

Gympie Regional Council Meeting – Update 14 January 2024

Thank you to everyone who turned up today for the January Gympie Regional Council Ordinary Meeting. With a turnout of 35 people, we overfilled the public gallery with the overflow having to be seated in the adjoining room.

Some points of interest to come out of the meeting were;

- No tabling of the Fluoride petition which means the earliest it will be heard now will be the April meeting following the swearing in of the new Council.
- Council goes into Caretaker mode Monday 29 January as the Local Government elections will be called on that day.
- Cr Bob Fredman is the first to advise that following the election date of 16 March 2024, he will be retiring after being involved with Council for 46 years both as an employee and councillor.
- Galloway Group Company Limited has approached Council through Mayor Glen Hartwig with an offer of initial contribution of funding towards community projects.

Again, thank you to those that could attend as you represented the group well.

The meeting opened with the mayor advising no pastor available to do the local prayer and the minutes silence for those that had passed in the local area.

Then it started with Cr Milne, who questioned the previous minutes with regards to one of the agenda items comments within the recorded meeting minutes

Cr Devereaux moved that to put the matter to be tabled to discuss further at a later time. The motion was carried.

Item 4.1 Petition for No Fluoride

Council received a petition with 651 signatories concerned about the adding of Industrial Waste Fluoride into the regions water supply. The Office of the CEO officially received the above petition on 28 November 2023 and correspondence acknowledging receipt of said petition had been sent through to the principal petitioner (CEO) on the 7 December 2023.

The Recommendation tabled at the December meeting was that Council notes, as per section 8.0 of the Standing Orders, that this petition was received by Office of the Chief Executive Officer (CEO) on the 28 November 2023 and refers the matter to the CEO for consideration, with a report relating to action on this matter to be presented to a future meeting of Council.

It was interesting to see the CEO was not brave enough to tackle this with the current councillors and left it on the table until after the council elections and new councillors are elected.

Under the Standing Orders of meetings, the CEO took option (b) the petition be received and referred to a Standing Committee or the CEO for consideration, and where appropriate, for a report to be presented to the local government.

This option requires consultation to be undertaken with the relevant portfolio and/or divisional Councillor(s) in relation to the petition matter. **Council will respond to the Principal Petitioner in relation to all petitions deemed valid within two months** of the petition being received. All Councillors shall be provided with a copy of the response.

This means the Fluoride petition will not be heard **now until after the 16 March 2024 local government elections** with the petition will need to be **tabled during the May 2024 meeting** following the swearing in of the new Council.

5.1 Notified Motion - Renaming Gunalda Park for the late Charlie Freeborn

Councillor Jensen has advised that she has been requested by local residents for Council to consider renaming Gunalda Park at Balkin Street, Gunalda for the late Charlie Freeborn. Charlie Freeborn, a distinguished World War II veteran and sapper, was not only a hero but also a hardworking and reliable tradesman.

It was moved that council request the CEO to begin the process, including public consultation with locals, with the view to rename Gunalda Park in Balkin St, from Gunalda Park to honour the late Charlie Freeborn.

5.2 Notified Motion - Request for Plaque at Carlo Point

Councillor Smerdon received a request from Ms Carolyn Simpson from Rainbow Beach. Ms Simpson lost her husband in early November. Ms Simpson has asked for Council approval to affix a plaque to an existing seat at Carlo Point near the boat ramp.

It was on again with Cr Milne asking through the chair, asking Cr Smerdon why this came to council instead of following process, stating a councillor cannot put up a recommendation during the meeting. This involved the recommendation from Cr Smerdon with regards to the plaque being allowed on the foreshore seat in remembrance of her late husband.

This is the same childish behaviour we had witnessed in the December meeting with Cr Milne taking pot shots at Cr Smerdon since his Gympie paper remarks in November 2023 regarding his notice to contest Division 1 against Cr Milne.

