MINUTES

of the

ORDINARY MEETING

CHAIRMAN: Cr A.J. Perrett (Deputy Mayor)

Held in the Boardroom
Town Hall
2 Caledonian Hill
Gympie Qld 4570

On Wednesday, 27 March 2013
At 9.00am
Ordinary Meeting Minutes 27 March 2013

Gympie Regional Council  ORDINARY

Mayor RJ Dyne (Chairman),
Crs AJ Perrett, MW Curran, RA Gâté, LJ Friske,
IT Petersen, MA McDonald, WW Sachs and JA Walker

CONTENTS:

DISCLOSURE OF INTERESTS BY COUNCILLORS................................................................. 3

SECTION 1: OPEN WITH PRAYER..................................................................................... 3

SECTION 2: APOLOGIES / LEAVE OF ABSENCE............................................................. 3

SECTION 3: CONFIRMATION OF MINUTES.................................................................... 3

SECTION 4: PETITIONS..................................................................................................... 3

SECTION 5: PLANNING AND DEVELOPMENT ................................................................. 4

5.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE — EDUCATION OR HEALTH PREMISES (EXTENSION TO EXISTING TAFE COMPLEX) AT LOT 5 MCH801883 FOR DEPARTMENT OF EDUCATION AND TRAINING .......................................................... 4

5.2 DEVELOPMENT APPLICATION FOR OPERATIONAL WORK — ROADWORKS, STORMWATER DRAINAGE, WATER AND SEWERAGE INFRASTRUCTURE AT OLD IMBIL ROAD, MONKLAND FOR OPUS QANTEC MCWILLIAM ........................................................................................................ 15

5.3 REQUEST FOR TEMPORARY EXTENSION OF OPERATING HOURS FOR MATERIAL CHANGE OF USE — EXTRACTIVE INDUSTRY (QUARRY — 100 000T TO 1 000 000T OF MATERIAL PER YEAR) AND ENVIRONMENTALLY RELEVANT ACTIVITIES — ERA #16 THRESHOLD 2 (C) EXTRACTING MATERIAL (100 000T TO 1 000 000T PER YEAR) & ERA #16 THRESHOLD 3 (B) SCREENING MATERIAL (100 000T TO 1 000 000T PER YEAR) OVER LOT 27 FY1129 & LOT 29 FY2178 — 5167 BURNETT HWY, GOOMERI ........................................................................................................... 20

5.4 2013-117: REQUEST FOR CONCURRENCE AGENCY ADVICE FOR PROPOSED CLASS 10A CARPORT AT 13 MAHENO COURT, TIN CAN BAY LOT 33 ON RP 803367 ................................................................................................ 27

5.5 FLYING START PROGRAM — PROPOSED AMENDMENTS TO THE STATE PLANNING REGULATORY PROVISION (ADOPTED CHARGES) 2012...................................................... 35

SECTION 6: SOCIAL WELLBEING.................................................................................... 38

6.1 REGIONAL ARTS DEVELOPMENT FUND (RADF) ANNUAL BID ................................ 38

6.2 MARY VALLEY LAND USE SUBMISSION .................................................................. 40

6.3 KEEPING OF PIGS ON RURAL RESIDENTIAL LAND ........................................... 42

6.4 BUSKING IN MARY STREET ..................................................................................... 44

SECTION 7: HEALTH AND ENVIRONMENT .................................................................. 47

7.1 ENVIRONMENTAL PROTECTION (GREENTAPE REDUCTION) AND OTHER LEGISLATION AMENDMENT ACT 2012 — REMOVAL OF ENVIRONMENTALLY RELEVANT ACTIVITIES (ERAs) DEVOLVED TO COUNCIL ................................................................................................................. 47

7.2 PREMISES LICENSING REGISTRATION AND REGULATORY FEES 2013/2014 ........................................................... 51
SECTION 8: GOVERNANCE AND ECONOMIC DEVELOPMENT .............................................. 55
8.1 BUSINESS CONTINUITY - GENERATOR.................................................................................................. 55
8.2 RESERVE LOCATED ON CNR GROUNDWATER AND SORENSEN ROAD, SOUTHSIDE (LOT 2 SP240978) ....................................................................................................................................... 58
8.3 SUMMARISED BUDGET REPORT AS AT 28 FEBRUARY 2013 .................................................................. 61
8.4 REVIEW OF PROCUREMENT POLICY ..................................................................................................... 63
8.5 TOURISM ADVISORY BOARD – TERMS OF REFERENCE ........................................................................ 65
8.6 ACCEPTABLE REQUEST GUIDELINES AND CONFIDENTIALITY PROCEDURE ........................................ 68
8.7 LOCAL GOVERNMENT ACT AMENDMENTS AND THE STANDING ORDERS ........................................... 70

SECTION 9: INFRASTRUCTURE .......................................................................................... 72
9.1 INVITATION OF EXPRESSIONS OF INTEREST FOR THE SUPPLY OF GIS SOFTWARE ........................................... 72
9.2 B-DOUBLE ROUTE – FRASER ROAD TO TIN CAN BAY ROAD ................................................................ 74
9.3 PROPOSED B-DOUBLE ROUTE – CORELLA ROAD, GYMPIE ................................................................ 76
9.4 PROPOSED B-DOUBLE ROUTE – NEUSAVALE ROAD, NEUSAVALE ......................................................... 78
9.5 2012/13 T-018 NDRRA INSITU PAVEMENT STABILIZATION SECTION 6 ....................................................... 80

SECTION 10: MAJOR PROJECTS AND BUSINESS ACTIVITIES .............................................. 82

SECTION 11: WASTE MANAGEMENT ....................................................................................... 82

SECTION 12: TOURISM AND MARY VALLEY ........................................................................... 82

SECTION 13: GENERAL BUSINESS .......................................................................................... 82

SECTION 14: IN COMMITTEE ..................................................................................................... 83
14.1 CONSERVATION MANAGEMENT PLANS - ELGIN VALE SAW MILL & MEMORIAL PARK ................. 84
8.6 APPOINTMENT OF ADDITIONAL INDEPENDENT MEMBERS OF THE AUDIT COMMITTEE ............ 85

SECTION 15: ATTACHMENTS ................................................................................................... 86
The meeting commenced at 9.00am.
PRESENT: Cr A.J. Perrett (Chairman), Cr M.W. Curran, Cr L.J. Friske, Cr R.A. Gâté, Cr M.A. McDonald, Cr W.W. Sachs and Cr J.A. Walker.

Also in attendance were Mr B. Smith (Chief Executive Officer), Mr C. Manson (Deputy CEO/Director Corporate Governance), Mr M. Hartley (Director Planning & Development), Mr C. Young (Director Corporate & Community Services), Mr B. Fredman (Director Engineering Services), Mr D. Scordalides (Director Infrastructure Services), Mrs D. Jenkins (Manager Corporate & Customer Services), Mrs T. Stenholm (Manager Development & Compliance), Mrs K. Fuller (Planning Assistant – Technical Officer), Mrs H. Kelly (Manager Community Development & Facilities), Mr I. Wolff (Manager Health & Environmental Services), Mr B. Hayes (Manager Information Systems and Change Management), Mr R. Potter (Manager Local Laws) and Miss A. Dunkley (Minutes Clerk).

DISCLOSURE OF INTERESTS BY COUNCILLORS

M53/03/13 - Cr W.W. Sachs – Conflict of Interest

SECTION 1: OPEN WITH PRAYER

Pastor Dean Comerford from Gympie Community Church offered a Prayer for the advancement of the region and the true welfare of its people.

One Minute’s silence for family and friends of deceased residents of the region.

SECTION 2: APOLOGIES / LEAVE OF ABSENCE

Leave of absence for this meeting was previously granted to Councillor Ian Petersen and Councillor Ron Dyne. (M31/01/13)

SECTION 3: CONFIRMATION OF MINUTES

M24/03/13  Moved Cr R.A. Gâté  Seconded Cr M.A. McDonald
That the Minutes of the Gympie Regional Council Ordinary Meeting held on 06 March 2013 be taken as read and confirmed.
Carried

SECTION 4: PETITIONS

Gympie Regional Council
SECTION 5: PLANNING AND DEVELOPMENT

5.1 Development Application for Material Change of Use – Education or Health Premises (Extension to Existing TAFE Complex) at Lot 5 MCH801883 for Department of Education and Training

PORTFOLIO: Planning and Development

DIRECTORATE: Planning and Development

AUTHOR: Planning Assistant - Technical Officer (Planning) - K Fuller

DOC ID: 2012-1552

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 4.1 Sustainable Environment
Operational Plan: 4.1.1 Environmental Planning

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
Nil

2. REPORT

FILE NO: 2012-1552
APPLICANT: Department of Education & Training
RPD: Lot 5 MCH801883
SITE ADDRESS: Cartwright Road, Gympie
CURRENT USE OF LAND: TAFE Complex
PROPOSAL: Material Change of Use – Education or Health Premises
EXISTING ZONE: Community
LEVEL OF ASSESSMENT: Code
2.1 INTRODUCTION

2.1.1 The Proposal

Application is made for a new building at the existing Wide Bay TAFE complex to be used to provide vocational training in the construction and engineering fields to secondary students.

The building is to be sited to the south-west of existing TAFE buildings and will be stepped down to accommodate the slope of the site. Maximum height above natural ground level is to be 5.9 metres.

An additional ten (10) car parking spaces are to be provided adjacent to the building.

A gross floor area of 624m² is proposed and is estimated to be able to accommodate 60 students per day. The total use area including outdoor areas and equipment storage areas is approximately 959m².
Gympie Regional Council
2.2.0 STATUTORY REQUIREMENTS

2.2.1 Intent of the Zone

The site is zoned Community in the 2005 Cooloola Planning Scheme and the proposal is entirely consistent with the purpose of this zone.

2.2.2 Compliance with the Planning Scheme

(a) Scheme Definition

The proposal is defined as Education or Health Premises.

(b) Development Provisions

In the Community zone an Education or Health Premises is code assessable against the following codes:

Gympie Planning Area Code
The proposal is considered to meet the relevant outcomes of the Code in relation to scale, siting, minimum floor levels and amenity. Any noise emissions are required to meet relevant standards prescribed under the Environmental Protection Act and Policy. The closest residential dwellings are located almost 200 metres from the proposed building. Existing vegetation along the Cartwright Road frontage and additional mature plantings within the site of up to 30 metres wide allow a buffer between these uses.

Erosion and Sediment Control Code
Relevant outcomes of the Code will be achieved through the subsequent development approval for building work.

Gympie Regional Council
*Infrastructure Works Code*

No infrastructure works are considered necessary to facilitate the development.

*Landscaping Code*

The proposed building will not be visible from the road frontage due to significant existing mature vegetation that is not proposed to be cleared by the proposal.

No additional landscaping is considered necessary for the proposal, with any internal landscaping best managed by the Institute of TAFE but using Council’s preferred species.

*Vehicle Parking and Access Code*

The Code indicates a requirement of one (1) space per staff member and one (1) space per five (5) students of driving age. The applicant indicates a total of 60 students could be accommodated per day. This could equate to 12 spaces (assuming all students are of driving age) plus additional for staff parking for the proposed building.

A recent approval over this site for the University of the Sunshine Coast acknowledged that the existing spaces are considered sufficient for existing demand and that any car parking shortfall on the site will only be an operational issue for the Institute itself as, given the distance of the buildings from Cartwright Road and the large amount of land available, is not likely to overflow onto the street.

The applicant has proposed an additional ten (10) car parking spaces to supplement the 140 car parking spaces that already exist on site.

It is considered that the specific outcome of providing adequate parking to meet the needs of occupants, employees, visitors and other users will be met.

2.2.3 *State Planning Polices*

There are no State Planning Policies applicable to the development.

2.3 OTHER PLANNING CONSIDERATIONS

2.3.1 *Flooding*

The site is not subject to Q100 flooding.

2.3.1 *Infrastructure Charges*

Water and sewerage contributions are levied by Planning Scheme Policy 7 at the rates of 0.4 and 0.5ep per student respectively.
Therefore, for the proposal these amounts equate to:

- **Water supply**: \(0.4 \text{ep} \times 60 \text{ students} = 24 \text{ep} = $29,879\)
- **Sewerage**: \(0.5 \text{ep} \times 60 \text{ students} = 30 \text{ep} = $58,366\)
- **Urban road contribution**: \(1.8 \text{vte} \times 60 \text{ students} = 108 \text{vte} = $40,813\)
- **Total**: \(= $129,058\)

The applicant submitted the following letter requesting infrastructure charges applicable to the development be waived.

>'We refer to the above mentioned application and on behalf of the application the Department of Education and Training, request that the infrastructure charges that are typically applied to development within the Council area be waived in this instance. You may be aware that this matter was discussed at a pre-lodgement meeting with the Mayor on 2 November 2012.

As you will be aware from the town planning report supporting the application, the Gympie Trade Training Centre Schools Cluster (GTTCSC) has been successful in its application for a joint grant in conjunction with all Secondary School providers and the Wide Bay Institute of TAFE (WBIT) for new premises to be built within the grounds of the Gympie TAFE. As discussed with the Mayor, we believe that the significant benefits that the proposed development will provide to the local community provide sufficient grounds to waive the infrastructure charges in this case.

Furthermore, whilst the applicant appreciates the background to these costs, it is considered that the following additional circumstances provide further weight to this request for the charges to be waived:

1. the new building will be used for training Secondary High School students from all High Schools and P-10 Colleges in the VET areas of Construction and Engineering;
2. the building is part of a recognised Australian Government Program, Trade Training Centres in Schools Program;
3. the majority of students and staff who will be using the new facility are expected to be local residents and as such there would not be any increase to the overall demand on Council infrastructure.
4. the development is on Crown Land used exclusively for educational and community purposes; and
5. the Council has previously waived the infrastructure charges for a similar project at the TAFE College (application reference (2012-0653)).

We look forward to your consideration of this matter and would be pleased to discuss this further with Council, if necessary.

Please do not hesitate to contact the writer if you require any further information.

Yours sincerely

DFS Group…'

**Gympie Regional Council**
The issues raised in the letter are considered of merit.

A recent application over this site for the University of the Sunshine Coast made a similar request and it was considered that the significant community benefits of the proposal warranted Council's consideration to the request.

It is also relevant to note that under the draft planning scheme to be introduced in the coming months the proposal will be exempt development and therefore would not require a material change of use approval and no opportunity to levy contributions.

3. BUDGET IMPLICATIONS
Nil

4. POLICY IMPLICATIONS
The development is consistent with Council's planning scheme.

5. CONSULTATION

5.1 Internal

(a) Engineering Directorate

Report: (Design Services Technical Officer – A.C. Walsh)

This engineering report is based on the report submitted by DFS Group for an extension to Education or Health Premises – Trade Training Centre) Lot 5 on MCH801883 Cartwright Road, Gympie.

ROAD FRONTAGE / ACCESS
Cartwright Road is fully constructed and the existing access will cater for the proposed development.

TRAFFIC
The consultant’s report indicates the proposed Trade Training Centre will accommodate 60 students per day, Monday to Friday. From the Cooloola Shire Planning Policy 13: Urban Road Contributions, the contribution amount would equate to $40,813.00 (60 x 1.8 x $377.90)

WATER AND SEWERAGE
Council's reticulated water and sewerage systems will cater for the proposed development, however, the water service may be required to upgrade to meet the requirements of Fire Services.

A section of an existing house drain may require relocating to allow for the proposed siting of the proposed development.

CAR PARKING
Ten (10) car parking spaces, including two (2) spaces for persons with a disability, are proposed to be provided for the proposed development.

STORMWATER/FLOODING

Gympie Regional Council
Stormwater and flooding is not an issue at this site.

**STREETLIGHTING**
Streetlighting is adequate at this location

**External –**

**CONCURRENCE AGENCIES**

(a) **Department of Transport and Main Roads**

The proposal required referral to DTMR for public passenger transport and state controlled roads considerations.

This Agency supports the development subject to it being generally in accordance with the plans submitted.

6. **CONCLUSION**

Approval is sought for an extension to the TAFE complex to accommodate a trade training facility as part of the Trade Training in Schools program.

It is consistent with the zoning and existing use of the site.

The only non-compliance with probable solutions of the planning scheme relate to potentially car parking, however for reasons outlined in the report are supported as proposed.

Council’s consideration is requested by the applicant to the waiving of headworks and road contributions, ordinarily applicable under Council’s Planning Scheme Policies. Given the community nature and accruing public benefit of the facility the request is considered warranted and thus, no contributions are recommended in the conditions of approval.
Moved Cr L.J. Friske Seconded Cr M.A. McDonald

That Council, as Assessment Manager, APPROVE development application for Material Change of Use – Education or Health Premises on Lot 5 MCH801883 located at Cartwright Road, Gympie subject to the following conditions:

Assessment Manager’s Conditions

Conditions to be Satisfied Prior to Commencement of the Use

1. The following development permit is to be issued and complied with as required -
   (a) Development Permit for Building Work.

2. (i) Connection is to be made to Council’s existing Water Supply and Sewerage reticulation systems, including the provision of a back flow device, at no cost to Council. Connection shall be in accordance with a permit for Plumbing and Drainage Work approving the required hydraulic plans and specifications, as prepared by a recognised building hydraulics engineer, for such works.
   (ii) The backflow prevention device is to be maintained and tested in accordance with Council’s approval.

3. Stormwater is to be disposed of on site so as to cause no scour or damage to adjoining properties.

4. Stormwater drainage is to be designed and constructed in accordance with AS/NZS 3500.3.2 – 1998 “National Plumbing and Drainage Code”.

