budget. The committee discussed the very large program of works and was advised that at least 50% was being outsourced entirely to AECOM as related to the flood recovery program and that council is managing the remaining 50%, with a significant proportion of this also to be outsourced.

The Committee noted that the 2022/23 financial year audit has not yet been finalised however QAO reported that they believe council is in a better position than it was last financial year. A better financial position!

The most interesting part of this discussion was the mayor stating that why isn't the committee recognising the honest work that the elected representatives of this term? He asked why the Audit and Risk committee does not recognise the improvement from the previous council of elected representatives got green ticks all along even though there was plenty of public information available to the committee that there were concerns with the management with no recourse?

Cr Fredman stated as a member of the committee, it is made up of accountants and solicitors as set out by the state government requirements.

Cr Milne stated that she had read the report and stated that progress is not made through praise. It appeared to those gathered in the public gallery that there was a push for some pats on the back from the present council as the previous council was publicly challenged on their decision making but there were no alarm bells ringing from the audit and risk committee.

6.6 October 2023 Finance Report

It was interesting to note that the Director or manager from the Finance Department were not available as they were attending an LGAQ conference and the Human Resources Manager was advised not to speak about the financial matters other than what was in the report.

The overall actual year to date performance to 31 October 2023 is a surplus of \$37.7m, which is tracking higher than the forecasted position of a **surplus of \$19.4m**.

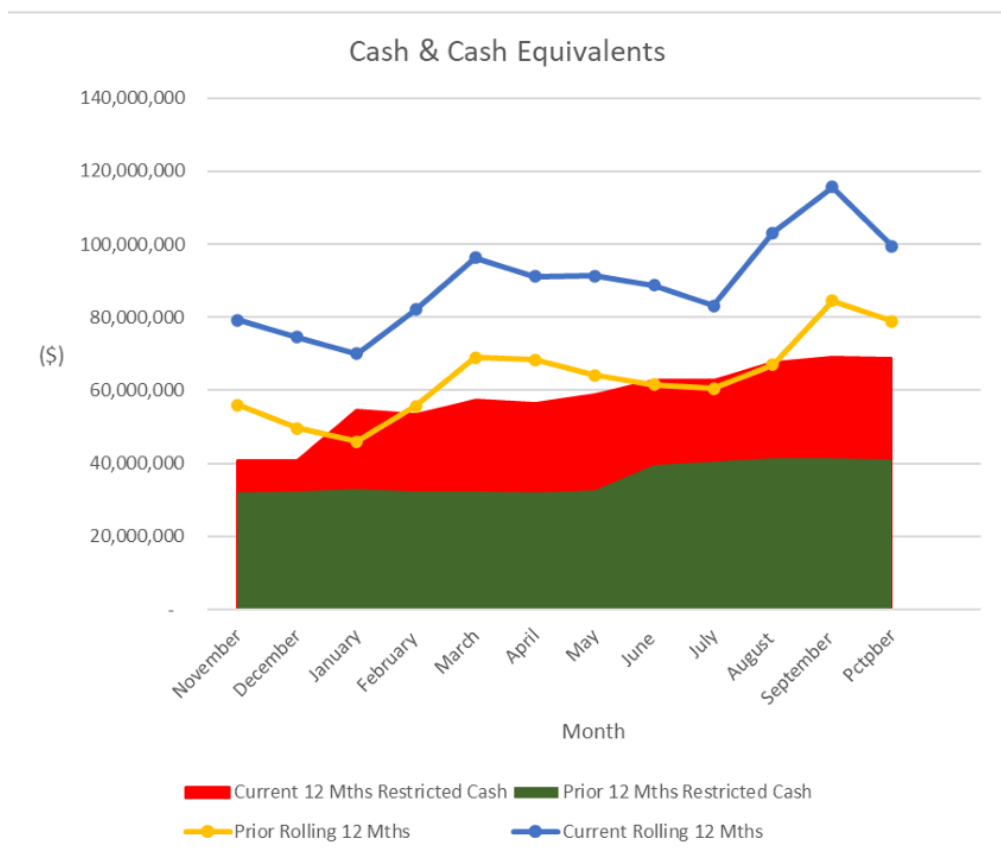
The financial report at 31 October 2023 shows overall operating **revenue received of \$61.8m** which is trending higher than the year-to-date budget of \$59.4m.