The mayor stated that the process can be overruled by the councillor if they see fit!! **Isn't that interesting!!**

Cr Smerdon agreed, the policy can be changed when in the best interests of the community.

Cr Stewart stated that the regulation allowed for staff to put up a recommendation.

Cr Milne interjected calling "Point of Order" to the mayor.

The mayor stated to Cr Milne if we vote against a recommendation, we must give a reason, there is nothing stopping a councillor putting up a recommendation for discussion.

The motion was carried.

5.3 In Principle Agreement - Galloway Group Company Limited

Galloway Group Company Limited is currently awaiting approval from the Foreign Investment Review Board (FIRB) to commence gold mining operations in Gympie in partnership with Aurum Pacific Pty Ltd. Galloway Group Co Ltd is **Chinese owned**, and **registered in Hong Kong**, incorporated 3/12/2003, with CR No. 0873512.

Galloway Group Company Limited has approached Council **through Mayor Glen Hartwig** with an offer of initial contribution of funding towards community projects. Galloway Group Company Limited is committed to leaving a lasting legacy for the Gympie region should it be successful in obtaining all approvals to commence gold mining operations.

A document **presented to Mayor Glen Hartwig** on Thursday 11 January 2024 **by the Director of the Galloway Group** Company Limited which provides an in-principle agreement that Galloway Group Company Limited will contribute **\$2.75million** towards the following projects:

- \$2 million contribution to the redevelopment of the Gympie Gold Mining Museum
- \$500,000 contribution to earthworks to improve Cooloola BMX and One Mile facilities in preparation for opportunities relating to the 2032 Olympic Games.
- \$50,000 per year for 5 years to sponsor the Heart of Gold International Short Film Festival.
- Other projects and contributions over the course of the mines operations that will benefit the community and leave a lasting legacy for the residents of the Gympie region.

Note: A copy of the In-Principle Agreement letter can be found on page 93 of 251 in the agenda attached at the bottom of the report.

In 2020 Mayor Hartwig campaigned on a promise of a renewed gold mining deal that would bolster the region's economy. The attached ABC News item supports this statement, <https://www.abc.net.au/news/2020-08-20/mining-company-wants-to-reopen-qld-gold-mine/12577604>

The article states that the Queensland Government introduced the Resources Legislation Amendment Bill in August 2011 to create "urban restricted areas" (URA) which would prevent applications for mining and gas within two kilometres of urban areas, unless the local government gave consent.

Council applied for State to lift the URA on the Gympie Area allowing for Gold Mining and exploration within residential area because the New Gympie Gold (NGG) also held Exploration Permit (EPM)27228, which they had incorporated into their application.

The recommendation was for council to note the offer without acceptance as the requirements for the mining lease had not been met “**as yet**”.

Cr Devereaux thought it was a good sweetener for the public.

Cr Fredman was concerned it was even legal for councillors to vote on it.

6.1 2023-24 Budget Amendment - Second Quarter Budget Review

The proposed adjustments to operational revenue and expenditure budgets result in an overall increase in the net operational deficit for the 30 June 2024 from \$5.61m to \$8.03m. The operational result excluding extraordinary items, will also be revised as a result of the proposed amendments, from an original forecast operational surplus of \$0.76m to a net operational deficit of \$1.66m.

The major adjustments proposed to be included in the 2023-24 Capital Program are the increased number of properties identified as part of the Voluntary Home Buy Back (VHBB) Program and escalation in the estimated costs to complete the Reconstruction of Essential Public Assets (REPA) as part of the recovery of the 2022 flood events. Both of these items are 100% grant funded. **The Government buy back scheme has already spent \$19M** on the properties bought back.

A comprehensive **consultation process** has been undertaken with **Managers and the Executive Leadership Team** on the outcomes of this review.

Cr Devereaux asked questions regarding the budget and the CEO was quick to suggest that the budget review go to a workshop. This is interesting because the questions still have to be answered where the unspent capex budget from 2022-23 of \$25.5M is being incorporated into the current capex budget. It is convenient in that the ratepayers and residents are excluded from the workshop meeting so we will never hear where the wastage of ratepayer’s money is being **sent (not spent)**.