5. Ten (10) off-street car parking spaces (including access manoeuvring areas) are to be provided.

6. Car parking and access areas shall be sealed pavement and designed, drained, constructed and maintained in accordance with Council’s Vehicle Parking and Access Code.

7. The internal driveway is to be constructed in a manner to provide suitable access for a refuse collection vehicle to the satisfaction of Council’s Chief Executive Officer.

General Conditions Applicable to the Ongoing Use

8. Any landscaping of the premises is to include a minimum 70% of species from Council’s Planning Scheme Policy 4.

Carried
5.2 Development Application for Operational Work- Roadworks, Stormwater Drainage, Water and Sewerage Infrastructure at Old Imbil Road, Monkland for Opus Qantec McWilliam

<table>
<thead>
<tr>
<th>PORTFOLIO:</th>
<th>Planning and Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIRECTORATE:</td>
<td>Planning and Development</td>
</tr>
<tr>
<td>AUTHOR:</td>
<td>Manager Development &amp; Compliance - T Stenholm</td>
</tr>
<tr>
<td>DOC ID:</td>
<td>2009/1438</td>
</tr>
</tbody>
</table>

**LINK TO CORPORATE / OPERATIONAL PLAN**

- Corporate Plan: 2.3 Planned development for a growing community
- Operational Plan: 2.3.2 Development Assessment and Applications

### 1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
Nil

### 2. REPORT

<table>
<thead>
<tr>
<th>FILE NO:</th>
<th>2009-1438</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICANT:</td>
<td>Opus Qantec McWilliam</td>
</tr>
<tr>
<td>RPD:</td>
<td>Lot 4 MPH19430 (now Lot 4 SP221930)</td>
</tr>
<tr>
<td>SITE ADDRESS:</td>
<td>Buckley Drive, Monkland</td>
</tr>
<tr>
<td>CURRENT USE OF LAND:</td>
<td>Rural</td>
</tr>
<tr>
<td>PROPOSAL:</td>
<td>Operational Work – Roadworks, Stormwater Drainage, Water and Sewerage Infrastructure</td>
</tr>
<tr>
<td>EXISTING ZONE:</td>
<td>Rural</td>
</tr>
<tr>
<td>APPLICATION ADVERTISED:</td>
<td>N/A</td>
</tr>
<tr>
<td>SUBMISSIONS RECEIVED:</td>
<td>Nil</td>
</tr>
</tbody>
</table>
2.1 INTRODUCTION

2.1.1 The Proposal

Application was made in September 2009 for the construction of a new road off Buckley Drive, Monkland.
2.2.0 ASSESSMENT

It was indicated by the applicant that the road was relevant to a development application for a preliminary approval for material change of use for industrial development over the land that had been lodged at the time.

There was never an associated reconfiguring a lot application made that approved of the road alignment proposed and a surrounding lot layout.

The application for a preliminary approval subsequently lapsed and it was indicated to the applicant that approving roadworks for an unapproved road or subdivision layout was considered premature and would be unlikely to be supported.

On this basis, the applicant’s intentions with regards to the application were last sought in November 2012, giving them an opportunity to consider withdrawing the application and obtaining a partial refund of the fees paid. No correspondence has since been received.

The application is therefore reported to Council, recommending it be refused on the basis that the road alignment/dimensions nor standard
of construction has not yet been approved by Council and the work is considered premature.

3. BUDGET IMPLICATIONS
Nil

4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
5.1 Internal
Nil.

5.2 External
CONCURRENCE AGENCIES
Nil.

ADVICE AGENCIES
Nil.

6. CONCLUSION
A development application for a new road was submitted to Council in 2009.

The proposed roadworks have not been preceded by a development approval for reconfiguring a lot and thus Council has not consented to the proposed road alignment nor the standard of construction.

This matter has been raised with the applicant and their intentions sought, however no response has been forthcoming.

The application is recommended for refusal.
Moved Cr L.J. Friske     Seconded Cr R.A. Gâté

That Council, as Assessment Manager, REFUSE development application for Operational Work (Roadworks, Stormwater Drainage, Water and Sewerage Infrastructure) over Lot 4 MPH19430 (now Lot 4 SP221930) on the following grounds:

(i) the development has not been preceded by a development approval for reconfiguring a lot and is therefore considered premature; and

(ii) the road alignment and proposed construction standards have not been approved by Council.

Carried
5.3 Request for Temporary Extension of Operating Hours for Material Change of Use – Extractive Industry (Quarry – 100,000t to 1,000,000t of material per year) and Environmentally Relevant Activities – ERA #16 Threshold 2 (c) Extracting Material (100,000t to 1,000,000t per year) & ERA #16 Threshold 3 (b) Screening Material (100,000t to 1,000,000t per year) over Lot 27 FY1129 & Lot 29 FY2178 – 5167 Burnett Hwy, Goomeri

PORTFOLIO: Planning and Development

DIRECTORATE: Planning and Development

AUTHOR: Planning Assistant - Technical Officer (Planning) - K Fuller

DOC ID: MCU260

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 2.3 Planned development for a growing community
Operational Plan: 2.3.2 Development Assessment and Applications

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
Nil

2. REPORT

A development application for material change of use for an extractive industry was approved by Council in 2009 and a negotiated decision notice issued on 5 November 2010.
The applicant has submitted a written request to temporarily vary hours to allow General Operations to occur until 10pm Monday to Saturday in response to an increased demand for product due to recent severe weather events. No change is proposed to blasting activities. The extension of hours is requested until 30 September 2013.

Condition 3.2 reads:

“Hours of operation are approved as:
Monday to Friday  9:00am-5:00pm (Blasting Activities)
Monday to Saturday  6:00am-6:00pm (General Operations)
Correspondence submitted by the applicant dated 25 February 2013 to support the request is reproduced below:

‘On behalf of Hy-Tec Industries (Queensland) Pty Ltd (‘Hy-Tec’), the operator of the Goomeri Quarry at 5167 Burnett Highway, Goomeri (the ‘Site’), Groundwork Plus write to Council formally requesting a temporary extension of the approved hours of operation to enable the Goomeri Quarry to service the demand within the local market generated as a result of recent severe weather events.

The Goomeri Quarry was approved subject to conditions by the Gympie Regional Council at Council’s General Meeting held on 27 October 2010 and subsequently by letter dated 5 November 2010 (Council ref: MCU260 refer ATTACHMENT 1 – EXISTING APPROVAL). Condition 3.2 of the decision stipulates as follows:

Hours of operation are approved as:
Monday to Friday 9:00am-5:00pm (Blasting Activities)
Monday to Saturday 6:00am-6:00pm (General Operations)
Sundays Nil
Public Holidays Nil
Note: Administrative/Maintenance Work may be carried out on site outside of the approved hours. Any change to these hours for noise generating operational activities will, however, require prior approval from Council.

In light of the recent severe weather events Hy-Tec has had a high demand for quarry materials from private contractors, Council and the State Government to service road reconstruction projects. With an increased range of operating hours, the Hy-Tec Goomeri quarry has capacity to help meet the anticipated demand. However, currently the ability to supply Council, the State Government and other contractors is limited by the current approved hours of operation.

Accordingly Groundwork Plus on behalf of Hy-Tec formally request approval to extend the operating hours to 10pm Monday to Saturday for General Operations until 30 September 2013 or a timeframe otherwise approved by Council. It is also proposed that prior to 1 September 2013 that Hy-Tec will review the market demand and advise Council whether there is sufficient continuing demand to warrant further extension past the agreed timeframe.

In support of Hy-Tec’s request the following is noted:

1) Operations at the Site are guided by a Site Based Management Plan which includes measures to manage noise and other matters that have the potential to impact on the surrounding environment. The extension of hours of operation is a trigger to review the management measures outlined in the Site Based Management Plan.

2) The nearest sensitive receivers are located 1340 metres to the East and 1530 metres to the North East of the Site, and shielded from the quarry operations by intervening topography (refer ATTACHMENT 2 – NEARBY SENSITIVE RECEIVERS) thereby minimising the potential for that residence to be detrimentally affected by the extended hours of operation.

3) Conduct of extractive industry operations at the Site will continue to be administered pursuant to Department of Environment and Resource
Management (now the Department of Environment and Heritage Protection) Permit Number IPCE01122608, which includes the following conditions requiring the operations to have due regard of the amenity of the area:

a) General 2: Prevent and/or minimise likelihood of environmental harm, which states, 'In carrying out the environmentally relevant activities to which this approval relates, all reasonable and practicable measures must be taken to prevent and/or minimise the likelihood of environmental harm being caused'; and

b) Noise 1 which states, 'Noise from the environmentally relevant activities must not cause an environmental nuisance at any nuisance sensitive place or commercial place.'

c) Noise 2 which requires that the noise limits at a noise sensitive place between the hours of 6pm and 10pm are not to exceed the background noise level plus 5db(A).

4) Pursuant to condition ‘Social 1: Complaint Response’ of Permit Number IPCE01122608, the administering authority (Department of Environment and Heritage Protection) can require Hy-Tec to report to the Department and advise what actions have been taken to address the details of any complaint.

Based on the above points it is recommended that the potential for the nearby sensitive receivers to be detrimentally impacted by the proposed hours or operation is adequately regulated by the conditions of the existing approval.

Therefore, Groundwork Plus on behalf of Hy-Tec formally request approval to extend the operating hours of the Goomeri Quarry to 10pm Monday to Saturday for General Operations until 30 September 2013 or a timeframe otherwise approved by Council subject to the following:

1) Hy-Tec will update the Site Based Management Plan to reflect the extended hours of operation;

2) Hy-Tec will provide a copy of the updated Site Based Management Plan to Council and DEHP for future reference;

3) In the event that a complaint is received as a result of the extended hours of operation, Hy-Tec will liaise with DEHP and Council to investigate the complaint and determine what actions should be taken as a result; and

4) Prior to 1 September 2013 Hy-Tec will review the market demand and advise Council whether there is sufficient continuing demand to warrant further extension past the agreed timeframe.

If Council requires further clarification on any of the above matters please do not hesitate to contact Jim Lawler as referenced below…'

As Council’s condition includes a notation that any change to operating hours will require approval from Council, this request has not formally been lodged as a request to change the existing approval.

Possible adverse impacts that may result from operations occurring between 6pm to 10pm relate mainly to noise and traffic.

The site accesses directly onto the Burnett Highway and conditions imposed by the Department of Transport and Main Roads require

Gympie Regional Council
access works to be completed to relevant standards prior to commencing the use.

The two closest dwellings are located approximately 1300m and 1500m from the site as indicated below.

Any potential noise issues can be addressed through the Department of Environment and Resource Management’s condition relating to noise limits (see below) which must not exceed the specified level at any time. Noise limits are not to exceed background noise level + 5 during the period 6pm to 10pm.

_Gympie Regional Council_
A temporary extension to the General Operations hours is considered to be acceptable until 30 September 2013.

3. BUDGET IMPLICATIONS
Nil

4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Nil

6. CONCLUSION
A request is made to allow a temporary extension to general operation hours to 10pm Monday to Saturday until 30 September 2013 to cater for increased demand for product as a result of recent floods.

Council’s condition relating to operating hours includes a notation that any change to the approved hours will require prior approval from Council.

The Department of Environment and Resource Management (now Department of Environment and Heritage Protection) have included conditions as part of the ERA approval relating to noise levels.

The use will still be required to comply with relevant DEHP noise limits of background noise level for the stated period + 5 during the hours of 6pm to 10pm.

No objection is raised to a temporary extension of General Operation hours until 30 September 2013.
Moved Cr M.A. McDonald
Seconded Cr R.A. Gâté

That the applicant be advised Council has no objection to a temporary extension to General Operation hours from 6am to 10pm Monday to Saturday until 30 September 2013.

Carried
| 5.4 | **2013-117: Request for Concurrence Agency Advice for proposed Class 10a Carport at 13 Maheno Court, Tin Can Bay Lot 33 on RP 803367** |
|     | **PORTFOLIO:** Planning and Development |
|     | **DIRECTORATE:** Planning and Development |
|     | **AUTHOR:** Manager Building and Plumbing Services - R Prout |
|     | **DOC ID:** 2013-117 |

**LINK TO CORPORATE / OPERATIONAL PLAN**

- **Corporate Plan:** 2.3 Planned development for a growing community
- **Operational Plan:** 2.3.2 Development Assessment and Applications

1. **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Nil

2. **REPORT**

Pursuant to the requirements of Schedule 7 of the *Sustainable Planning Regulation* 2009, Council has received an application for concurrence agency advice in relation to a proposed Class 10a carport to be sited at 13 Maheno Court, Tin Can Bay.

Concurrence agency advice is required in this instance because the proposed carport does not comply with siting requirements for class 10a outbuildings currently contained within Council's Cooloola Shire Planning Scheme 2005.

2.1 **Site Details**

The subject lot is located at 13 Maheno Court, Tin Can Bay and is currently included in the Housing Zone of Council's Planning Scheme mapping. The property is 919m² in area, and currently contains a Class 1a dwelling and 3 Class 10a sheds. There is vehicular access to the rear of the property via a 5m wide strip of land between the dwelling and the allotment boundary on the northern side of the property.

The dwelling was built in 1990 and incorporated a single carport which was converted to a habitable use in 2004.
2.2 Proposed Carport

The construction of the carport consists of six steel posts with a metal corrugated roof. In contrast the existing dwelling consists of face brickwork for the external wall cladding with a concrete tiled roof.

As indicated in the plans below, the proposed carport is 6 metres long and 4 metres wide - an area of 24 m$^2$. The height of the building is indicated at 2.753 metres.
2.3 Existing Streetscape

The existing street and surrounding area consists of dwellings and outbuilding with a minimum front road boundary setback of 6 metres in accordance with the requirements of the Cooloola Shire Planning Scheme 2005.

2.4 Siting Considerations

The proposed 6 m x 4 m carport is to be sited a distance of 2.250 metres from the property's Maheno Court front road boundary as shown on the site plan above.

Specific Outcome 6 (SO-6) of the Dwelling House Code - Table 8:3 states that Domestic Outbuildings should be "(a) visually unobtrusive; (b) retain the residential character of residential areas; (c) are compatible in scale with existing or expected future development in the locality; and (d) contribute to attractive streetscapes or rural landscapes."

Despite the fact that the Planning Scheme requirements prevail, concession is permitted for an open carport under Part A1 (c) of the Queensland Development Code (QDC) Mandatory Part (MP) 1.2.

It allows for a 0.0 metre front boundary setback for an open carport, but only if:

- the aggregate perimeter dimension of walls, solid screens, and supports located within the setback does not exceed 15% of the total perimeter dimension (along the line of supports) of that part of the carport within the same setback (Figure 4); and
- there is no alternative on-site location for a garage or carport that
  - (a) complies with the 6 metre setback; and
  - (b) will allow vehicular access having a minimum width of 2.5m; and
  - (c) has a maximum gradient of 1 in 5.

In relation to element (a), (b) and (c) above, the property does have an alternative location to site a carport or a garage either on the northern or eastern side of the existing dwelling.

It is therefore evident that the proposed carport does not comply with either the Planning Scheme or QDC siting requirements in this instance.
Existing carport converted to habitable room, plus space on eastern side of dwelling to locate a garage or carport in accordance with the planning scheme requirements.

Space on northern side of dwelling where a garage or carport can be sited in accordance with the planning scheme requirements.
Access to rear of allotment on northern side of dwelling where a garage or carport can be sited in accordance with the planning scheme requirements.

2.5 Neighbour Consultation

Despite non-compliance with the Acceptable Solutions of the Planning Scheme, the owner of the property located at 14 Maheno Court (eastern side property) has provided written correspondence to the applicant indicating support for the proposed location and size of the carport.

2.6 Relevant Considerations

- There is no evidence of existing buildings in the vicinity of the proposed carport encroaching the current front boundary setback distances nominated by Council's Planning Scheme.
- Two undercover car parking spaces were provided on site by way of the tandem carport that is attached to the dwelling. These spaces were converted to a habitable use by the present owner.
- There are alternative locations on the site where covered car accommodation can be built that complies with the requirements of the planning scheme and is visually unobtrusive and retain the residential character of areas.

3. BUDGET IMPLICATIONS

Nil
4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Director of Planning and Development

6. CONCLUSION
The proposed 6 m x 4m carport is to be sited a distance of 2.250 metres from the property's Maheno Court front road boundary, in direct conflict with the siting requirements of Council's Planning Scheme and the Queensland Development Code.

There are alternative locations onsite to locate undercover parking that satisfying Planning Scheme requirements for off-street parking.

It is therefore considered that insufficient justification to warrant approval has been provided in this instance.

M28/03/13  Moved Cr L.J. Friske    Seconded Cr J.A. Walker
That Council, as a Concurrence Agency for proposed Building Work - Class 10a Carport (2013-117) over Lot 33 on RP 803367, located at 13 Maheno Court, Tin Can Bay, REFUSE the application for the following reasons:

(a) The proposed siting of the carport would be obtrusive and does not contribute to attractive streetscapes; and

(b) There are alternative locations on the site where covered car accommodation can be built that complies with the requirements of the planning scheme and is visually unobtrusive and retain the residential character of the areas; and

(c) Insufficient justification to warrant approval has been provided.

Carried

Gympie Regional Council
1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
The following correspondence was received by the Mayor on 4 March 2013 from the Hon. Jeff Seeney MP, Minister for State Development, Infrastructure and Planning.

“From 2015, Year 7 will become the first year of high school in Queensland. Moving Year 7 is a significant reform that will benefit students at all Queensland schools. Our Year 7 students will be better positioned to take advantage of the opportunities presented by the new Australian Curriculum as it is rolled out over the coming years.