Interest and Investment Revenue \$639,000. The higher than forecast cash balance has resulted in increased interest and investment revenue received to date on council's investments and term deposits and higher than forecast interest charged on overdue rates.

The percentage of **outstanding rates** at 31 October 2023 was **12.05%** compared to 12.18% for the same period in the prior financial year.

At 31 October 2023, Council had expended \$22.3m on its annual capital works program compared to a forecast year to date of \$23.9m. Of the \$22.3m actual capital expenditure incurred to the 31 October 2023, costs in relation to the voluntary house buy back scheme total \$4.8m compared to the adopted budget of \$3m. This program is fully funded by the Queensland Reconstruction Authority (QRA) and the budget allocation will be increased to reflect the forecast approved buy back from QRA.

Cash and Cash Equivalents Report: Excluding funds held in trust, **total cash on hand at 31 October 2023 was \$99.7m** and of these funds, **\$78.9m was invested with the Queensland Treasury Corporation** with \$0.25m invested with Auswide Bank and \$0.25m invested with Bendigo Bank.



The indicative interest rate on investments at 31 October 2023 was 4.59% compared to 3.53% at 31 October 2022.

6.7 Procurement Panel Report

The Jones Hill Underground Reservoir has reached end of life and needs to be replaced. Council has an existing above ground 4.5 megalitre (ML) reservoir at the Jones Hill site, with sufficient space next to it for the construction of a new reservoir.

The council officer’s recommendation to the councillors and mayor was that Council resolve to accept the Tender received from Hornick Constructions Pty Ltd for RFT2022-23 033 - Jones Hill Reservoir for the contact sum of \$3,619,000.00 (GST inclusive), **\$3,290,000.00 (GST exclusive)**.

Cr Fredman asked the question if the new Jones Hill water tower would help the water pressure issues at Southside, with the council officer stating that it would not.

Cr Fredman stated that we needed the reservoir and we need it now. The site was levelled for it some 25 years ago.

Recommendation 3 in the report was that Council resolves to accept the Tenders received for Contract T133 – Preferred Supplier Arrangement for Quarry and Landscape Products from the following suppliers: Boral Construction Material, Campbells Truck & Bobcat & Landscape Supplies Pty Ltd, Clandore Quarry, Corbet’s Group, Four Mile Quarry, Gympie Landscape Supplies and Quarry Boys Gympie Pty Ltd.

Cr Fredman stated that is good to see that all preferred suppliers are local. We have finally got it right!!

Council is seeking specialist supplier approval for the existing supplier the Local Government Managers Australia (LGMA) Queensland for its suite of individual professional development, training, and events programs.

The twin goals of LGMA are to: **foster the professionalism** of the local government sector in Queensland, and continually **enhance the system of local government**.

There was no discussion with regards to the budget implications as the report stated, "Operational and capital budgets for the Enterprise Access System project will be increased to align with the revised costs to deliver this project as part of Council's quarterly budget review process". Again, we the people are excluded from knowing what council is spending money from the ratepayer on.

6.8 Procurement Panel - Post Market - RFT2022-23 045 - Gympie 3 Sewer Pump Station Replacement

The existing sewer pump station at the entrance of Gympie Central shopping centre is one of four main pump stations that discharge to the Gympie Sewage Treatment Plant. Gympie Regional Council is in the final stages of replacing these older pump stations with modern designs that comply with the latest environmental and health and safety requirements.

Council agreed to accept the tender received from Offaly Civil Pty Ltd for RFT2022-23 045 for Gympie 3 Sewer Pump Station Replacement for the contact sum of \$3,087,158.85 (exclusive of GST) and a total lump sum of \$3,395,874.74 (inclusive of GST).

A new site location has been decided to remove the existing pump station from the entrance from Centro Shopping Centre and away from the highway. The new location will be in Fox St.