All councillors and mayor agreed to vote in favour of the discussion to go behind closed doors.

6.2 December 2023 Finance Report

Council’s overall actual year to date performance to 31 December 2023 is a surplus of \$34.4m, which is tracking higher than the forecasted position of a **surplus of \$15.8m**.

Council’s net operating result at 31 December 2023 is a surplus of \$3.5m compared to a year to-date budget surplus of \$0.3m.

At 31 December 2023 the underlying **operational result** excluding extraordinary items is an operational surplus of **\$5.5m** compared to a year-to-date budget operational surplus of \$3.3m.

Operating Revenue: The financial report at 31 December 2023 shows overall **operating revenue received of \$67.9m** which is trending higher than the year-to-date budget of \$66.1m.

Rates, Levies and Charges - net \$666,000 variance, which is achieved by an Increase in the number of rateable properties included in the first half year rates calculation.

Water Sales \$582,000 from bulk water sales favourable variance is due to weather conditions driving up water consumption and increased demand for standpipe access. The budget for these items will be monitored in light of the current wet weather being experienced across the region, meaning they will be looking for alternate fees and charges surrounding water costs to maintain the variance.

The percentage of **outstanding rates** at 31 December 2023 was **9.01%** compared to 8.59% for the same period in the prior financial year. At the December meeting the council officer remarked to Cr Polley’s question about what normal practice with rates areas in a percentage and the council officer stated that 3% is the acceptable rate.

The Statement of Financial Position compares Council’s assets, liabilities and community equity position to the previous financial year and for the period to 31 December 2023, shows an increase in **Community Equity of \$176.7m**. This increase in equity is primarily due to **the increase in Property, Plant and Equipment** due to the confirmation of the

asset revaluation process which was as part of the finalisation of the 2022-23 financial statements process, recognition of contract assets and liabilities and Council's improved cash balance at 31 December 2023.

Total cash on hand at 31 December 2023 was \$85.1m and of these funds, **\$83.0m** was invested with the **Queensland Treasury Corporation** with \$0.25m invested with Auswide Bank and \$0.25m invested with Bendigo Bank.

The cash balance includes constrained funds of \$71.3m which are made up of the prepayment of grant funds the prepayment of the state waste levy, infrastructure charges and provisions for rehabilitation of landfill and quarry sites across the region. **The question needs to be asked**, how many and how often are these **landfill and quarry sites requiring rehabilitation?**

Salary & Wages variance of (\$1,558,000) Higher than forecast labour costs due to the successful recruitment to long term vacancies, **lump sum termination payments** and higher than anticipated overtime costs mainly in the Water and Waste Water and Community and Commercial Branches.

6.3 Quarterly Investment Report to 31 December 2023

The purpose of this report is to advise Council on the performance of its investment portfolio for the period ended 31 December 2023. The investment of surplus funds has been made in accordance with the requirements of the Statutory Bodies Financial Arrangements Act 1982 and the Policy.

Cr Devereaux asked if the increased income would be going back into the operational costs?

The council officer stated that it would be included in the budget. **Where??**

6.4 Procurement Report - January 2024

This report provides a summary of the Procurement Panel's activities. The report includes items endorsed by the Procurement Panel for procurement that exceed the financial delegation of the Chief Executive Officer.

Tenders were invited to establish a schedule of rates contract to produce Type 2.5 gravel and other specified construction materials at council's Mt Olive quarry located at Mt Olive Road Cinnabar.

Based on the result of the tender evaluation process and weighted scoring, it was the Panel's recommendation that Council accept the Tender received for Contract No RFT2023-24 025 Mt Olive Quarry Type 2.5 Gravel and Construction Materials Production from **Quarry Boys Gympie Pty Ltd**.