To ensure a smooth transition, the Queensland Government has implemented the Flying Start program which is a comprehensive package of measures, backed by significant financial resources for state, catholic and independent schools. Our government will provide substantial additional funding to upgrade facilities at state, catholic and independent schools to ensure appropriate classrooms and other learning environments are in place to give students the learning opportunities they need.

The state is also proposing to exempt all schools from paying local government infrastructure charges for Flying Start related development. Enclosed is a copy of draft amendments to the State Planning Regulatory Provision (adopted charges) 2012 (SPRP) which sets a maximum adopted infrastructure charge of ‘nil’ for classroom and toilet facilities required for the Flying Start program.

It is anticipated the financial implications for local governments of this amendment will be minimal as there will be no net additional burden on local government’s infrastructure networks.

It is also proposed to amend the SRSP to activate a priority infrastructure area for North Burnett Regional Council and to amend Moreton Bay Regional Council’s priority infrastructure area.

Gympie Regional Council
Details on how to make a submission on the proposed amendment to the SPRP are included in the enclosed gazette notice.”

2. REPORT
The State Government is proposing to exempt all schools from paying local government infrastructure charges for essential development for the Flying Start for Queensland Children program. “Essential development” for the Flying Start for Queensland Children Program is defined in the draft State Planning Regulatory Provisions (adopted charges) July 2012, as “the development of classrooms and toilet facilities”.

In addition, the LGAQ have recently issued a circular, advising that it intends to lodge a submission to the Minister opposing the proposed amendments, on the basis that no additional costs should be borne by councils or their ratepayers and encouraging councils to do the same.

Council has recently indicated support for not applying infrastructure charges to the expansion and establishment of new private schools, to ensure consistency with the arrangements for public schools, where no such infrastructure charges apply. This policy position was established on the basis that schools respond to population growth rather than generate it.

3. BUDGET IMPLICATIONS
Financial implications for Council will be minimal, as no nett increase in loading is anticipated on the infrastructure network, given that the initiative merely transfers Year 7 from primary schools to secondary schools.

4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Director Planning and Development

6. CONCLUSION
The State’s proposal to waive infrastructure charges as they relate to the “Flying Start” initiative is consistent with Council’s proposed approach to infrastructure charging for schools within the new planning scheme and associated infrastructure charges resolution. On this basis, it is recommended that Council not support the opposing position taken by the LGAQ and therefore not make a submission to the Minister on the proposed amendment to the SPRP.

7. ATTACHMENTS
ATTACHMENT 1 - Queensland Government Gazette No. 43

Gympie Regional Council
M29/03/13 Moved Cr L.J. Friske Seconded Cr M.A. McDonald

That Council note the proposed amendment to the State Planning Regulatory Provision (adopted charges) July 2012 which will set a maximum adopted infrastructure charge of ‘nil’ for classroom and toilet facilities required for the “Flying Start” program.

Carried
SECTION 6: SOCIAL WELLBEING

6.1 Regional Arts Development Fund (RADF) Annual Bid

PORTFOLIO: Social Wellbeing
DIRECTORATE: Corporate and Community Services
AUTHOR: Youth & Community Development Officer - K Peters
DOC ID: 1626663

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 5.4 A valued heritage and creative community
Operational Plan: 5.4.2 Heritage Facilities and museums

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
Council is required to place a bid to Arts Queensland by 31 March 2013 for funding to support the Regional Arts Development Fund (RADF) Program. This bid must include a financial contribution from Council.

A request is made annually for an allocation of funding prior to budget. Since 2005/2006 the annual allocation has been $20,000.

2. REPORT
RADF is a highly successful state and local government partnership that supports professional and emerging professional artists and arts practitioners living in regional Queensland. The RADF program focuses on the development of quality art and arts practice for, and with, regional communities.

RADF is managed by the RADF Committee and supported by Council through a financial contribution and a Council appointed RADF Liaison Officer.

To enable ongoing participation in RADF, Council is required to place a bid to Arts Queensland for RADF funding by 31 March each year. The bid must include an allocation from Council that Arts Queensland will match on a pre-determined ratio dependent upon population.

For the 2013/14 RADF Annual Bid the Gympie Regional Council is assessed as being Class 4 (population 50,001 to 200,000), and eligible for 50:50 funding.

To maintain the current level of RADF program funding Council is required to contribute $25,000.

3. BUDGET IMPLICATIONS
A pre-budget allocation of $25,000 is required. Consideration should also be given to an allocation of funding during the budget process for administrative support for the program.

Gympie Regional Council
4. POLICY IMPLICATIONS
RADF is referred to in Council’s Arts and Culture Policy.

5. CONSULTATION
RADF Committee
Financial Services

6. CONCLUSION
Council is required to place a bid to Arts Queensland by 31 March 2013 to partner for RADF. This bid must include a financial contribution from Council to match the Arts Queensland contribution.

7. ATTACHMENTS:
ATTACHMENT 3 – Correspondence from the Department of Science, Information Technology, Innovation and the Arts

M30/03/13  Moved Cr R.A. Gâté  Seconded Cr J.A. Walker
That $25,000 for RADF Grant funding be allocated in the 2013/2014 budget subject to a successful Arts Queensland bid.

Carried
6.2 Mary Valley Land Use Submission

PORTFOLIO: Social Wellbeing
DIRECTORATE: Corporate and Community Services
AUTHOR: Manager Community Development & Facilities - H Kelly
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 3.1 Local communities that meet residents’ needs
Operational Plan: 3.1.1 Community Complexes

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
Through the Department of State Development, Infrastructure and Planning the State Government has approached Council to identify State owned tracts of land, within the former Traveston Crossing dam land area, that may serve a justifiable community purpose.

2. REPORT
The State has indicated to Council that the management of land for community use is viewed as a function of Local Government and as such it is the State’s preference to negotiate a transfer of ownership directly to Council who can then manage the land directly or negotiate tenure with relevant community organisations.

Council has been requested to forward a submission to the State identifying and justifying relevant tracts of land. A draft copy of the submission is attached. It is noted the submission is not binding, however provides a starting point from which Council can negotiate for ownership of the identified lots.

3. BUDGET IMPLICATIONS
There is little anticipated budgetary implication in putting forward the submission. However Council should consider ongoing maintenance costs for identified sites.

4. POLICY IMPLICATIONS

5. CONSULTATION
Extensive consultation with the Mary Valley community has been completed over a number of years both through direct approach from community organisations and in the preparation of the following reports:

- Mary Valley Addendum, Gympie Regional Council Economic Development Strategy and Implementation Plan 2011
- Cooloola Open Space and Recreation Plan 2007

Gympie Regional Council
• Gympie Planning Scheme Study Community Infrastructure Needs Assessment 2010
• Gympie Region Community Plan 2030
• Draft Gympie Regional Council Planning Scheme 2013

Further consultation was conducted in-house with the following Councillors and Officers:

Cr Julie Walker – Divisional Councillor
Cr Rae Gâté – Social Wellbeing Portfolio Councillor
Kimberley Toomey – Manager Planning, Strategy and Major Projects
Lynne Wilbraham – Manager Economic Development
Amy Gosley – Environmental Planning Officer
Debbie Jenkins – Manager Corporate and Customer Services
Ed French – Parks Manager
Michelle Rowe – Community Recovery Development Officer

6. CONCLUSION
The attached submission draws on existing research, community consultation and Council expertise to identify State owned land that should be made available for community use. Council is asked to consider endorsing the submission for presentation to the State Government

7. ATTACHMENTS:
ATTACHMENT 4 - Mary Valley Community Land Use Submission March 2013

M31/03/13 Moved Cr R.A. Gâté Seconded Cr W.W. Sachs
That the Mary Valley Community Land Use Submission March 2013 (as attached) be forwarded to the State Government for consideration.

Carried
6.3 Keeping of Pigs on Rural Residential Land

**PORTFOLIO:** Social Wellbeing

**DIRECTORATE:** Corporate and Community Services

**AUTHOR:** Coordinator Local Laws - R Potter

**DOC ID:** N/a

**LINK TO CORPORATE / OPERATIONAL PLAN**

Corporate Plan: 5.2 An inclusive and diverse community
Operational Plan: Not Applicable

1. **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**
   M30/01/13 That Council officers prepare a report on the Local Law regarding keeping pigs on rural residential land.

2. **REPORT**

The keeping of pigs on rural residential land is regulated through Council’s Subordinate Local Laws No.2 (Animal Management) 2011. This was adopted by Council on 9 November 2011 – Ref: G21-11-11

Following the amalgamation in 2008 Cooloola, Kilkivan and Division 3 of Tiaro were combined to form Gympie Regional Council. Prior to that date the keeping of pigs was regulated by three (3) separate Local Laws as Follow:

- Cooloola Shire Council Local Law No.2 (Keeping and Control of Animals) 1999
- Kilkivan Shire Council Local Law No. 4 (Keeping and Control of Animals) 1999
- Tiaro Shire Council Local Law No. 13 (Keeping and Control of Animals) 1995

Officers of the Planning and Development Directorate advise that the keeping of animals for other than commercial production purposes is not a land use planning issue and does not constitute "development" as defined in the Sustainable Planning Act 2009. There is, therefore, no scope to regulate animal keeping of this type through a planning scheme, and a Local Law is the appropriate mechanism for the regulation of animal keeping of this type.

Therefore, keeping of pigs that are not in a residential area and where the property exceeds 10,000 m2, can only be enforced by the minimum standard of the Subordinate Local Laws No.2 (Animal Management) 2011. These are listed below.

1. **Animals must be kept in a manner that does not create and is not likely to create a smell, dust or noise nuisance to contiguous or neighbouring land.**
2. **Waste waters from enclosures must be drained in a nuisance- and pollution-free manner.**
3 Any excreta, offensive material or food scraps must be collected at least once each day and placed into a suitable waterproof and flyproof receptacle, which must be covered at all times and the contents removed at least twice weekly.

4 Any animal food must be stored in impervious flyproof and vermin proof receptacles or impervious flyproof and vermin proof storeroom facilities.

5 An enclosure for an animal must be located to prevent the animal from being within—
(a) 15 metres of a dwelling on a neighbouring premises or any premises used for the manufacture, preparation, storage or sale of food (other than a domestic kitchen used solely for domestic purposes by the keeper of the animal); and
(b) 10 metres of any road; and
(c) for a horse, mule, donkey, camel, cattle, sheep, deer, alpaca/llama and goat—20 metres of a property boundary; and
(d) for poultry—2 metres of a property boundary; and
(e) for an animal not mentioned in (c) or (d)— 5 metres of a side or rear boundary,
except in the case of—
(a) a dog or cat; or
(b) a property that is not a residential property; or
(c) a property that is more than 20,000m².

3. BUDGET IMPLICATIONS
Nil

4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Planning and Development Directorate
Local Laws Review Team

6. CONCLUSION
All Council’s Local Laws and Subordinate Local Laws are currently being reviewed by the Local Laws Review Team. The keeping of pigs will form part of this review.

M32/03/13 Moved Cr M.A. McDonald Seconded Cr M.W. Curran
That the report be received.
Carried
6.4 Busking in Mary Street

PORTFOLIO: Social Wellbeing
DIRECTORATE: Corporate and Community Services
AUTHOR: Coordinator Local Laws - R Potter
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 5.1 An active community for all ages
Operational Plan: Not Applicable

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
Currently Council issues busking approval to perform at the Gold City Centre Stage. More busking sites have been requested by the Mary Street businesses.

M20/01/13 That Council officers investigate additional sites in addition to the Gold City Centre Stage for the purpose of busking and during the investigation consult with business owners in relation to the designation sites.

Further, that a report be brought back to Council within two months.

2. REPORT
Three (3) sites have been identified in Mary Street for busking or public performances. The sites identified are:

1. Mary St, top end - stores consulted - Office National, Rivers and Gympie Musicland, opposite to these stores, Kim Leanne’s Art Gallery. (Photo 1)

2. Mary St, bottom end - Memorial Lane – Stores consulted - Billy’s Hotel, Lady Bird, opposite these stores, Tom Grady Real Estate. (Photo 2)

3. Mary St, bottom end – stores consulted - Mi Cakes, Queens Hotel, Goodyear Jewellery. (Photo 3)
The comments from these store operators were that they hold no objection to buskers operating in front of their stores and advised that it would be good for the Mary Street atmosphere. These sites also provide enough space for the flow of pedestrian traffic.

3. BUDGET IMPLICATIONS
4. POLICY IMPLICATIONS

5. CONSULTATION
Mary Street Businesses as listed above.

6. CONCLUSION
Extra busking activities have the potential to enhance the cultural atmosphere in Mary Street.

M33/03/13 Moved Cr J.A. Walker Seconded Cr R.A. Gâté
That:

1. Council approves an additional three (3) public entertainment/busking sites in Mary Street in addition to the Gold City Centre Stage; and

2. Council's guidelines and application process be amended to reflect these sites as approved sites.

Carried

ADJOURNMENT OF MEETING
The Meeting adjourned for morning tea at 9.55am.

RESUMPTION OF MEETING
The Meeting resumed at 10.15am.
SECTION 7: HEALTH AND ENVIRONMENT

7.1 Environmental Protection (Greentape Reduction) and other Legislation Amendment Act 2012 – Removal of Environmentally Relevant Activities (ERAs) devolved to Council

PORTFOLIO: Health and Environment

DIRECTORATE: Planning and Development

AUTHOR: Manager Health & Environmental Services - I Wolff

DOC ID: 1624533

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 4.2 Healthy and safe environment
Operational Plan: Not Applicable

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
The former Queensland Government commenced a review of the licensing framework under the Environmental Protection Act 1994.

This review – entitled the Greentape Reduction project – had a key initiative of developing a licensing model for environmental activities that is proportionate to the risk of activity.

This project was continued by the current Queensland Government and legislation has now been adopted to facilitate change.

This legislative change brought about the Queensland Government will result in the majority of Environmentally Relevant Activities (ERAs) currently licensed by Council no longer needing an annual licence.

2. REPORT
The Director-General of the Department of Environment and Heritage Protection (DEHP) advises that changes to the Environmental Protection Act 1994 and the Environmental Protection Regulation 2008 remove most of the Environmentally Relevant Activities (ERAs) currently licensed by Council.

These changes will take effect on 31 March 2013 to align with the changes to the Environmental Protection Act 1994 resulting from the Environmental Protection (Greentape Reduction) and other Legislation Amendment Act 2012.

Preliminary assessment indicates that of the 165 ERAs currently licensed by Council, 157 will be removed and possibly a maximum 8 retained.

Gympie Regional Council
The tables below provides a breakdown of the total number of licensed activities in this regard.

**Number of ERAs currently licensed by Gympie Regional Council that will no longer require an annual licence from 31 March 2013**

<table>
<thead>
<tr>
<th>ERA Type*</th>
<th>ERA Number*</th>
<th>Total Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poultry farming</td>
<td>4(1)</td>
<td>4</td>
</tr>
<tr>
<td>Chemical storage</td>
<td>8(3a)</td>
<td>32</td>
</tr>
<tr>
<td>Abrasive blasting</td>
<td>17</td>
<td>3</td>
</tr>
<tr>
<td>Boilermaking</td>
<td>18(a)</td>
<td>12</td>
</tr>
<tr>
<td>Metal forming</td>
<td>19</td>
<td>3</td>
</tr>
<tr>
<td>Motor vehicle workshop</td>
<td>21</td>
<td>86</td>
</tr>
<tr>
<td>Surface coating</td>
<td>38(2a)</td>
<td>4</td>
</tr>
<tr>
<td>Concrete batching</td>
<td>43</td>
<td>7</td>
</tr>
<tr>
<td>Wooden product manufacturing</td>
<td>48(1)</td>
<td>3</td>
</tr>
<tr>
<td>Boat maintenance or repair (outside of 50m of a bed of naturally occurring surface waters)</td>
<td>49</td>
<td>3</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>157</strong></td>
</tr>
</tbody>
</table>

*as defined in the Environmental Protection Regulation 2008

**Number of ERAs currently licensed by Gympie Regional Council that will require an annual licence from 31 March 2013**

<table>
<thead>
<tr>
<th>ERA Type*</th>
<th>ERA Number*</th>
<th>Total Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metal recovery</td>
<td>20(1)</td>
<td>7</td>
</tr>
<tr>
<td>Boat maintenance (inside of 50m of a bed of naturally occurring surface waters)</td>
<td>49</td>
<td>1</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>8</strong></td>
</tr>
</tbody>
</table>

*as defined in the Environmental Protection Regulation 2008

For some Council’s in Queensland that have set up dedicated Environmental Management Units to license and regulate ERAs, the effects of this legislative change will have a significant impact.

From an operational perspective for Council’s Health and Environmental Services area, the impact of the impending regulatory change will have benefits for freeing up resources for other duties that are already being performed.

These other duties include, but are not limited to:
- Routine inspections of food premises (307 premises);
- Accreditation / auditing of food safety programs;
- Environmental monitoring / auditing of Council’s Waste Management Facilities;
- Administration of Council’s cemeteries throughout the Region (7 cemeteries);
- Administration of Council’s public swimming pools (5 pools);
- Routine water sampling of Council’s reticulated water supplies;

Gympie Regional Council
• Public health surveillance work including responding to Public Health Risk pursuant to the Public Health Act 2005 and mosquito surveillance work;
• Regulation of commercial roadside vending activities on Council controlled land;
• Investigating complaints of environmental nuisance.

Proactive routine inspections of not only ERAs but also licensed food premises have been assisted by engaging externally contracted professionals and not solely performed in-house by Council’s Environmental Health Officers.

3. BUDGET IMPLICATIONS
Revenue to Council will be reduced as a result of this legislative change.

Revenue derived from licensing fees of ERAs for this financial year (2012/2013) is $39,590.