6.9 Amendment to 2023-2024 Schedule of Fees and Charges

The ongoing saga of council officers continuously reviewing fees and charges charged to the public continued this meeting. Council sought approval for the review of fees and charges where water is taken by commercial carters.

The council officer stated that **commercial water carters** are causing significant water pressure problems on council's supply of water to residents. He stated that council was now nominating where commercial water carters could fill from.

The council officer stated that they are moving to GPS cards for each water filling station that will ensure what water is taken is charged correctly. Again, this all about ensuring council can extract every dollar from the people. New water carters will be charged a bond fee which council had originally set at \$1,700 but had since reviewed that bond to \$200. There will also be an additional monthly charge on top of the water costs of \$108 to the water carters that will all be passed onto the public.

Cr Smerdon stated that there were a number of long term suppliers that have purchased their own stand pipes, are they going to be charged the same?

The council officer stated that he personally thinks they should.

7.1 In Principle Commitment of Land - Lots 10 and 12 RP896299

A project to build one-to-two-bedroom housing and a group home in Kilkivan to assist residents to "age in place" has been driven by community interest. Following a petition to council in 2020 a request to council for tenure for the vacant freehold Council land in Church Street, Kilkivan to support this project concept.

The recommendation that Council recognises the value of ageing in place initiatives, and therefore commits in principle the provision of Council land at Lots 10 and 12 RP896299 Church Street, Kilkivan for these purposes, until such time that Council resolves to the contrary. Council will consider offering tenure (with relevant conditions) to proponents for the development of suitable ageing in place initiatives over these lots.

Council also carried the second recommendation for the CEO to investigate the future of Lot 11 RP896299 with its owner (the Catholic Church) to inform Council decision making in regard to the future uses and planning for Lots 10 and 12 RP896299. It will be very interesting to see what community spirit the Catholic Church displays when considering the use of the block and also the potential sale cost to council!!

7.2 Gympie Regional Council Biosecurity Plan 2023 - 2028 and Companion to the Gympie Regional Council Biosecurity Plan 2023 – 2028

The council officer advised councillors that the weeds and pests committee had been reactivated within council. This is following public consultation regarding the Gympie Regional Biosecurity Plan with ten submissions received from the community and relevant stakeholders during the consultation process.

The Plan provides the framework for the management of biosecurity risks associated with invasive plants and animals in the Gympie region. Council is also reviewing its Local Laws and biosecurity will be considered and enhanced as part of this process.

If you are to look at the document purpose attached below on page 2 of 25, you will clearly see this another enforcement tool of the state government through council. The very first sentence of the document clearly sets out the intent of the plan. It states, “The Gympie Region Biosecurity Plan (The Plan) provides the framework as to how all landowners meet their obligations to reduce biosecurity risks associated with invasive plants and animals (often referred to as weeds and pest or feral animals) that have significant economic, environmental, and social impacts on primary industries, natural ecosystems, and human and animal health.

<https://www.gympie.qld.gov.au/downloads/file/4758/2023-11-22-ordinary-agenda-part2>

Nowhere in the document does it describe council’s or the state governments responsibilities to undertake exactly the same requirements on council or state government land. This is purely arranged as per the big picture that council and government can apply a biosecurity measure on landowners.

This is supported in the comments from Cr Smerdon who stated that, “one of the hardest jobs of council is having enough staff to do anything about it. The staff we have are doing a good job”.

Cr Stewart stated that where neighbours who don’t look after their properties, this will help enforce their responsibilities!

Cr Milne stated that she thought it might assist in educating the community.

Cr Smerdon stated that he could not understand how people could buy a property and allow it to go backwards. The question to councillor Smerdon is, what does council do to eradicate the weeds and pests off council land and state government land. One only has to travel along many council roads and see the weed infestations they are going to make landowners control and council does little to nothing to stop infestations onto private land.

If anyone wants to see the neglect of state owned properties take a walk or where you can now, drive through a state managed forest and look at the groundsel and lantana infestations that have been left to take over the forest floors.