The current Register for Pre-Qualified Suppliers of Dry Hire Plant and Equipment is due to expire on the 29 February 2024 and the Evaluation Panel are seeking to extend the current Register of Pre-Qualified Suppliers to 30 April 2024 due to the commencement of the Caretaker Period prior to the Local Government election.

It was council officers' recommendation that the Executive and subsequently Council approve the extension of RPQ108 for the supply of Dry Hire Plant and Equipment for a further two (2) months with the expiry date of 30 April 2024 to allow time for robust evaluation and mobilisation of the new agreement.

Council approved a three (3) month extension for the current RPQ124 – Prequalified Register – Tree and Arboriculture Services to 30 April 2024.

6.5 Audit and Risk Committee Report - 14 December 2023

It was noted that the significant deficiency in respect to capitalisation of assets is still unresolved and will require considerable effort across the organisation to manage timely capitalisation into the future. The other 2 major outstanding issues will require **implementation of TechnologyOne** before council will be able to resolve.

Council is in the process of implementing **TechnologyOne's One Council Enterprise Resource Planning and Electronic Document and Records Management System solutions**. As Council transitions to TechnologyOne's One Council Enterprise Resource Planning and Electronic Document and Records Management System solutions it is equally critical in council's view for **council to have fit-for-purpose application support across all the TechnologyOne's One Council ERP modules**. That is convenient isn't it!!

An interesting point regarding this item was that the establishment of an agreement for Account Managed Services **was not included in initial contract negotiations**, as these services were not required in the initial stages of the

implementation of TechnologyOne's One Council Enterprise Resource Planning and Electronic Document and Records Management System solutions.

One would have to ask what the representatives of council were thinking when this contract was presented to council for tabling with councillors and mayor for budget approval.

A quote has now been received from TechnologyOne for the provision of **25 hours per month** of Account Managed Services for a total price of \$83,520 (exclusive of GST), **\$91,872 (inclusive of GST)**.

In a typical council way of managing the laws that are written to be abused by them, this is typical of the abuse of the people's knowledge and consent.

7.1 Extension to the Domestic Waste Contract

This report is seeking that Council extend the current contract until 30 June 2025, enabling adequate time for the development and release of a well-researched tender document. This extension will also provide Council with adequate time to consider and award the new domestic waste collection contract.

Consideration of this proposed contract will fall within the next term of Council and given the abundance of new information placed on newly elected council members, seeking an extension of the current contract may be a judicious course of action to take.

The current domestic waste contract held by Cleanaway is adequate and there are no significant foreseeable risks associated with extending the contract to 30 June 2025.

7.2 Development Application for Material Change of Use - Transport Depot (Removalist's Depot) and Warehouse (Storage of Shipping Containers) at 427 Carlson Road Coles Creek

This was noted by the council officer as a **compliance issue**.

A development application for material change of use had been made for a Transport Depot and Warehouse at 427 Carlson Road, Coles Creek. The proposal is described as: Transport Depot (Removalist Depot) for the storage of up to three (3) trucks and associated machinery (specialist forklift to cater for 20-foot containers) and Warehouse (storage of shipping containers).

Interestingly the council officer used the Temporary Planning Instrument – Protection of Biodiversity Values where the site is mapped as containing significant local and STATE environmental values, with **no evidence provided by the officers of what those values were**.

The site is mapped as an **'important agricultural area'** and agricultural land classification – class A and B.

Under the Temporary Local Planning Instrument (TLPI) for Protection of Biodiversity Values the **site is mapped entirely as 'Priority Species Habitat', what happened to the important agricultural area zoning?**

The attached photo would question how the state government places a significant local and **STATE environmental value** on this site **considering there is an easement traverses the site and contains Seqwater infrastructure - pipeline/channel**. The proposed development **is to be located outside of this area** and it is not envisaged that the integrity of the Seqwater infrastructure would be compromised.



This is where the Qld government is operating outside of the best interests of the people of Gympie and we the people need to stand up and say enough is enough!!