This reduction in revenue derived from licensing fees associated with ERAs will however, be off-set at some point in the future, by a negating the need for Council to engage externally contracted professional Officers to conduct routine inspections of these activities.

4. POLICY IMPLICATIONS
Although Council will lose a revenue stream from licensing ERAs, Council will still be involved in regulating these activities to a certain extent. This represents a fundamental shift from proactive licensing and inspections of operations to reactive investigations of environmental incidents associated with these deleted ERAs.

At the information session conducted by DEHP, a list of enforcement tools to respond to environmental complaints and incidents was discussed. This indicates that the State Government expects Local Governments to take action with respect to activities formerly licensed by Local Government when environmental complaints and incidents arise.

As detailed in the correspondence from the Department, in relation to environmental impacts, deleted ERAs will still be required to comply with the general environmental duty and other requirements such as not causing environmental nuisance. This will be supported by codes of practice to provide guidance to businesses on how to meet their environmental obligations.

These codes are yet to be developed.

As further detailed in this correspondence, the Director-General advises that if total number of ERAs is less than 10, Council’s may to apply to the Department to remove the devolution for administering the remaining ERAs.
It is proposed that Council seize this opportunity as it will not only result in administrative savings but will also negate the need for Council to maintain an approval system.

Resources associated with maintaining an approval system are better utilised in other areas of Health and Environmental Services.

5. CONSULTATION
Director Planning and Development
Department of Environment and Heritage Protection
Corporate and Community Services Directorate

6. CONCLUSION
It is acknowledged that there will be a loss of revenue for Council as a result of this legislative change however, it is anticipated that there will be benefits by freeing up resources for other duties already performed by Planning and Development Officers.

As so few ERAs will remain licensed by Council, the resources associated with maintaining an approval system are better utilised in other areas.

Consideration should be given by Council to apply to the Department to remove the devolution for administering the remaining ERAs with Council’s area.

7. ATTACHMENTS:
ATTACHMENT 5 - Correspondence from the Department of Environment and Heritage Protection, dated 12 February 2013 (doc. ID 1624533)

Moved Cr W.W. Sachs          Seconded Cr J.A. Walker
That Council apply to the Director-General of the Department of Environment and Heritage Protection to remove the devolution contained within the Environmental Protection Act 1994 for administering Environmentally Relevant Activities (ERAs), outlining in its application that the decision to do so is based on the Queensland Government's decision to remove 20 ERA thresholds from the requirement to hold an environmental authority under the Environmental Protection Act 1994.

Further, that Council also outline in its application that with so few ERAs remaining to license and a subsequent reduction in revenue to Council, Council is of the opinion that resources associated with maintaining an approval system are better utilised for other regulatory duties.

Carried

Gympie Regional Council
7.2 Premises Licensing Registration and Regulatory Fees 2013/2014

PORTFOLIO: Health and Environment
DIRECTORATE: Planning and Development
AUTHOR: Manager Health & Environmental Services - I Wolff
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 4.2 Healthy and safe environment
Operational Plan: 4.2.3 Health Services

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
In order to enable processing of renewal applications for certain licences/approval prior to their expiry on 30 June 2013, Council needs to adopt certain fees and charges prior to formal budget deliberations for 2013/2014.

2. REPORT
Reference is made to Council’s fees and charges pursuant to State Government legislation and Council’s local laws for premises/activities requiring registration and licensing.

Certain licences and approvals issued by Council expire 30 June 2013.

To enable Council’s Planning and Development Directorate to process renewal applications within required time frames prior to the expiry of these licences and approvals, the setting of fees for 2013/2014 is necessary.

<table>
<thead>
<tr>
<th>Current 2012/2013 fees (including GST where applicable)</th>
<th>Proposed 2013/2014 fees (including GST where applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licences – Food Businesses as defined in the Food Act 2006</td>
<td></td>
</tr>
<tr>
<td>New application (Fee includes assessment of plans, Inspection of premises and issue of licence)</td>
<td>$315.00</td>
</tr>
<tr>
<td>Amendment (change to premises location, addition of mobile vehicle)</td>
<td>$160.00</td>
</tr>
<tr>
<td>Application by new owner of an existing licensed food business [fee to correct inexact licensing application category for new owners of existing]</td>
<td>$165.00</td>
</tr>
<tr>
<td>Service</td>
<td>2013 Fee</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>food business</strong>'s** Renewal</td>
<td>$200.00</td>
</tr>
<tr>
<td>Restoration (Late Fee)</td>
<td>$80.00</td>
</tr>
<tr>
<td><strong>Food Safety Programs</strong></td>
<td></td>
</tr>
<tr>
<td>Accreditation</td>
<td></td>
</tr>
<tr>
<td>Each application for accreditation</td>
<td>$465.00</td>
</tr>
<tr>
<td>Amendment of Food Safety Program</td>
<td>$160.00</td>
</tr>
<tr>
<td><strong>Auditing</strong></td>
<td></td>
</tr>
<tr>
<td>Compliance audit – price per audit</td>
<td>$235.00</td>
</tr>
<tr>
<td><strong>Roadside Vending / Standing Stalls / Beach Use Approvals</strong></td>
<td></td>
</tr>
<tr>
<td>Initial Application</td>
<td>$485.00</td>
</tr>
<tr>
<td>Renewal</td>
<td>$175.00</td>
</tr>
<tr>
<td><strong>Personal Appearance Services</strong></td>
<td></td>
</tr>
<tr>
<td>Annual Licence</td>
<td>$320.00</td>
</tr>
<tr>
<td>Non-Higher Risk Personal Appearance Services Inspection Fee</td>
<td>$120.00</td>
</tr>
</tbody>
</table>
The fee entitled “Application by a new owner of an existing licensed food business” is not a new licensing fee.

This application category has been introduced because the Food Act 2006 does not allow an existing food business licence to be amended because of a new owner/licensee.

The Food Act 2006 only allows a change in the premises to be amended, so this licensing category will be used when a food business is sold and the new owner applies to have it put in their name.

Council has been including this type of application within the general amendment fee for some time. Technically, this practice is not correct and this change will correct this anomaly.

3. BUDGET IMPLICATIONS
Adoption of fees and charges for certain licences/registrations/approvals prior to formal budget deliberations for 2013/2014 financial year.

4. POLICY IMPLICATIONS
Nil. Statutory fees and charges.

5. CONSULTATION
Director Planning and Development Directorate
Management Accountant – Corporate and Community Services

6. CONCLUSION
To allow Council’s Planning and Development Directorate to renew licences and approvals which expire 30 June 2013 the recommended fees and charges need to be decided on.
Moved Cr W.W. Sachs  Seconded Cr M.W. Curran

That Council adopt the fees set out below for the approval/licensing/registration of premises pursuant to State Legislation and Council’s Local Laws for the 2013/2014 financial year.

<table>
<thead>
<tr>
<th>Licence Type</th>
<th>2013/2014 fees (including GST where applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licences – Food Businesses as defined in the Food Act 2006</td>
<td></td>
</tr>
<tr>
<td>New application (Fee includes assessment of plans, Inspection of premises and issue of licence)</td>
<td>$325.00</td>
</tr>
<tr>
<td>Amendment (change to premises location, addition of mobile vehicle)</td>
<td>$165.00</td>
</tr>
<tr>
<td>Application by new owner of an existing licensed food business</td>
<td>$165.00</td>
</tr>
<tr>
<td>Renewal</td>
<td>$205.00</td>
</tr>
<tr>
<td>Restoration (Late Fee)</td>
<td>$85.00</td>
</tr>
<tr>
<td>Food Safety Programs</td>
<td></td>
</tr>
<tr>
<td>Accreditation</td>
<td></td>
</tr>
<tr>
<td>Each application for accreditation (fee includes review of food safety program by a Food Safety Auditor approved by Qld Health and issue of Accreditation Certificate)</td>
<td>$480.00</td>
</tr>
<tr>
<td>Amendment of Food Safety Program (either by holder of the food safety program or Council’s initiative)</td>
<td>$165.00</td>
</tr>
<tr>
<td>Auditing</td>
<td></td>
</tr>
<tr>
<td>Compliance audit – price per audit (auditing frequency nominated by Local Government – fee includes travel time, time spent on-site undertaking audit, preparation of report and administration)</td>
<td>$245.00</td>
</tr>
<tr>
<td>Roadside Vending / Standing Stalls / Beach Use Approvals</td>
<td></td>
</tr>
<tr>
<td>Initial Application</td>
<td>$500.00</td>
</tr>
<tr>
<td>Renewal</td>
<td>$180.00</td>
</tr>
<tr>
<td>Personal Appearance Services</td>
<td></td>
</tr>
<tr>
<td>Annual Licence</td>
<td>$330.00</td>
</tr>
<tr>
<td>Non-Higher Risk Personal Appearance Services Inspection Fee</td>
<td>$125.00</td>
</tr>
</tbody>
</table>

Carried
SECTION 8: GOVERNANCE AND ECONOMIC DEVELOPMENT

8.1 Business Continuity - Generator

PORTFOLIO: Governance and Economic Development
DIRECTORATE: Corporate Governance
AUTHOR: Manager Information Systems and Change - B Hayes
DOC ID: 1626679

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 1.2 Community focused facilities and services
Operational Plan: 1.2.3 Disaster Management

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
Following the recent run of significant weather related incidents, a number of debriefs have occurred looking into Council’s ability to better manage disaster situations including reviewing Council’s own capacity for business continuity during such times.

A significant risk to business continuity, including Council’s capacity to provide timely information and support to the LDMG, has been identified in any power out scenario.

The installation of a permanent auto failover generator at the main Administration Office, 242 Mary St, Gympie is proposed to address the above issue.

2. REPORT
A review of operations across recent weather related incidents impacting on the Region has highlighted a significant shortcoming in Council’s current capacity for business continuity in any power out scenario.

Council’s key computer and call centre phone networks, including mobile email communications, rely on power being available to the Mary St office.

In the most recent flood event, Energex disconnected the power to 242 Mary St for over 90 minutes as part of their revised Mary St evacuation switching procedures. Energex had originally intended to have the power off for 3 or more hours prior to Council requesting urgent reconnection so that appropriate internet, intranet, email, GIS and other communications support could be provided to the Disaster Coordination Centre, via Council’s Mary St based facilities.
Energex has subsequently revised their switching plans to avoid disconnecting 242 Mary St as part of flood related evacuation procedures for the CBD.

Council’s key computer room has limited Uninterrupted Power Supply (UPS) capacity. The UPS equipment is designed to allow for an orderly shutdown of file servers and provides for less than 45 minutes real time operation of server equipment in the server room.

In any power out scenario at present Council loses the ability to transact electronically across all platforms.

All other key staff locations (Town Hall, P&D, Design, John St Depot) are linked back to Mary St and dependent on that facility being operative for IT functions.

Recent discussions with relevant staff at Gladstone, Fraser Coast and Bundaberg Regional Councils found that all had auto failover generator power systems installed at their key Administration, Depot and Disaster Management facilities.

The former Noosa Shire Council installed permanent failover generator power at their Tewantin based Administration office in 2007. Similar facilities are in place at the Sunshine Coast Regional Council’s Nambour based Administration Centre.

By comparison, Gympie Regional Council is currently poorly placed to continue its core business operations during any period of sustained power failure, be that due to disaster related conditions or otherwise.

Quotations have been called for the supply and installation of an appropriate capacity auto failover generator to run the 242 Mary St in full operational mode.

Quotations received (ex GST) are as below:-

<table>
<thead>
<tr>
<th>Company</th>
<th>Price (ex GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groves Electrical</td>
<td>$49500</td>
</tr>
<tr>
<td>Brisbane Electrical</td>
<td>$49891</td>
</tr>
<tr>
<td>QPP</td>
<td>$66535</td>
</tr>
</tbody>
</table>

Based on capacity of the units proposed and overall pricing, the recommended quotation is that from Groves Electrical for $49500 ex GST.

3. BUDGET IMPLICATIONS
Funds of $25000 are available in the current 2012/2013 Capital Budget under Business Continuity Project.
(GL 4172019)

Additional funds of $24500 could be transferred from the current Information Systems Operational Budget to make up the shortfall due to
a number of IT related projects necessarily being delayed through to next Financial Year. (GL 2120501)

4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Office of the CEO
Deputy CEO/Director Corporate Governance
Executive Manager Services
Director Infrastructure Services

6. CONCLUSION
The lack of auto failover generator power at Council’s key Administration Office, 242 Mary St, Gympie leaves Council vulnerable to a range of significant business continuity issues in any period of sustained power outage. With a transfer of available funds from within the 2012/2013 IT Budget to the appropriate Business Continuity Capital item, a generator with the capacity to run the main Administration Office in full operational mode can be installed to address these issues.

M36/03/13 Moved Cr M.W. Curran Seconded Cr L.J. Friske

That the quotation from Groves Electrical for $49500 ex GST for the supply and install of auto failover generator for 242 Mary St, Gympie be accepted. Further, that funds of $25000 from GL 4172019 and $24500 from GL 2120501 be allocated from the 2012/2013 Budget for this purchase.

Carried
1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
This property was previously one lot known as Lot 233 on Crown Plan LX169 Reserve No. 299 of which Council was Trustee. The purpose of the land was Camping with a secondary use of Local Government. In 2007 Council’s Water and Sewerage Department advised it would require part of the property for a major Pump Station. The property was previously leased for agistment purposes.

F24/10/07 Moved Cr N.R. Ellis Seconded Cr F.G. Nissen AM

Recommend that Council advise interested parties of its intention to call for Expressions of Interest in respect to agisting the property Groundwater Road, Gympie described as Lot 233 on Crown Plan LX169 (Reserve No. 299 – Park and Recreation Purposes.

Further that Council call for Expressions of Interest to agist the balance of the property at Groundwater Road, Gympie described as Lot 233 on Crown Plan LX169 (Reserve No. 299 – Park and Recreation Purposes) not required by Council’s Water and Sewerage Department, and instruct their solicitors to prepare a Trustee Permit for a maximum period of three (3) years with no options to renew.

And that Council note that the Water and Sewerage Department will follow up any proposed works in respect to the Pump Station direct with the Department of Natural Resources and Water.

2. REPORT
Property Address:
Lot 2 on SP240978, Corner Sorensen Road & Groundwater Roads, Southside
Tenure:  
Trustee Reserve No. 299 - (Camping).

Current Use:  
Vacant

Council began dealings with Department of Environment and Resource Management in 2009 to acquire freehold part of the land due to Water & Sewerage infrastructure being located on the site. The property has now been subdivided and Council has obtained the relevant area of freehold land of 2711m² which is now described as Lot 1 on SP240978.

The balance area of the reserve now described as Lot 2 on SP 240978, for which Council is trustee, comprises of an area of 6384m², and has been vacant for some time, has been identified as having no environmental significance. It is considered that the reserve would benefit from being agisted as a measure of vegetation control.

3. BUDGET IMPLICATIONS
Nil

4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Manager Parks – Ed French  
Environmental Planning Officer – Amy Gosley

6. CONCLUSION
It is considered it would be appropriate to lease the proposed area as a maintenance provision only.
That Council call tenders for agistment over Lot 2 on SP240978 Reserve (No.299), situated on Groundwater and Sorensen Roads, Southside, to be in Council’s standard Trustee agistment lease format, subject to all Planning, Building Design and Health matters being satisfactorily resolved, to include the following terms and conditions:

(a) Term of Lease: 5 Years;
(b) Rental: Successful tender + GST + CPI;
(c) Use: Agistment (as a maintenance provision). However this use is not to inhibit purpose of use of Reserve (Camping);
(d) Insurance: The Lessee to hold public liability insurance in a sum not less than $20,000,000.00 or such other amount that Council shall determine from time to time in the name of the Lessee and Gympie Regional Council; and
(e) Costs: All costs associated with the preparation and registration of the Lease be borne by the Lessee.

Carried
8.3 Summarised Budget Report as at 28 February 2013

PORTFOLIO: Governance and Economic Development
DIRECTORATE: Corporate and Community Services
AUTHOR: Director Corporate & Community Services - C Young
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 3.4 Responsible Corporate Financial Management
Operational Plan: Not Applicable

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
Council’s operations for the 2012/13 financial year as at 28 February 2013 are presented in a summarised budget report for Council’s information and consideration.

2. REPORT
The report indicates whether the operating revenue and operating expenditure, capital expenditure and debt repayments are in line with Council’s budget estimates. In the case of extraordinary variances, comments are made which point out the reason for such variance. The report also includes interest received on Council’s investments and the current position of rate collection with a comparative for the previous year.

3. BUDGET IMPLICATIONS
Budget allocation set at the commencement of the budget year may change as a result of variances occurring throughout the year. Financial institution deposits at call and term deposits maturing in less than 12 months, which can be immediately accessed without penalty, are treated as cash equivalents.

4. POLICY IMPLICATIONS

5. CONSULTATION
All Directorates

6. CONCLUSION

7. ATTACHMENTS:
ATTACHMENT 6 - Summarised Budget Report as at 28 February 2013
Ordinary Meeting Minutes 27 March 2013

M38/03/13  Moved Cr M.W. Curran  Seconded Cr R.A. Gâte
That the information be received.

Carried
8.4 Review of Procurement Policy

PORTFOLIO: Governance and Economic Development
DIRECTORATE: Corporate and Community Services
AUTHOR: Coordinator Procurement & Stores - P Parkman
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 3.4 Responsible Corporate Financial Management
Operational Plan: Not Applicable

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
In accordance with Section 198 of the Local Government Regulation 2012, a Local Government must prepare and adopt a policy about procurement (a Procurement Policy). The Procurement Policy must include details of the principles, including the sound contracting principles, that the local government will apply in the financial year for purchasing goods and services. A local government must review its Procurement Policy annually. By adopting this policy, Council complies with its legislative requirements.