7.4 Freshwater Creek - Lot 10 MCH 2826

Currently Queensland Parks and Wildlife Service (QPWS) have 58,500ha of national park surrounding the subject property and have once again indicated their desire to have the property management relinquished back to them to be incorporated into the National Park.

QPWS have indicated to Council that they still have a desire for the property to be relinquished to them and the structures removed. The land is surplus to Council requirements and is being used unofficially by members of the public without tenure or control. This use is not supported by QPWS however they are unable to act on the matter as Council is Trustee for the Reserve.

Cr Fredman asked if there was any talk about finance returns to council as if the roles were reversed council would more than likely have to pay for it. The council officer responded that there had been no discussions regarding finance.

Cr Stewart thought it was the best option as it is not wanted or needed by council and it is a concern.

8.1 Capital Works Program 23/24 Status Quarterly Update

Key Project Updates Gympie Civic Centre - Target date for reopening remains late 2024 (as per update provided 26 April 2023 Ordinary Meeting).

Memorial Park Bandstand - Tenders for construction have closed, Anticipated construction start date late January 2024, Construction period to last 6-8 week.

8.2 Flood Recovery, Infrastructure Services Quarterly Update

Gympie Regional Council instigated the formation of the Flood Recovery Team to manage the recovery, reconstruction and resilience improvements of the region's roads and transport network, recreational and community assets, together with the Voluntary House Buy Back program, to reconnect and support the regions communities and economy following the declared natural disaster events in 2022.

The Program broadly encompasses 3 sub-programs, being the Restoration of Essential Public Assets (REPA), the Restoration of Recreational and Community Assets (RCRA) and the Voluntary Home Buy-Back (VHBB) scheme. Each of these sub-programs of work is funded by various percentage splits from State and Commonwealth Government funding. Generally, this funding is administered directly by the Queensland Reconstruction Authority (QRA).

Council does not fund these projects and is paid through these projects when administering the projects or undertaking parts of the projects. This funding is included into the budget. Current approved funding as of 31 October 2023 is \$97,931,752.

8.3 RFT2022-23-042 - 2022 DRFA Program - Construction Package 04 (Western Roads)

Council accepted the tender received from Durack Civil Pty Ltd for RFT2022-23-042 - 2022 DRFA Program for Construction Package 04 (Western Roads) for the amount of \$16,959,652.02 (exclusive of GST).

Cr Fredman summed it up beautifully in stating that it is a lot of money being spent on the roads network and that is just the times we are in. Council should look at setting up its own construction business and tendering for these jobs.

8.4 Water and Sewer Service Area Annual Review 2023

Section 163 of the Water Supply (Safety and Reliability) Act 2008 (the Act) requires the service provider (Council) to keep a map showing both the limits of the service area and the location of the service provider's infrastructure. It further provides that the map must be updated at least annually.

Discussion around the table questioned the council officer on the colour coding on the maps with some wanting to know what the yellow colours were for. The council officer replied that indicates where council cannot meet customer requirements.

Very interestingly was a comment from Cr Polley who stated that he had been informed from his constituents that one property in Southside can get water but not sewerage and the neighbour next door can get sewerage but not water.

The most comical point of the day with regards to how corrupt this system is, is when the council officer stated that if the map shows they are within the areas to get either sewerage or water they will be charged for it in their rates even if it is not available to them!!

8.5 Expression of Interest (EOI), Building Assets Condition Assessments

Council has been in the process of developing Asset Management Plans (AMP) for all asset classes. In order to provide data to inform the AMP for the Buildings asset class, comprehensive Condition Assessments have been budgeted to be undertaken within the 2023-2024 financial year.

The council officer stated the council can go straight to tender for condition assetments for council buildings and assets. Council resolved under s228 (3) (a) of the Local Government Regulation 2012 to undertake an Expressions of Interest for the completion of Building Assets Condition Assessments as Council considers and Expression of Interest process to be the most efficient mechanism to approach the market given the current knowledge of Council's building assets.

There is currently a \$400,000 allowance in the 2023-24 Budget for the commencement of the condition assessments.