The council officers identified the risk to people may be considered low as the development does not propose customers to visit the site and employees are generally based off-site (ie driving trucks). The applicant's justification may demonstrate that the risk to property is mitigated as the shipping containers are '**sealed metal**'. This may provide **some level of protection** for the stored goods **however it is considered that a bushfire plan** should be required as part of any **approval** detailing the procedures for a bushfire event in terms of protecting people and property.

This is how inane this council is, the council officers decided the plan would also need to detail any required asset protection zones required which **may necessitate further vegetation clearing** but **should avoid mapped significant environmental areas**.

Cr Devereaux asked with regard to the complainant did the complainant have anything they wanted to be done.

The council officer stated that they thought if a screen was put up it would alleviate the situation.

Cr Devereaux stated that wasn't that in the development application material which indicates landscaping and fencing can be installed to the Carlson Road frontage to assist with screening and the proposal plans indicate proposed screen planting to parts of the eastern boundary.

Cr Devereaux moved that the matter be tabled for further discussion as there appeared to be conflict with the compliant and the application with many unanswered questions by the council officers, therefore not enabling councillors to make a sound decision.

The item was tabled for further discussion.

7.3 Planning Scheme Policy Position Papers

This report sought Council's final endorsement of the key policy positions for the new planning scheme in the areas of:

- (i) Coastal Hazards
- (ii) Heritage
- (iii) Highway Realignment
- (iv) Housing
- (v) Industrial
- (vi) Retail Commercial.

The remaining policy position papers are still under discussion and will be presented to Council post-election.

Cr Devereaux stated he had concerns the Wide Bay Burnett Regional Plan (WBBRP) and these policies does not line up. He stated there are differences within the Plan and the policies that he felt need to be explained.

The Planning Scheme Policy Position Papers in Section 7.3 includes the Coastal Hazards Policy Position Paper which includes parts of the **UNESCO Great Sandy Biosphere Reserve and National Park, the Housing Policy Position Paper and the Industrial and Retail Position Papers**.

The council officer stated that submissions were made to the minister for "**priority areas living**" such as Gunalda, Kilkivan and Tin Can Bay with a device that protects those areas from mining.

Cr Polley asked if this policy allows for development such as Aura and Springfield style projects?

The council officer stated that the policy **did not** stop that style of development being submitted to council!!

Cr Polley stated that we don't need that type of development here.

8.1 Water Meter Policy - Sub-metering

Council is receiving an increasing number of plumbing applications for multiple dwelling configurations on single properties, in the form of secondary dwellings, "**granny flats,**" dwelling additions and multi-unit properties. This is **partly in response to the housing crisis**, and the **State Government's relaxing of planning rules for secondary dwellings**.

The guideline provides technical information about individual sub-metering arrangements for secondary dwellings, duplexes, and multi-unit properties (MUP'S).

Cr Devereaux asked who is responsible for the meters.

The council officer stated that ultimately council would be responsible. Council resolved to adopt the new Water Meter Policy – Sub-Meters for Multi-Unit Properties.

Council resolved to adopt the new Water Meter Policy – Sub-Meters for Multi-Unit Properties.

8.2 New Lease to Telstra Corporation Limited over part of Inskip Point - Part of Lot 28 SP103952 - Telstra Satellite Small Cell Facility

Telstra have approached council for a lease over Part of Lot 28 SP103952, within the S. S. Dorrigo camping area located at Inskip Point. This reserve is held in trust by council (jointly with The State of Queensland – Department of Environment and Science) for Environmental and Recreation purposes.

Council resolved to approve the exception referred to in Chapter 6, Section 236(1)(c)(vi) of the Local Government Regulation 2012 allowing Council to dispose of (through leasing) the subject land, other than by tender or auction for the purposes of a telecommunications tower.

Term of Lease: Ten (10) years; Rent: \$2,000 plus GST per annum; Rental review: Rent to be increased by 2% per annum on the anniversary of the commencement date.