2. REPORT
Council’s proposed Procurement Policy has been reviewed to comply with its legislative requirements and the changes that have been made to the Local Government Regulations 2012. Large sized contractual arrangements have now been increased to $200,000.00 excluding GST in value whereas previously they were $150,000.00 including GST. A large sized contractual arrangement is a contractual arrangement with a supplier that is expected to be worth, exclusive of GST, $200,000 or more in a financial year. The sound contracting principles have now been moved from the Regulations to Section 104 of Local Government Act 2009. The proposed Procurement Policy is attached for Council’s approval.

3. BUDGET IMPLICATIONS
Nil

4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Executive Management Team
Financial Services
All Directorates
6. CONCLUSION

7. ATTACHMENTS:
ATTACHMENT 7 - Proposed Procurement Policy

M39/03/13  Moved Cr W.W. Sachs  Seconded Cr J.A. Walker
That the proposed Procurement Policy for Goods and Services, as submitted, be adopted and be effective immediately.

Carried
8.5 Tourism Advisory Board – Terms of Reference

PORTFOLIO: Governance and Economic Development
DIRECTORATE: Office of the CEO
AUTHOR: Chief Executive Officer - B Smith
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 2.1 Diverse regional business and industry development
Operational Plan: Not Applicable

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
Council at its meeting on 23rd January 2013, resolved, through minute M34/01/13, as follows:

That:

1. Council facilitate the transition of the services provided by GCT on 2nd February and the 3 existing staff be offered 12 month positions with Council;

2. Council write to Tourism Queensland advising that Council will be performing the function of Local Tourism Organisation;

3. The Mayor seek a meeting with the Tourism Minister;

4. Council write to GCT and ask that, on the basis of the assets it holds originating from the community, and noting the major source of income for it has been ratepayer funds, how does it intend to disburse these assets, in accordance with its constitution;

5. A draft charter for the advisory board be brought back to the next Council meeting; and

6. Council note the Transition Plan submitted by GCT and authorise the Mayor and CEO to finalise transition details associated with the plan.

Carried

2. REPORT
A Terms of Reference document has been drafted, and is presented, as attached. The Terms of Reference were due to be presented to Council for adoption prior to this meeting but other events intervened.

Gympie Regional Council
Given that it will still be some time before the group has its first meeting, stakeholder engagement has already commenced with the industry to ensure that the way Council moves forward in promoting the region is in line with the needs of the whole industry.

3. BUDGET IMPLICATIONS
Nil

4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Cr R.J. Dyne, Mayor
Cr J.A. Walker
Cr R.A. Gâte

6. CONCLUSION
It is recommended that Council adopt the attached Terms of Reference so that an Advisory Committee can be established.

7. ATTACHMENTS:
ATTACHMENT 8 - Gympie Region Tourism Advisory Committee Terms of Reference

M40/03/13 Moved Cr J.A. Walker Seconded Cr R.A. Gâte

That the Gympie Region Tourism Advisory Committee Terms of Reference, as presented, be adopted and Expressions of Interest be called for the positions.

Carried
## SUSPENSION OF STANDING ORDERS

M41/03/13  Moved Cr M.W. Curran  Seconded Cr J.A. Walker
That Council suspend the Standing Orders and refer Item 8.6 to the In Committee Section 14.

**Carried**
8.7 Acceptable Request Guidelines and Confidentiality Procedure

| PORTFOLIO: | Governance and Economic Development |
| DIRECTORATE: | Corporate Governance |
| AUTHOR: | Deputy CEO/Director Corporate Governance - C Manson |
| DOC ID: | CSG017 |

**LINK TO CORPORATE / OPERATIONAL PLAN**
- Corporate Plan: 3.2 Transparent and accountable service delivery
- Operational Plan: 3.2.4 Councillor Support

1. **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**
   Minutes G124/07/04, G126/07/04 and G100/03/07 provide local context and background to this topic.

2. **REPORT**
   A number of amendments have recently been made to the Local Government Act 2009 (the Act), including the replacement of all former regulations with a new single Local Government Regulation 2012.

   These recent changes have triggered an overall review of Council policies and procedures.

   In line with the above, a revised version of the former *Councillor Request Guidelines* has been developed to ensure policy relevance and applicability under the new legislative framework.

   The Act now requires that these Guidelines be named ‘Acceptable Request Guidelines’ and be formally adopted by Council.

   To assist local governments implement the expanded requirements of the *Acceptable Request Guidelines*, the Local Government Association of Queensland (LGAQ) has made available a template procedure dealing with Councillor Confidentiality. This procedure deals with the issue of ‘confidential information’ and the use of information obtained by Councillors in the course of undertaking their relevant roles and duties.

   The LGAQ template has been used as the basis for the development of a Gympie Regional Council *Councillor Confidentiality Procedure* (attached).

3. **BUDGET IMPLICATIONS**
   N/A
4. POLICY IMPLICATIONS
Under s170A(6) of the Act, Council is required to adopt Acceptable Request Guidelines.

Under s171 of the Act, Councillors must not use information that was acquired as a Councillor to—
   (a) gain, directly or indirectly, a financial advantage for the person or someone else; or
   (b) cause detriment to the local government.

The attached Guidelines and Procedure ensure Council’s compliance with the requirements of the Act.

5. CONSULTATION
Mayor and Councillors
CEO
Deputy CEO/ Director Corporate Governance
Local Government Association of Queensland

6. CONCLUSION
Council’s Acceptable Request Guidelines provide a clear procedure for Councillors to request advice or information from employees and the Chief Executive Officer.

The Councillor Confidentiality Procedure outlines Councillor’s responsibilities and obligations when dealing with confidential information.

7. ATTACHMENTS:
ATTACHMENT 9 - Acceptable Request Guidelines
ATTACHMENT 10 - Councillor Confidentiality Procedure

M42/03/13 Moved Cr R.A. Gâté Seconded Cr M.A. McDonald
That the Acceptable Request Guidelines, as presented, be adopted.

Further, that the Councillor Confidentiality Procedure, as presented, be adopted.

Carried
8.8 Local Government Act amendments and the Standing Orders

PORTFOLIO: Governance and Economic Development
DIRECTORATE: Corporate Governance
AUTHOR: Deputy CEO/Director Corporate Governance - C Manson
DOC ID: GRC029

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 3.2 Transparent and accountable service delivery
Operational Plan: 3.2.6 Governance - Legal

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
As a consequence of recent amendments to the Local Government Act 2009, a review of Council’s Standing Orders has occurred to ensure the conduct of Council meetings remains in line with current legislative requirements.

2. REPORT
The State Government recently made a number of amendments to the Local Government Act 2009. These changes included amendments to the sections dealing with the declaration of a Material Personal Interest, and real or perceived Conflict Of interest, at a Council meeting.

The Standing Orders have subsequently been reviewed and revised to reflect these latest legislative changes, including updating a number of general legislative references throughout the document.

An additional section detailing the optional use of Teleconferencing facilities at a Council meeting has been added in line with provisions contained in the Local Government Regulation 2012.

Further, a new section dealing with confidential information has been included in the revised document.

3. BUDGET IMPLICATIONS
N/A

4. POLICY IMPLICATIONS
The revised Standing Orders comply with the Local Government Act 2009 and the Local Government Regulation 2012 requirements.

5. CONSULTATION
Mayor and Councillors
CEO
Deputy CEO/Director Corporate Governance

Gympie Regional Council
6. CONCLUSION
The Standing Orders are a Council procedure (GRC029). These latest amendments articulate Council’s ongoing commitment to good governance and decision making in the public interest in line with current legislative requirements.

7. ATTACHMENTS
ATTACHMENT 11 – Standing Orders

M43/03/13 Moved Cr M.W. Curran Seconded Cr M.A. McDonald That the revised Standing Orders, as presented, be adopted.

Carried
SECTION 9: INFRASTRUCTURE

9.1 Invitation of expressions of interest for the supply of GIS software

PORTFOLIO: Infrastructure
DIRECTORATE: Engineering Services
AUTHOR: GIS Manager - D Perry
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 1.3 Comprehensive community and corporate asset management
Operational Plan: 1.3.2 Engineering Operations and Administration

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
A report seeking funding to replace Council’s Geographical Information System (GIS) software was included as part of Works & Services Committee Meeting held on the 6th March 2012 (minute number W13/03/12). As a result, funding has been allocated in the 2012/2013 budget for the project.

2. REPORT
The Local Government Regulation 2012 defines the default contracting procedures that Council must comply with. Section 228 relates to large-sized projects.

In recent years the technology, standards and protocols being developed and incorporated into GIS software have changed significantly. The GIS software market contains a number of vendors and software solutions which incorporate/support different combinations of these technologies. Due to the changing nature of this market it is difficult to maintain a full and detailed understanding of all of the software vendors and solutions available.

It is for this reason that the project plan recommends a two stage procurement process. First, an invitation for expressions of interests (EOI) followed by a request for tender (RFT). The EOI will provide Council with the opportunity to test the market for innovative software solutions prior to writing detailed tender specification documents.

This approach is catered for within the Local Government Regulations 2012. However, s228 (3)(a) stipulates that expressions of interest can only be called if Council decides, by resolution, that it is in the public interest.

The public interest benefits of the EOI process include:
(1) To gather information about the vendors and the capabilities of their GIS software as they relate to Councils business needs.

Gympie Regional Council
will guide the preparation of the subsequent detailed tender documents;

(2) To select a short list of systems and vendors to invite to the tender process which will greatly reduce the time and resources required for assessing detailed tender submissions;

(3) To provide the best opportunity to select a GIS software solution that is innovative, based on modern open system architecture, and is cost effective.

3. BUDGET IMPLICATIONS
Funding has been allocated for the project in the 2012/2013 financial year. Carry-over of most of the existing funding into next financial year is anticipated as most of the cost will be associated with implementation activities which will occur in the 2013/14.

4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Consultation was undertaken with a number of senior council staff including:
Bernard Smith – CEO
Bob Fredman – Director Engineering Services
Lawry O’Brien – General Manager Design Services
Brian Hayes – Manager Information Systems and Change Management

The project plan has been distributed to Council’s Directors.

6. CONCLUSION
The GIS software market is rapidly evolving. In order to ensure Council is fully informed of the software solutions available, a procurement process which includes an expressions of interest phase is recommended.

M44/03/13 Moved Cr L.J. Friske Seconded Cr J.A. Walker
That Council invites expressions of interest for the supply of GIS software for the public interest reasons contained in the report. Carried
9.2 B-Double Route – Fraser Road to Tin Can Bay Road

PORTFOLIO: Infrastructure
DIRECTORATE: Engineering Services
AUTHOR: General Manager Design Services - L O'Brien
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 2.1 Diverse regional business and industry development
Operational Plan: Not Applicable

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION
The B-Double route from the Bruce Highway (north) to the Saleyards comprises Fraser Road, Corella Road, Old Maryborough Road, Fisher Road, Saleyards Road and Banks Pocket Road. This route has only ever been approved for access to the saleyards. Use as a through route between the Bruce Highway to Gympie Connection Road is not permitted at any time.

In mid-February 2013, when the Tin Can Bay Road was flooded at Moody Creek, B-Double drivers using the “saleyards route” for through trips were stopped and fined.

2. REPORT
The route provides the necessary B-Double access to the saleyards but is not generally suitable for ongoing use for through trips. It passes through residential areas and tight intersections and some sections (such as Banks Pocket Road) are not constructed to a high standard.

However, during the short periods when the Tin Can Bay Road is cut at Moody Creek or One Mile, the “saleyards route” has potential to provide continuity of B-Double access to and from the east of Gympie. Because of the limited time periods involved, the benefits to industry of allowing this traffic movement may be considered to outweigh any potential negative impacts.

To allow this to occur, Council needs to request the Department of Transport and Main Roads to alter the route approval. Both TMR and the Police would then have the opportunity to comment on the proposed change to the status of the route.

3. BUDGET IMPlications
Nil

Gympie Regional Council
4. POLICY IMPLICATIONS
Nil

5. CONSULTATION
Engineering Services.

6. CONCLUSION
It is proposed that TMR be requested to alter approval conditions for the B-Double route to the saleyards.

M45/03/13 Moved Cr L.J. Friske Seconded Cr M.A. McDonald
That Council writes to the Department of Transport requesting that the B-Double approval for the route comprising Fraser Road, Corella Road, Old Maryborough Road, Fisher Road, Gympie Connection Road, Saleyards Road and Banks Pocket Road be altered to allow through movements only during periods when the alternative B-Double route via Tin Can Bay Road is closed due to flooding.

Carried
9.3 Proposed B-Double Route – Corella Road, Gympie

**PORTFOLIO:** Infrastructure

**DIRECTORATE:** Engineering Services

**AUTHOR:** General Manager Design Services - L O'Brien

**DOC ID:** N/a

**LINK TO CORPORATE / OPERATIONAL PLAN**

**Corporate Plan:** 2.1 Diverse regional business and industry development

**Operational Plan:** Not Applicable

1. **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**
   Council has been asked to respond to a request for B-Double access to 48 Corella Road, Gympie.

2. **REPORT**
   The proposed route is via Fraser Road onto Corella Road to access 48 Corella Road where a business is operating as a transport depot. Vehicles will be travelling empty for servicing or containing frozen foods or other freight.

   Corella Road between Fraser Road and 48 Corella Road (past Bonnick Rd) is not constructed to a suitable standard for B-Doubles. It has narrow lanes, poor alignment and busy intersections to residential estates. It is a school bus route and some school children cross the road. The intersection of Fraser Road and Corella Road is not suitable for B-Doubles making this movement. The left turn into Fraser Road in particular will result in vehicles tracking off the pavement.

3. **BUDGET IMPLICATIONS**
   Nil

4. **POLICY IMPLICATIONS**
   Nil

5. **CONSULTATION**
   Engineering Services.

6. **CONCLUSION**
   The proposed route is not suitable for B-Doubles.
M46/03/13 Moved Cr M.A. McDonald Seconded Cr M.W. Curran

That the matter lay on the table pending further discussion.

Carried
9.4 Proposed B-Double Route – Neusavale Road, Neusavale

**PORTFOLIO:** Infrastructure  
**DIRECTORATE:** Engineering Services  
**AUTHOR:** General Manager Design Services - L O’Brien  
**DOC ID:** N/a  

**LINK TO CORPORATE / OPERATIONAL PLAN**  
**Corporate Plan:** 2.1 Diverse regional business and industry development  
**Operational Plan:** Not Applicable

1. **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**  
Council has been asked to respond to a request for B-Double access to a property on Neusavale Road at Neusavale.

2. **REPORT**  
The proposed route is from the Tin Can Bay Road via Kin Kin Road and Neusavale Road to access a property located near McIntyre Road (near the shire boundary). Vehicles will be carrying cattle.

The Department of Transport and Main Roads will be responding with respect to the Kin Kin Road portion of the proposed route.

Neusavale Road is mostly single lane bitumen seal on a winding alignment. It carries 250 vehicles per day at the northern end and has many crests and some horizontal curves which would not meet modern design standards for safe sight distance. The intersection with Kin Kin Road is also inadequate for use by B-Doubles.

3. **BUDGET IMPLICATIONS**  
Nil

4. **POLICY IMPLICATIONS**  
Nil

5. **CONSULTATION**  
Engineering Services.

6. **CONCLUSION**  
The proposed route is not suitable for B-Doubles.
Moved Cr R.A. Gâté  Seconded Cr J.A. Walker
That Council opposes B-Double application (TMR reference BD0815) for B-Double access on Neusavale Road.
Carried
LATE ITEM

9.5 2012/13 T-018 NDRRA Insitu Pavement Stabilization Section 6

PORTFOLIO: Infrastructure
DIRECTORATE: Infrastructure Services
AUTHOR: General Manager Technical Services - G Curry
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 1.1 Planned Infrastructure that meets the needs of the community
Operational Plan: 1.1.4 Roads Maintenance

1. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

2. REPORT
Public Tenders for:

2012/13 T018 NDRRA Insitu Pavement Stabilization Section 6 closed at 2:00pm on Tuesday 5th March 2013.

Tenders were received as follows: (all inclusive of GST)

- Stabilized Pavements of Australia (alternative) $1,930,043.17
- Robert House & Associates $1,950,338.53
- Stabilized Pavements of Australia $1,963,205.20
- Ark Construction Group $2,065,682.30
- Downer EDI Works $2,178,996.60
- J & S Andrews $2,184,327.20
- SGQ $2,199,829.50
- Allciv $2,221,659.53
- CMC $2,271,808.00
- Brittwood Constructions $2,289,654.00
- Epoca Constructions $2,491,133.70
- FK Gardner & Sons $2,640,000.00
- Pensar Civil $2,917,005.00

The 10 lowest tenders were evaluated on non-price and price criteria as per the conditions of tender.

Stabilized Pavements of Australia’s alternative tender was for a lower geometric standard than that specified and was not considered further.
Ark Construction Group’s construction period was twice as long as specified in the contract documents and was not considered further.

Of the remaining tenders, the two lowest priced tenders ranked very closely with Robert House & Associates being the better ranked.

3. BUDGET IMPLICATIONS
The project has been approved by the Queensland Reconstruction Authority.

4. POLICY IMPLICATIONS

5. CONSULTATION
General Manager, Technical Services

6. CONCLUSION

M48/03/13  Moved Cr M.A. McDonald  Seconded Cr L.J. Friske
That Tender 2012/13 – T018 – NDRRA Insitu Pavement Stabilization Section 6 be offered to Robert House & Associates for their tendered price of $1,950,338.53 inclusive of GST.

Further, that the unsuccessful tenderers be notified accordingly.

Carried
SECTION 10: MAJOR PROJECTS AND BUSINESS ACTIVITIES

SECTION 11: WASTE MANAGEMENT

SECTION 12: TOURISM AND MARY VALLEY

SECTION 13: GENERAL BUSINESS

Leave of Absence

M49/03/13 Moved Cr J.A. Walker Seconded Cr M.A. McDonald
That Cr L.J. Friske be granted a leave of absence from 4th April to 11th April 2013.

Carried
SECTION 14: IN COMMITTEE

COUNCIL IN COMMITTEE

The Mayor advised the meeting that Council was going “Into Committee” to discuss:
2. Appointment of Additional Independent Members of the Audit Committee

M50/03/13  Moved Cr J.A. Walker  Seconded Cr R.A. Gâté

That pursuant to the provisions of Section 275 of the Local Government Regulation 2012, Council resolves to close the meeting to the public and move “into committee” to consider the following matter/s:-
   2. Appointment of Additional Independent Members of the Audit Committee

Further, that in relation to the provisions of Section 171 of the Local Government Act 2009, Council resolves that following the closing of the meeting to the public and the moving ‘into committee’ that all matters and all documents (whether in hard copy, electronic, optical, visual or magnetic form) discussed, raised, tabled and/or considered whilst the meeting is closed and ‘in committee’, are confidential to the Council and the Council wishes to keep them confidential.

Carried

COUNCIL OUT OF COMMITTEE

M51/03/13  Moved Cr R.A. Gâté  Seconded Cr J.A. Walker

That proceedings be resumed in Open Council.

Carried
14.1 Conservation Management Plans - Elgin Vale Saw Mill & Memorial Park

PORTFOLIO: Planning and Development
DIRECTORATE: Planning and Development
AUTHOR: Director Planning & Development - M Hartley
DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 4.2 Healthy and safe environment
Operational Plan: 4.2.1 Environmental Protection

This item is in-committee in accordance with Clause 72 (c) the local government budget.

M52/03/13 Moved Cr L.J. Friske Seconded Cr M.W. Curran

That Council:

2. Proceed no further with the preparation of a Conservation Management Plan for Memorial Park and advise the Consultant accordingly.

Carried
CONFLICT OF INTEREST

In accordance with Section 173 of the Local Government Act 2009;

Cr W.W. Sachs declared a Conflict of Interest in Recommendation M53/03/13 due to a close association with an individual involved. Cr W.W. Sachs left the meeting at 11.31am while the matter was discussed and voted on.

8.6 Appointment of Additional Independent Members of the Audit Committee

PORTFOLIO: Governance and Economic Development

DIRECTORATE: Office of the CEO

AUTHOR: Internal Auditor - G Moczynski

DOC ID: N/a

LINK TO CORPORATE / OPERATIONAL PLAN
Corporate Plan: 3.3 An organisational culture of continuous improvement
Operational Plan: 3.3.2 Internal Systems

This item is in-committee in accordance with Clause 72 (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

M53/03/13 Moved Cr L.J. Friske Seconded Cr R.A. Gâté

That the matter be held over until the next Ordinary Meeting of Council.

Carried
### SECTION 15: ATTACHMENTS

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Item Reference</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>5.5</td>
<td>Queensland Government Gazette No. 43</td>
</tr>
<tr>
<td>2</td>
<td>5.5</td>
<td>Draft State Planning Regulatory Provisions (adopted charges) July 2012</td>
</tr>
<tr>
<td>3</td>
<td>6.1</td>
<td>Correspondence from the Department of Science, Information Technology, Innovation and the Arts</td>
</tr>
<tr>
<td>4</td>
<td>6.2</td>
<td>Mary Valley Community Land Use Submission</td>
</tr>
<tr>
<td>5</td>
<td>7.1</td>
<td>Correspondence from the Department of Environment and Heritage Protection</td>
</tr>
<tr>
<td>6</td>
<td>8.3</td>
<td>Summarised Budget Report as at 28 February 2013</td>
</tr>
<tr>
<td>7</td>
<td>8.4</td>
<td>Proposed Procurement Policy</td>
</tr>
<tr>
<td>8</td>
<td>8.5</td>
<td>Tourism Advisory Committee Terms of Reference</td>
</tr>
<tr>
<td>9</td>
<td>8.7</td>
<td>Acceptable Request Guidelines</td>
</tr>
<tr>
<td>10</td>
<td>8.7</td>
<td>Councillor Confidentiality Procedure</td>
</tr>
<tr>
<td>11</td>
<td>8.8</td>
<td>Revised Standing Orders</td>
</tr>
</tbody>
</table>

There being no further business the meeting closed at 11.45am.

Confirmed this SEVENTEENTH day of APRIL 2013

________________________
Cr A.J. Perrett
CHAIRMAN

*Gympie Regional Council*
ATTACHMENT 1

Refer Item 5/5

Queensland Government Gazette No. 43

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
Queensland Heritage Act 1992

DEPARTMENT OF ENVIRONMENT AND HERITAGE PROTECTION

Heritage Register Decision

Under the provisions of s.54 of the Queensland Heritage Act 1992, the Department of Environment and Heritage Protection gives public notice that on 8 February 2013 the Queensland Heritage Council entered components of Sunnyside (HRN 602597) in the Queensland Heritage Register. These components are to be included as part of the existing State Heritage Place Dry-rubble Boundary Wall, Sunnyside Sugar Plantation (HRN 601700), which will be known as:

HRN 601700 Windemere Sunnyside Sugar Plantation (Former Remains 94 Windemere Road

NOTIFICATION OF PUBLIC CONSULTATION FOR AMENDMENTS TO THE STATE PLANNING REGULATORY PROVISION (ADOPTED CHARGES) 2012

I, the Honourable Jeff Seeney MP, Deputy Premier and Minister for State Development, Infrastructure and Planning, do hereby notify pursuant to section 70(1) of the Sustainable Planning Act 2009 that a draft amendment to the State Planning Regulatory Provision (adopted charges) 2012 has been released for public consultation.

Inspecting or obtaining copies of the instrument

Copies of the State Planning Regulatory Provision (adopted charges) 2012 including draft amendment, are available for inspection and collection, free of charge, from the Department of State Development, Infrastructure and Planning:

• shop front, Ground level, 63 George Street, Brisbane
• phone 13 QGOV (13 74 68)
• online at www.dsdip.qld.gov.au
• email infrastructureplanning@ds dip.qld.gov.au

Invitation for written submissions

Written submissions on the draft amendment to the State Planning Regulatory Provision (adopted charges) may be made by any person to the Deputy Premier, Minister for State Development, Infrastructure and Planning, from 22 of February 2013 to 12 April 2013.

Submissions are required to:

• be in writing
• state the name and residential or business address of each person or organisation making the submission.

Submissions may be sent by:

Post: State Planning Regulatory Provision (adopted charges) 2012 Planning Policy and Legislation Planning Group Department of State Development, Infrastructure and Planning PO Box 15009 CITY EAST QLD 4002

Email: infrastructureplanning@ds dip.qld.gov.au

For further information, please call 13 QGOV (13 74 68).

Jeff Seeney MP
Deputy Premier and Minister for State Development Infrastructure and Planning

NOTIFICATION OF APPROVED FORMS UNDER THE LOCAL GOVERNMENT ACT 2009 AND LOCAL GOVERNMENT REGULATION 2012

CITY OF BRISBANE ACT 2010 AND CITY OF BRISBANE REGULATION 2012

Commenctment

The following forms have been approved by the chief executive or delegate, Department of Local Government, Community Resilience and Recovery.

Forms approved

The following forms have been approved—

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Legislation</th>
<th>Form Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate given by the mayor and chief executive office of council in relation to the General Purpose Financial Statements and current-year and long-term financial sustainability statement</td>
<td>Section 212(5)(a) of the Local Government Regulation 2012</td>
<td>Certificate in relation to consolidated general purpose financial statements.</td>
</tr>
<tr>
<td>Certificate in relation to the long-term financial sustainability statement.</td>
<td>Section 202 (5)(b) of the City Of Brisbane Regulation 2012</td>
<td></td>
</tr>
</tbody>
</table>

Availabilty of Forms


NOTIFICATION OF FORM APPROVED UNDER THE QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL ACT 2009

1. Approval of form

The following form has been approved by the Queensland Civil and Administrative Tribunal Rules Committee, pursuant to section 241 of the Queensland Civil and Administrative Tribunal Act 2009, for use under the Queensland Civil and Administrative Tribunal Act 2009 from 22 February 2013.

<table>
<thead>
<tr>
<th>Form Number</th>
<th>Version Number</th>
<th>Form Heading</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>3</td>
<td>Application for minor civil dispute – minor debt</td>
</tr>
</tbody>
</table>

2. Withdrawal of approval for existing form

Approval for the following form has been withdrawn from 22 February 2013.

<table>
<thead>
<tr>
<th>Form Number</th>
<th>Version Number</th>
<th>Form Heading</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>2</td>
<td>Application for minor civil dispute – minor debt</td>
</tr>
</tbody>
</table>

3. Availability of form

Copies of the form are available from the Queensland Civil and Administrative Tribunal website at www.qcat.qld.gov.au or telephone 1300 753 228.
ATTACHMENT 2

Refer Item 5/5


of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
State planning regulatory provision (adopted charges)

July 2012
The Department of State Development, Infrastructure and Planning leads a coordinated Queensland Government approach to planning, infrastructure and development across the state.

© State of Queensland. Published by the Department of State Development, Infrastructure and Planning, March 2013, 100 George Street, Brisbane Qld 4000.

The Queensland Government supports and encourages the dissemination and exchange of information. However, copyright protects this publication. The State of Queensland has no objection to this material being reproduced, made available online or electronically but only if it is recognised as the owner of the copyright and this material remains unaltered. Copyright enquiries about this publication should be directed to the department’s Legal Services division via email info@dspdip.qld.gov.au or in writing to PO Box 15009, City East, Queensland 4002.

The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone the Queensland Department of State Development, Infrastructure and Planning on 07 3227 8548.

Disclaimer: While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is general and does not take into account individual circumstances or situations. Where appropriate, independent legal advice should be sought.
Contents

Amendments for consideration for public consultation ............................................. 4
Division 1—Preliminary ................................................................................................. 5
Division 2—Infrastructure charges ............................................................................ 5
Division 3—Proportional split of an adopted infrastructure charge between a distributor-retailer and relevant local government ................................................................. 6
Division 4—Priority infrastructure areas .................................................................... 6
Schedule 1—Adopted infrastructure charges schedule .............................................. 7
Schedule 2—Priority infrastructure area maps ......................................................... 11
Amendments for consideration for public consultation

The Department of State Development, Infrastructure and Planning invites you to have your say on the proposed amendments to the State Planning Regulatory Provision (adopted charges) 2012.

Amendments are highlighted on pages 8, 9, 15 and 18 and are marked in a shaded green box. In your submission, please focus on these specific amendments only.

A feedback form is available to assist you in making a written submission. The closing date for feedback is 5 pm, Friday 12 April 2013.

Division 1—Preliminary

1.1 Short title

This State Planning Regulatory Provision may be cited as the State Planning Regulatory Provision (adopted charges) 2012 (SPRP).

1.2 When the SPRP has effect

This SPRP commences on 1 July 2012.

Note: The Draft SPRP (adopted charges) ceases to have effect when this SPRP takes effect.

1.3 Purpose of the SPRP

(1) This SPRP is made for chapter 8, part 1, division 5A of the Sustainable Planning Act 2009 (SPA).

(2) The purpose of this SPRP is to:
   (a) state a maximum adopted charge for trunk infrastructure
   (b) state development for which the charge may be levied
   (c) identify, for particular local government areas, a priority infrastructure area
   (d) state the proportion of an adopted infrastructure charge that may be:
      (i) levied by Ipswich City Council
      (ii) charged by Queensland Urban Utilities for its water service or wastewater service in the Ipswich City Council local government area.

1.4 Area to which this SPRP applies

This SPRP applies to all local government areas.

1.5 Definitions

(1) The dictionary in schedule 3 defines particular words used in this SPRP.

(2) If a word or term used in this SPRP is not defined in schedule 3, it has the meaning given in the SPA or the Queensland Planning Provisions.

Division 2—Infrastructure charges

2.1 Maximum adopted charges for trunk infrastructure

The maximum charge for trunk infrastructure that may be levied for development for a use mentioned in schedule 1, column 2, is the charge specified in schedule 1, column 3, for that use.
2.2 Development for which maximum adopted charges may be levied

A maximum adopted charge may be levied for development that is reconfiguring a lot, a material change of use of premises or carrying out building work, that is for a use mentioned in schedule 1, column 2.

Examples for section 2.1 and 2.2:

• A proposed development of premises involves a material change of use and reconfiguring a lot and building work for a child care centre. Separate development applications are made for the reconfiguration, material change of use and building work. Separate charges may be levied for the reconfiguration, material charge of use and building work only if the total charge does not exceed the maximum adopted charge for the development of a child care centre.

Division 3—Proportional split of an adopted infrastructure charge between a distributor-retailer and relevant local government

3.1 Proportion of adopted infrastructure charge

The proportion of an adopted infrastructure charge that can be levied by Ipswich City Council and charged by Queensland Urban Utilities, is the proportion that each entity was able to charge or levy under Ipswich City Council’s Planning Scheme Policy 5—Infrastructure as in force on 30 June 2011.

Division 4—Priority infrastructure areas

4.1 Priority infrastructure areas for particular local governments

(1) This section applies for a local government that does not have a priority infrastructure plan.

(2) The priority infrastructure areas for a local government mentioned in schedule 2, column 1, are the areas shown on the priority infrastructure area map for that local government mentioned in schedule 2, column 2.
## Schedule 1—Adopted infrastructure charges schedule

### Adopted infrastructure charges schedule

<table>
<thead>
<tr>
<th>Column 1 Adopted infrastructure charge category</th>
<th>Column 2 Use</th>
<th>Column 3 Maximum adopted charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td>$20,000 per 1 or 2 bedroom dwelling or $28,000 per 3 or more bedroom dwelling.</td>
</tr>
<tr>
<td>Accommodation (short-term)</td>
<td>Hotel</td>
<td>For a tent or caravan site in a tourist park: $10,000 per 1 or 2 tent/caravan sites, or $14,000 per 3 tent/caravan sites.</td>
</tr>
<tr>
<td></td>
<td>Short-term accommodation</td>
<td>Example: The maximum charge for seven caravan sites is $38,000. This is calculated as below: $14,000 x 2 (for 2 x 3 caravan sites) = $28,000 plus $10,000 (for 1 site) = $10,000. Total charge for seven caravan sites = $38,000.</td>
</tr>
<tr>
<td></td>
<td>Tourist park</td>
<td>For a cabin in a tourist park: $10,000 per 1 or 2 bedroom cabin, or $14,000 per 3 or more bedroom cabin.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>For a hotel or short-term accommodation: $10,000 per suite (with 1 or 2 bedrooms, ) or $14,000 per suite (with 3 or more bedrooms), or $10,000 per bedroom (for a bedroom that is not within a suite).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Examples: The maximum adopted charge for a hotel containing suites with 3 bedrooms is $14,000 per suite. The maximum adopted charge for a motel with studio rooms is $10,000 per room. The maximum adopted charge for a bedroom (which is not in a suite) in a backpacker is $10,000.</td>
</tr>
</tbody>
</table>

---

State planning regulatory provision (adopted charges)
<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adopted infrastructure charge category</td>
<td>use</td>
<td>Maximum adopted charge</td>
</tr>
</tbody>
</table>
| Accommodation (long-term) | Community residence Hostel Relocatable home park Retirement facility | For a relocatable home park:  
- $20,000 per 1 or 2 bedroom relocatable dwelling site,  
or  
- $28,000 per 3 or more bedroom relocatable dwelling site | |
| Places of assembly | Club Community use Function facility Funeral parlour Place of worship | $70 per m² of Gross Floor Area (GFA) plus $10 per impervious m² for stormwater | |
| Commercial (bulk goods) | Agricultural supplies store Bulk landscape supplies Garden centre Hardware and trade supplies Outdoor sales Showroom | $140 per m² of GFA plus $10 per impervious m² for stormwater | |
| Commercial (retail) | Adult store Food and drink outlet Service industry Service station Shop Shopping centre | $180 per m² of GFA plus $10 per impervious m² for stormwater | |
| Commercial (office) | Office Sales office | $140 per m² of GFA plus $10 per impervious m² for stormwater | |
| Education facility  
extcept essential development which is for the Flying Start for Queensland Children program | Child care centre Community care centre Educational establishment | $140 per m² of GFA plus $10 per impervious m² for stormwater | |