8.3 Infrastructure Services Directorate Report - January 2024

These quarterly reports are an opportunity for council to reflect on achievements and learnings and to encourage information sharing across the Directorates, the Organisation and Council, **NOT WITH THE PUBLIC**. The report provides a summary of the key achievements and planning for each of the business units within the Infrastructure Services Directorate.

The **Wide Bay Regional Roads and Transport Group (RRTG)**, established to drive collaborative regional planning for and prioritisation of investment on road and transport infrastructure, is supported by a Technical Committee made up of senior civil engineering and program management officers of both TMR and council members.

Disposal of surplus land: Property Management are progressing with the **disposal by sale of identified surplus freehold land**. So far **five properties have successfully settled, three are under contract** and a **further property is attracting interest**. **Phase Three of the Land Audit** is currently out **for comment with internal stakeholders**. Responses will be collated in February and **any properties identified for potential disposal** will be brought before Council for resolution to dispose.

Water Theft: Staff have reported several water theft incidents that were identified when performing meter reading and preventative maintenance at a sewer pump station. This action is on top of **Water Sales \$582,000 from bulk water sales** in December.

8.4 RFT2023-24-017 – Construction Package 05 (Landslips)

A pre-tender briefing was held on 21 September 2023. The pre-tender briefing was not mandatory. The pre-tender briefing covered four projects/contracts. A condensed process was undertaken, requesting contractors to nominate their interest in which contracts they were interested in tendering. The following contractors attended: Ark Group, Hazzell Bros, Durack, GRC Civil, SGQ, Brown Contractors, CMC, and Stabilis.

It was the officer's recommendation that Council proceed with accepting the Tender received from **Durack Civil Pty Ltd for \$1,328,099.02 (exclusive of GST)**. Durack Civil Pty Ltd is a Moranbah Qld registered company.

8.5 Regional Precincts and Partnerships Program Grant Opportunity

The Australian Government has released a significant grant opportunity (totalling \$400 million) focused on **bringing together governments and communities to plan and deliver regional precincts** that are **tailored to local needs** and **have a shared vision in how the precinct connects to the region**.

The grant opportunity, the Regional Precincts and Partnerships Program (rPPP), has two streams:

- Stream One – Precinct development and planning (maximum grant opportunity of \$5 million)

- Stream Two – Precinct delivery (maximum grant opportunity of \$50 million)

A key element of both grant streams is **the demonstration of Council's commitment and contribution to the project**, noting that contributions can be non-monetary.

Assessment of Stream **Two applications focus** heavily on **readiness to commence** the project (i.e. "shovel ready projects") and **prior community engagement**, both key elements that are a deliverable of a successful Stream One project.

Cr Deveaux stated that it was identified when the **current councillors came into office** that there were **"shovel ready"** projects to be identified and reviewed and **four years later and over \$100,000 later**, there are **no projects** that have been identified.

Cr Devereaux stated that he hopes the process has been improved for the next council as the ratepayers are not going to be pleased with the waste of their money considering the budget has doubled. **We are not happy not councillors!!!!**

Successful projects approved under the rPPP must be completed by 31 March 2026.

Note: This is a federally funded program with **the intention of "Master Designing of Town Precincts"**.

As part of the 2023/24 Council Budget, **\$200,000 was allocated for the progression of conceptual work** for the redevelopment of the Gympie City Centre. This **project includes the review** of historically developed concept **and master plans for the Gympie City Centre** and the development of a consolidated, **broader concept master plan for Gympie**.

The grant (if successful) is to be included in 2024/25 and 2025/26 Budgets, including any monetary Council contribution if required.

Council endorsed the submission of an application under Stream One of the Regional Precincts and Partnerships Program for the Gympie City Centre Precinct.

<https://www.gympie.qld.gov.au/downloads/file/4823/2024-01-24-ordinary-meeting-agenda>