State planning regulatory provision (adopted charges)
<table>
<thead>
<tr>
<th>Essential development which is for the Flying Start for Queensland Children program</th>
<th>N/A</th>
<th>Nil charge</th>
</tr>
</thead>
</table>
| Entertainment | - Hotel (non-residential component)  
- Nightclub  
- Theatre | $200 per m$^2$ of GFA plus $10 per impervious m$^2$ for stormwater |
| Indoor sport and recreational facility | - Indoor sport and recreation | $200 per m$^2$ of GFA, court areas at $20 per m$^2$ of GFA plus $10 per impervious m$^2$ for stormwater |
| Industry | - Low impact industry  
- Medium impact industry  
- Research and technology industry  
- Rural industry  
- Warehouse  
- Waterfront and marine industry | $50 per m$^2$ of GFA plus $10 per impervious m$^2$ for stormwater |
| High impact industry | - High impact industry  
- Noxious and hazardous industries | $70 per m$^2$ of GFA plus $10 per impervious m$^2$ for stormwater |
| Low impact rural | - Animal husbandry  
- Cropping  
- Permanent plantations  
- Wind farms | Nil charge |
| High impact rural | - Aquaculture  
- Intensive animal industries  
- Intensive horticulture  
- Wholesale nursery  
- Winery | $20 per m$^2$ of GFA for the high impact rural facility |
| Essential services | - Correctional facility  
- Emergency services  
- Health care services  
- Hospital  
- Residential care facility  
- Veterinary services | $140 per m$^2$ of GFA plus $10 per impervious m$^2$ for stormwater |
<table>
<thead>
<tr>
<th>Column 1 Adopted infrastructure charge category</th>
<th>Column 2 Use</th>
<th>Column 3 Maximum adopted charge</th>
</tr>
</thead>
</table>
| Specialised uses                              | • Air services  
• Animal keeping  
• Car park  
• Crematorium  
• Major sport, recreation and entertainment facility  
• Motor sport  
• Non-resident workforce accommodation  
• Outdoor sport and recreation  
• Port services  
• Tourist attraction  
• Utility installation  
• Extractive industry | The maximum adopted charge is the charge (in column 3) for the charge category (in column 1) that the local government determines should apply for the use at the time of assessment. |
| Minor uses                                     | • Advertising device  
• Cemetery  
• Home based business  
• Landing  
• Market  
• Roadside stalls  
• Telecommunications facility  
• Temporary use  
• Park  
• Outdoor lighting | Nil charge |
| Other uses                                     | A use not otherwise listed in column 2, including a use that is unknown because the development application does not specify a proposed use. | The maximum adopted charge is the charge (in column 3) for the charge category (in column 1) that the local government decides should apply for the use at the time of assessment. |
## Schedule 2—Priority infrastructure area maps

<table>
<thead>
<tr>
<th>Local government</th>
<th>Priority Infrastructure Area map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balonne Shire Council</td>
<td>Balonne Shire Council, Priority Infrastructure Area, Town of St George, Sheet 1 of 1; Balonne Shire Council, Priority Infrastructure Area, Town of Dirranbandi, Sheet 1 of 1; Balonne Shire Council, Priority Infrastructure Area, Town of Bollon, Sheet 1 of 1; Balonne Shire Council, Priority Infrastructure Area, Town of Thallon, Sheet 1 of 1; Balonne Shire Council, Priority Infrastructure Area, Town of Mungindi, Sheet 1 of 1; Balonne Shire Council, Priority Infrastructure Area, Town of Hebel, Sheet 1 of 1</td>
</tr>
<tr>
<td>Barcaldine Regional Council</td>
<td>Aramac Shire Council, Priority Infrastructure Area, Town of Aramac, Sheet 1; Aramac Shire Council, Priority Infrastructure Area, Town of Muttaburra, Sheet 2; Barcaldine Shire Council, Priority Infrastructure Area, Town of Barcaldine, Sheet 1; Jericho Shire Council, Priority Infrastructure Area, Town of Alpha, Sheet 1; Jericho Shire Council, Priority Infrastructure Area, Town of Jericho, Sheet 2</td>
</tr>
<tr>
<td>Barcoo Shire Council</td>
<td>Barcoo Shire Council, Priority Infrastructure Area, Town of Jundah, Sheet 1; Barcoo Shire Council, Priority Infrastructure Area, Towns of Windorah and Stonehenge, Sheet 2</td>
</tr>
<tr>
<td>Blackall-Tambo Regional Council</td>
<td>Map 3, Priority Infrastructure Plan, Blackall-Tambo Regional Planning Scheme – Blackall Priority Infrastructure Area; Blackall – Tambo, Map 3, Priority Infrastructure Plan, Blackall-Tambo Regional Planning Scheme – Tambo Priority Infrastructure Area</td>
</tr>
<tr>
<td>Boulia Shire Council</td>
<td>Boulia Shire Council, Priority Infrastructure Area, Town of Boulia, Sheet 1; Boulia Shire Council, Priority Infrastructure Area, Town of Urandangi, Sheet 2</td>
</tr>
<tr>
<td>Bulloo Shire Council</td>
<td>Bulloo Shire Council, Priority Infrastructure Area, Town of Thargomindah, Sheet 1; Bulloo Shire Council, Priority Infrastructure Area, Town of Hungerford and Noccundra, Sheet 2</td>
</tr>
<tr>
<td>Local government</td>
<td>Priority Infrastructure Area map</td>
</tr>
<tr>
<td>--------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Bundaberg Regional Council</td>
<td>Bundaberg Regional Council, Priority Infrastructure Plan (former Bundaberg City), Priority Infrastructure Area, Drawing Key; Bundaberg Regional Council, Priority Infrastructure Plan (former Bundaberg City), Priority Infrastructure Area, Drawing 1; Bundaberg Regional Council, Priority Infrastructure Plan (former Bundaberg City), Priority Infrastructure Area, Drawing 2; Bundaberg Regional Council, Priority Infrastructure Plan (former Bundaberg City), Priority Infrastructure Area, Drawing 3; Bundaberg Regional Council, Priority Infrastructure Plan (former Bundaberg City), Priority Infrastructure Area, Drawing 4; Bundaberg Regional Council, Priority Infrastructure Plan (former Burnett Shire), Priority Infrastructure Area, Drawing Key; Bundaberg Regional Council, Priority Infrastructure Plan (former Burnett Shire), Priority Infrastructure Area, Drawing 1; Bundaberg Regional Council, Priority Infrastructure Plan (former Burnett Shire), Priority Infrastructure Area, Drawing 2; Bundaberg Regional Council, Priority Infrastructure Plan (former Burnett Shire), Priority Infrastructure Area, Drawing 3; Bundaberg Regional Council, Priority Infrastructure Plan (former Burnett Shire), Priority Infrastructure Area, Drawing 4; Bundaberg Regional Council, Isis Shire Planning Scheme, Priority Infrastructure Area, Drawing 1; Bundaberg Regional Council, Isis Shire Planning Scheme, Priority Infrastructure Area, Drawing 2; Bundaberg Regional Council, Isis Shire Planning Scheme, Priority Infrastructure Area, Drawing 3; Bundaberg Regional Council, Isis Shire Planning Scheme, Priority Infrastructure Area, Drawing 4; Bundaberg Regional Council, Kolan Shire Planning Scheme, Priority Infrastructure Area, Drawing 1</td>
</tr>
<tr>
<td>Burke Shire Council</td>
<td>Priority Infrastructure Area, Burketown; Priority Infrastructure Plan Map 1</td>
</tr>
<tr>
<td>Cairns Regional Council</td>
<td>Cairns City Priority Infrastructure Plan, Map 1 – Cairns Regional Council, Priority Infrastructure Area Map: Key; Cairns City Priority Infrastructure Plan, Map 1 – Cairns Regional Council, Priority Infrastructure Area, Map: 1; Cairns City Priority Infrastructure Plan, Map 1 – Cairns Regional Council, Priority Infrastructure Area Map: 2; Cairns City Priority Infrastructure Plan, Map 1 – Cairns Regional Council, Priority Infrastructure Area Map: 3; Cairns City Priority Infrastructure Plan, Map 1 – Cairns Regional Council, Priority Infrastructure Area Map: 4; Cairns City Priority Infrastructure Plan, Map 1 – Cairns Regional Council, Priority Infrastructure Area Map: 5; Cairns Regional Council, Douglas Shire Priority Infrastructure Plan, Map 1 – Cairns Regional Council (Douglas) Priority Infrastructure Area, Drawing 1; Cairns Regional Council, Douglas Shire Priority Infrastructure Plan, Map 1 – Cairns Regional Council (Douglas) Priority Infrastructure Area, Drawing 2; Cairns Regional Council, Douglas Shire Priority Infrastructure Plan, Map 1 – Cairns Regional Council (Douglas) Priority Infrastructure Area, Drawing 3; Cairns Regional Council, Douglas Shire Priority Infrastructure Plan, Map 1 – Cairns Regional Council (Douglas) Priority Infrastructure Area, Drawing 4; Cairns Regional Council, Douglas Shire Priority Infrastructure Plan, Map 1 – Cairns Regional Council (Douglas) Priority Infrastructure Area, Drawing 5; Cairns Regional Council, Douglas Shire Priority Infrastructure Plan, Map 1 – Cairns Regional Council (Douglas) Priority Infrastructure Area, Drawing 6</td>
</tr>
<tr>
<td>Carpentaria Shire Council</td>
<td>Priority Infrastructure Area Karumba Priority Infrastructure Plan Map 01; Priority Infrastructure Area Normanton Priority Infrastructure Plan Map 02</td>
</tr>
<tr>
<td>Local government</td>
<td>Priority Infrastructure Area map</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Cassowary Coast Regional Council</td>
<td>Priority Infrastructure Area Map 1A showing Planning Scheme Zones Cardwell; Priority Infrastructure Area Map 2A showing Planning Scheme Zones Tully; Priority Infrastructure Area Map 3A showing Planning Scheme Zones Wongaling Beach; Priority Infrastructure Area Map 4A showing Planning Scheme Zones South Mission Beach; Priority Infrastructure Area Map 1A showing Planning Scheme Zones Innisfail; Priority Infrastructure Area Map 2A showing Planning Scheme Zones North Mission Beach</td>
</tr>
<tr>
<td>Central Highlands Regional Council</td>
<td>Central Highlands Regional Council (Bauhinia Planning Scheme) Priority Infrastructure Plan Map 1 - Priority Infrastructure Area Drawing 1; Central Highlands Regional Council (Bauhinia Planning Scheme) Priority Infrastructure Plan Map 1 - Priority Infrastructure Area Drawing 2; Central Highlands Regional Council (Duaringa Planning Scheme) Priority Infrastructure Plan Map 1 - Priority Infrastructure Area Drawing 1; Central Highlands Regional Council (Duaringa Planning Scheme) Priority Infrastructure Plan Map 1 - Priority Infrastructure Area Drawing 2; Central Highlands Regional Council (Duaringa Planning Scheme) Priority Infrastructure Plan Map 1 - Priority Infrastructure Area Drawing 3; Central Highlands Regional Council (Duaringa Planning Scheme) Priority Infrastructure Plan Map 1 - Priority Infrastructure Area Drawing 4; Central Highlands Regional Council Priority Infrastructure Plan Map 1 - Central Highland Regional Council (Emerald) Priority Infrastructure Area Drawing 1; Central Highlands Regional Council Priority Infrastructure Plan Map 1 - Central Highland Regional Council (Emerald) Priority Infrastructure Area Drawing 2; Central Highlands Regional Council (Peak Downs Planning Scheme) Priority Infrastructure Plan Map 1 - Priority Infrastructure Area Drawing 1; Central Highlands Regional Council (Peak Downs Planning Scheme) Priority Infrastructure Plan Map 1 - Priority Infrastructure Area Drawing 2</td>
</tr>
<tr>
<td>Charters Towers Regional Council</td>
<td>Dalrymple Planning Scheme Area Priority Infrastructure Plan Map 1 - Greenvale Priority Infrastructure Area; Charters Towers Regional Council Dalrymple Planning Scheme Area Priority Infrastructure Plan Map 2 - Ravenswood Priority Infrastructure Area; Charters Towers Regional Council Dalrymple Planning Scheme Area Priority Infrastructure Plan Map 3 - Pentland Priority Infrastructure Area</td>
</tr>
<tr>
<td>Cook Shire Council</td>
<td>Figure 1, Cooktown Priority Infrastructure Area</td>
</tr>
<tr>
<td>Croydon Shire Council</td>
<td>Croydon Shire Council Priority Infrastructure Plan Map Croydon Township (1) Priority Infrastructure Area</td>
</tr>
<tr>
<td>Diamantina Shire Council</td>
<td>Diamantina Shire Council Priority Infrastructure Area Town of Birdsville Sheet 1 of 1; Diamantina Shire Council Priority Infrastructure Area Town of Bedourie Sheet 1 of 1</td>
</tr>
<tr>
<td>Fraser Coast Regional Council</td>
<td>Hervey Bay Priority Infrastructure Plan Index Map; Hervey Bay Priority Infrastructure Plan Map 1; Hervey Bay Priority Infrastructure Plan Map 2; Hervey Bay Priority Infrastructure Plan Map 3; Hervey Bay Priority Infrastructure Plan Map 4; Hervey Bay Priority Infrastructure Plan Map 5; Hervey Bay Priority Infrastructure Plan Map 6; Hervey Bay Priority Infrastructure Plan Map 7; Hervey Bay Priority Infrastructure Plan Map 8; Hervey Bay Priority Infrastructure Plan Map 9; Maryborough Priority Infrastructure Area; Tiaro Priority Infrastructure Area</td>
</tr>
</tbody>
</table>

State planning regulatory provision (adopted charges)
<table>
<thead>
<tr>
<th>Local government</th>
<th>Priority Infrastructure Area map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gladstone Regional Council</td>
<td>Gladstone Regional Council Priority Infrastructure Areas Proposed; Miriam Vale Shire Council Priority Infrastructure Plan Priority Infrastructure Area Drawing 1 (Draft for discussion only); Miriam Vale Shire Council Priority Infrastructure Plan Priority Infrastructure Area Drawing 2 (Draft for discussion only); Miriam Vale Shire Council Priority Infrastructure Plan Priority Infrastructure Area Drawing 3 (Draft for discussion only); Miriam Vale Shire Council Priority Infrastructure Plan Priority Infrastructure Area Drawing 4 (Draft for discussion only)</td>
</tr>
<tr>
<td>Goondiwindi Regional Council</td>
<td>Goondiwindi Town Council Priority Infrastructure Area Town of Goondiwindi Sheet 1 of 1; Inglewood Shire Council Priority Infrastructure Area Town of Inglewood Sheet 1 of 1; Inglewood Shire Council Priority Infrastructure Area Town of Texas Sheet 1 of 1; Waggamba Shire Council Priority Infrastructure Area Goondiwindi Environs Sheet 1 of 1; Waggamba Shire Council Towns of Yelarbon and Talwood Sheet 1 of 1; Waggamba Shire Council Towns of Tooba, Bungunya &amp; Bendidee Area Sheet 1 of 1</td>
</tr>
<tr>
<td>Gympie Regional Council</td>
<td>Cooloola Shire Priority Infrastructure Area Amamoor and Kandanga Map Priority Infrastructure Area CS4; Cooloola Shire Priority Infrastructure Area Cooloola Cove Map PIA-CS-7; Cooloola Shire Priority Infrastructure Area Gympie Map Priority Infrastructure Area CS2; Cooloola Shire Priority Infrastructure Area Imbil Map Priority Infrastructure Area CS3; Cooloola Shire Priority Infrastructure Area Localities Map Priority Infrastructure Area CS1; Kilkivan Shire Priority Infrastructure Area Gooneri Map Priority Infrastructure Area KS2; Kilkivan Shire Priority Infrastructure Area Kilkivan Map Priority Infrastructure Area KS3; Cooloola Shire Priority Infrastructure Area Rainbow Beach Map Priority Infrastructure Area CS6; Cooloola Shire Priority Infrastructure Area Tin Can Bay Map Priority Infrastructure Area CS5</td>
</tr>
<tr>
<td>Hinchinbrook Shire Council</td>
<td>Hinchinbrook Shire Council Priority Infrastructure Planning Priority Infrastructure Area Map 1; Hinchinbrook Shire Council Priority Infrastructure Planning Priority Infrastructure Area Map 1A Ingham; Hinchinbrook Shire Council Priority Infrastructure Planning Priority Infrastructure Area Map 1B Trebonne</td>
</tr>
<tr>
<td>Ipswich City Council</td>
<td>Priority Infrastructure Area Map 13.13.2 Ipswich Planning Scheme Ipswich City Council City of Ipswich</td>
</tr>
<tr>
<td>Isaac Regional Council</td>
<td>Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 1; Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 2; Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 3; Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 4; Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 5; Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 6; Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 7; Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 8; Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 9; Isaac Regional Council Adopted Infrastructure Charges Resolution Priority Infrastructure Area Drawing 10</td>
</tr>
<tr>
<td>Lockyer Valley Regional Council</td>
<td>Plainland Figure 1-A; Forest Hill Figure 1-B; Placid Hills Figure 1-C; Laidley Township Figure 1-D; Gatton Township Figure 1-E; Helidon Township Figure 1-F; Withcott Township Figure 1-G</td>
</tr>
</tbody>
</table>

State planning regulatory provision (adopted charges)
<table>
<thead>
<tr>
<th>Local government</th>
<th>Priority Infrastructure Area map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Logan City Council</td>
<td>Logan City Council Priority Infrastructure Area</td>
</tr>
<tr>
<td>Longreach Regional Council</td>
<td>Ilfracombe Shire Council Priority Infrastructure Area Town of Ilfracombe Sheet 1; Isisford Shire Council Priority Infrastructure Area Town of Isisford Sheet 1; Isisford Shire Council Priority Infrastructure Area Towns of Yaraka and Emmet Sheet 2; Longreach Shire Council Priority Infrastructure Area Town of Longreach Sheet 1; Longreach Shire Council Priority Infrastructure Area Town of Cramsie Sheet 2</td>
</tr>
<tr>
<td>Mackay Regional Council</td>
<td>Mackay City Planning Scheme Mackay Priority Infrastructure Area; Mirani Shire Plan Mirani Priority Infrastructure Area; Mirani Shire Plan Mirani Priority Infrastructure Area (1 of 2 maps); Mirani Shire Plan Mirani Priority Infrastructure Area (2 of 2 maps); Sarina Shire Planning Scheme Sarina Priority Infrastructure Area</td>
</tr>
<tr>
<td>Maranoa Regional Council</td>
<td>Map 3 Priority Infrastructure Plan Maranoa Regional Council Planning Scheme – Roma Priority Infrastructure Area; Map 4 Priority Infrastructure Plan Maranoa Regional Council Planning Scheme – Wullumbilla Priority Infrastructure Area; Map 5 Priority Infrastructure Plan Maranoa Regional Council Planning Scheme – Yuleba Priority Infrastructure Area; Map 6 Priority Infrastructure Plan Maranoa Regional Council Planning Scheme – Surat Priority Infrastructure Area; Map 7 Priority Infrastructure Plan Maranoa Regional Council Planning Scheme – Mitchell Priority Infrastructure Area; Map 8 Priority Infrastructure Plan Maranoa Regional Council Planning Scheme – Injune Priority Infrastructure Area</td>
</tr>
<tr>
<td>McKinlay Shire Council</td>
<td>Priority Infrastructure Area Julia Creek Priority Infrastructure Plan Map 1</td>
</tr>
<tr>
<td>Moreton Bay Regional Council</td>
<td>Moreton Bay Regional Council Pine Rivers District Priority Infrastructure Area; Moreton Bay Regional Council Redcliffe City (version 3.0 August 2010); Caboolture Shire Priority Infrastructure Area (version 0.5 November 2010)</td>
</tr>
<tr>
<td>Murweh Shire Council</td>
<td>Murweh Shire Council Priority Infrastructure Area Charleville Priority Infrastructure Plan Map 2; Murweh Shire Council Priority Infrastructure Area Augathella Priority Infrastructure Plan Map 1</td>
</tr>
<tr>
<td>North Burnett Regional Council</td>
<td>Biggenden Shire Council Priority Infrastructure Area Town of Biggenden; Eidsvold Shire Council Priority Infrastructure Area Town of Eidsvold; Gayndah Shire Council Priority Infrastructure Area Town of Gayndah; Monto Shire Council Priority Infrastructure Area Town of Monto; Mundubbera Shire Council Priority Infrastructure Area Town of Mundubbera; Perry Shire Council Priority Infrastructure Area Town of Mount Perry</td>
</tr>
<tr>
<td>Paroo Shire Council</td>
<td>Paroo Shire Council Priority Infrastructure Area Town of Cunnamulla Sheet 1 of 1; Paroo Shire Council Priority Infrastructure Area Towns of Eulo, Yowah and Wyandra Sheet 1 of 1</td>
</tr>
<tr>
<td>Council</td>
<td>Priority Infrastructure Plans and Maps</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Quilpie Shire Council</td>
<td>Quilpie Shire Council Infrastructure Area Town of Quilpie Sheet 1 of 1; Quilpie Shire Council Infrastructure Area Towns of Adavale and Eromanga Sheet 1 of 1; Quilpie Shire Council Infrastructure Area Towns of Cheepie and Toompine Sheet 1 of 1</td>
</tr>
<tr>
<td>Redland City Council</td>
<td>Priority Infrastructure Plan Priority Infrastructure Area Boundary Redland City Council</td>
</tr>
<tr>
<td>Rockhampton Regional Council</td>
<td>Draft Priority Infrastructure Area Rockhampton; Draft Priority Infrastructure Area Livingstone; Draft Priority Infrastructure Area Fitzroy; Draft Priority Infrastructure Area Mount Morgan</td>
</tr>
<tr>
<td>Scenic Rim Regional Council</td>
<td>Priority Infrastructure Area – Beaudesert Priority Infrastructure Area 1; Priority Infrastructure Area – Canungra Priority Infrastructure Area 3; Priority Infrastructure Area – Kooralbyn Priority Infrastructure Area 2; Priority Infrastructure Area – Boonah Priority Infrastructure Area 1; Priority Infrastructure Area – Kalbar Priority Infrastructure Area 2; Priority Infrastructure Area – Aratula, Mt Alford, Warril View Priority Infrastructure Area 3; Priority Infrastructure Area – Harrisville Priority Infrastructure Area 2; Priority Infrastructure Area – Peak Crossing Priority Infrastructure Area 1</td>
</tr>
<tr>
<td>Somerset Regional Council</td>
<td>Fernvale Priority Infrastructure Area Map 1; Lowood Priority Infrastructure Area Map 2; Esk Priority Infrastructure Area Map 3; Toogoolawah Priority Infrastructure Area Map 4; Kilcoy Priority Infrastructure Area Map 5</td>
</tr>
<tr>
<td>Southern Downs Regional Council</td>
<td>Priority Infrastructure Plan - Map 2 Stanthorpe Priority Infrastructure Area; Priority Infrastructure Plan – Map 1 Warwick Priority Infrastructure Area; Priority Infrastructure Plan – Map 3 Towns Priority Infrastructure Area</td>
</tr>
<tr>
<td>Tablelands Regional Council</td>
<td>Map 3 Atherton Priority Infrastructure Area; Map 4 Tolga PIA; Map 5 Tandara/Rangview Priority Infrastructure Area; Map 6 Kari Priority Infrastructure Area; Map 3 Malanda Priority Infrastructure Area; Map 4 Yungaburra Priority Infrastructure Area; Map 5 Millaa Millaa Priority Infrastructure Area; Map 1 Herberton Priority Infrastructure Area; Map 2 Ravenshoe Priority Infrastructure Area; Map 3 Mt Garnet Priority Infrastructure Area; Map 3 (Untitled); Map 4 Kuranda Priority Infrastructure Area; Map 5 Dimbulah Priority Infrastructure Area; Map 6 Chillagoe Priority Infrastructure Area</td>
</tr>
<tr>
<td>Townsville City Council</td>
<td>City of Thuringowa Priority Infrastructure Plan Priority Infrastructure Area Drawing 1; City of Thuringowa Priority Infrastructure Plan Priority Infrastructure Area Drawing 2; City of Thuringowa Priority Infrastructure Plan Priority Infrastructure Area Drawing 3; City of Thuringowa Priority Infrastructure Plan Priority Infrastructure Area Drawing 4; City of Thuringowa Priority Infrastructure Plan Priority Infrastructure Area Drawing 5; City of Thuringowa Priority Infrastructure Plan Priority Infrastructure Area Drawing 6; Map 1 Townsville City Council Priority Infrastructure Area</td>
</tr>
<tr>
<td>Western Downs Regional Council</td>
<td>Priority Infrastructure Area Regional Overview July 2011; Priority Infrastructure Area Condamine July 2011; Priority Infrastructure Area Bell July 2011; Priority Infrastructure Area Jandowae July 2011; Priority Infrastructure Area Tara July 2011; Priority Infrastructure Area Warril View July 2011; Priority Infrastructure Area Wandoan July 2011; Priority Infrastructure Area Miles July 2011; Priority Infrastructure Area Dalby July 2011; Priority Infrastructure Area Chinchilla July 2011</td>
</tr>
<tr>
<td>Local government</td>
<td>Priority Infrastructure Area map</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Whitsunday Regional Council</td>
<td>Priority Infrastructure Area Whitsunday RICS 2008 – Town of Proserpine; Map 1 – Bowen Priority Infrastructure Area</td>
</tr>
<tr>
<td></td>
<td>Map 2: Whitsunday Shores Priority Infrastructure Area</td>
</tr>
<tr>
<td></td>
<td>Map 3: Merinda Priority Infrastructure Area</td>
</tr>
<tr>
<td></td>
<td>Map 4: Collinsville/Scottville Priority Infrastructure Area</td>
</tr>
<tr>
<td></td>
<td>Priority Infrastructure Area Whitsunday 2011 – Town of Whitsunday</td>
</tr>
<tr>
<td>Winton Shire Council</td>
<td>Winton Shire Council Priority Infrastructure Area Town of Winton Sheet 1 of 1; Winton Shire Council Priority Infrastructure Area Towns of Middleton and Corfield Sheet 1 of 1</td>
</tr>
</tbody>
</table>

**Note:** Priority infrastructure area maps for local governments can be viewed at www.dsdp.qld.gov.au.
Schedule 3—Dictionary

**Flying Start for Queensland Children program** is the program to transition Year 7 from the last year of primary schooling to the first year for secondary schooling.

**Essential development** for the Flying Start for Queensland Children program is the development of classrooms and toilet facilities.

ATTACHMENT 3

Refer Item 6/1

Correspondence from the Department of Science, Information Technology, Innovation and the Arts

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
Mr Bernard Smith
Chief Executive Officer
Gympie Regional Council
PO Box 155
GYMPIE Qld 4570

Dear Mr Smith

Each year Councils participating in the Regional Arts Development Fund (RADF) Program prepare a funding bid for the following financial year's funding allocation from Arts Queensland. Please find attached the RADF Bid sheet for 2013-14. It can also be downloaded from the Arts Queensland's website www.arts.qld.gov.au.

The RADF Bid sheet captures all of the information required by Arts Queensland to manage an informed assessment process. Completing the Bid sheet also provides forward planning for the RADF Program in Council.

The 2013-14 Bid sheet must be completed, signed and submitted to Arts Queensland along with the required support material no later than 31 March 2013. Bids received after the due date will not be assessed, unless an extension has been approved by Arts Queensland. Extensions will be considered in special circumstances that prevent your Council meeting this deadline. Please contact Suzanne Matulich on (07) 3227 8149 or email at rafd@arts.qld.gov.au if you need to arrange an extension of time.

The 2013-14 Bids will be evaluated by an RADF assessment team made up of five RADF Liaison Officers representing the five population classes of Council in Queensland and an independent Chair. The RADF assessment team will consider how your Council’s Bid addresses the criteria outlined on page 21 of the RADF Guidelines and will recommend the amount to be allocated to each Council to the Minister for Science, Information Technology, Innovation and the Arts. Arts Queensland staff will facilitate the assessment process and record the decisions underpinning the recommended amounts.

Assistance for RADF Liaison Officers in the completion of the Bid sheet will be offered via teleconferences to be conducted in February 2013.

If you have any questions regarding the Bid process please contact Suzanne Matulich, Arts Development Officer, Arts Community Engagement, Arts Queensland on (07) 3227 8149 or by email at rafd@arts.qld.gov.au.

Yours sincerely,

Gillian Gardiner
Acting/Director
Arts Community Engagement
1 / 1 / 2013

Cc: Ms Kara Peters  RADF Liaison Officer
Regional Arts Development Fund – Bid Sheet 2013-14

Closing Date: 31 March 2013
Please refer to the How to Complete the RADF Bid 2013-14 resource available at www.arts.qld.gov.au to assist in completing this Bid Sheet.

The RADF Bid is an application Councils make to Arts Queensland each year for funds to support the local RADF program in the next financial year. The process is competitive and bids should clearly reflect the state of the arts and culture in the Council region and identify the planned arts and cultural activity in the coming year.

Submit your 2013-14 Bid by email to RADF@arts.qld.gov.au AND post a hard copy to
Ms Suzanne Matulich, Arts Queensland, GPO Box 1436, BRISBANE QLD 4001.
(Note support material is not required electronically.)

Bids and all support material must be post-marked no later than: 31 March 2013.
Extension of time for Bid submissions will only be granted in exceptional circumstances and following consultation with Arts Queensland.

Council Name:

Council Population: Population Class: ABN:
Class 1: 0 to 5000 Class 2: 5001 – 25,000 Class 3: 25,001 – 50,000 Class 4: 50,001 – 200,000 Class 5: 200,000+

Council Contact Details

<table>
<thead>
<tr>
<th>Street address</th>
<th>Postal address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>leave blank if same as street address</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phone (07)</th>
<th>Fax (07)</th>
<th>Council email</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Mayor</th>
<th>Chief Executive Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td></td>
</tr>
<tr>
<td>Ph:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>RADF Committee Chairperson</th>
<th>RADF Liaison Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>Name:</td>
</tr>
<tr>
<td>Ph:</td>
<td>Ph:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fax:</th>
<th>Email:</th>
</tr>
</thead>
</table>

| Email: | |
|--------|
Financial Summary  (for items a – c: use figures from Schedule 1, 2012-13 RADF Funding Agreement)

(a) 2012-13 Arts Queensland Allocation
(b) 2012-13 Council Required Contribution
(c) 2012-13 Council Contribution - Additional
(d) 2011-12 Surplus Funds (actual) used in 2012-13
(e) Total RADF allocation for 2012-13

(f) 2012-13 Projected Surplus Funds to be used in 2013-14
(g) Required Council Contribution for 2013-14
(h) Requested Allocation from Arts Queensland for 2013-14 (attach the printout of the Bid Calculation table used to calculate this amount)
(i) Total estimated funds for 2013-14

Program Rationale

Councils must complete the Program Rationale section to support the request for funds. Please provide sufficient details in this section for the assessors to evaluate the activities and level of funding required. It is strongly recommended that you consult with the community and your RADF Committee to develop the rationale.

When assessing Bids, Arts Queensland and the assessment team look for strong evidence of sound planning, community support, cultural plans and/or policies that are less than 5 years old, relevance to Council’s Arts and Cultural Policy and inclusion of aspects of arts and cultural development policy into the Council’s corporate plan.

1. Sound Planning

1.1 Program Demand

Provide information about ongoing or increased demand for the program, e.g. increase in number of applications, new initiatives, diversity of applicants and community groups targeted.

1.2 2013-14 Council Priorities

What are Council’s priorities for the 2013-14 RADF Program and how do they support Council’s Arts and Cultural Policy?

1.3 Risk Management Summary

Please outline Council’s RADF Risk Management Strategy and include the strategies used to ensure that Outcome Reports are submitted in the correct time frame.
To show how well your risk management strategy is working, please provide the following summary information on overdue Outcome Reports. NB: Outcome Reports not received after 8 weeks from Project/Activity end date are overdue. Please do not include Outcome Reports that are not yet due.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of overdue Outcome Reports</th>
<th>$ value of reports (whole dollars only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>2010-11</td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>2009-10</td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>Total of all overdue Outcome Reports over the past 3 years</td>
<td></td>
<td>$</td>
</tr>
</tbody>
</table>

1.4 2013-14 Council Strategic Initiatives

Does the Council and/or the RADF Committee propose to undertake any strategic initiatives with RADF funds?  No [ ]  Yes [ ]

If Yes, please complete Appendix 1.

Strategic Initiatives which are approved by the RADF Assessment Team become part of the RADF Funding Agreement and Council's RADF Program and will not need the RADF Committee's approval.

Changes to these Strategic Initiatives require written approval from Arts Queensland prior to the changes being implemented. An Outcome Report for each approved Strategic Initiative will be required as part of the 2013-14 Annual Report.

1.5 Summary of RADF Committee Members and Training

Please note that the RADF Liaison Officer is not considered a member of the RADF Committee.

Please provide the details of:
- All RADF Committee members currently appointed.
- The number of years they have been on the committee.
- Any relevant training or professional development undertaken (including conference attendance)

<table>
<thead>
<tr>
<th>RADF Committee member name</th>
<th>Area of expertise and groups represented eg aboriginal, youth, Councillor, community arts sector</th>
<th>Year appointed to current term.</th>
<th>Did the RADF Committee member attend any arts related conferences or 2012 RADF Regional Workshop?</th>
<th>List any other training the RADF Committee member attended in 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
In the space below please give:
- An explanation about why any RADF Committee members may have served longer than the recommended 4 years (see page 11 in the RADF Guidelines)
- A description of any RADF Committee training identified in the table above.

2. Community Support

2.1 Community Consultation: indicate how Council and the RADF Committee consulted with the community to identify priority areas and the level of funding required for 2013-14 arts and cultural activities.

2.2 Outcomes of Community Consultation: what were the outcomes of the consultation and how do they affect the 2013-14 RADF Program.

3. Cultural Plans and Policies

Councils participating in RADF are required to have an Arts and Cultural Policy and provide evidence of this to Arts Queensland. Please remember to attach the current Policy to this Bid.

When was the current Arts and Cultural Policy endorsed by Council?

When was the current Arts and Cultural Policy last reviewed?

Is this Arts and Cultural Policy linked to the Corporate Plan?  Yes ☐ No ☐

Are you planning to review / develop your policy in 2013-14?  Yes ☐ No ☐

(remember you can include a proportion of the cost in your budget below)

4. Council Variations to the RADF Guidelines

Please give details of any variations to the RADF Guidelines that Council has in place, or wishes to make. These variations need to be considered by Arts Queensland, and if accepted, will form Schedule 3 of the RADF Funding Agreement 2013-14.
5. 2013-14 Allocation of RADF Budget

Please indicate how the total Council RADF budget will be allocated across the RADF activities in 2013-14.

<table>
<thead>
<tr>
<th>2013-14 RADF Grants Program</th>
<th>$ (whole dollars only)</th>
<th>Percentage of total budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>RADF Grant Round 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RADF Grant Round 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RADF Grant Round 3 (If applicable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RADF Grant Round 4 (If applicable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RADF Quick Response / Out of Round Grants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RADF Committee Training / Conference attendance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arts and Cultural Policy Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strategic Initiative 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strategic Initiative 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strategic Initiative 3</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2013-14 Total (equals item i on page 2)</strong></td>
<td></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

6. Essential Support Material

All support material must be labelled clearly with Council’s name.

Tick the support material attached to this application

☐ Strategic Initiative support material *(where relevant)*
☐ Current Arts and Cultural Policy

In addition to the support material above *(please limit the additional support material to no more than 10 pages in total)*

☐ Evidence of Community Consultation
☐ Evidence of other Planning
☐ Other *(please list)*
Certification

I, the undersigned, certify that:

- this Bid has been prepared in line with the How to Complete the RADF Bid 2013-14 resource
- the statements in this RADF Bid are true and correct to the best of my knowledge and belief that the information and the supporting material is that of the Council named in this application.
- I have read and understood the Information Privacy and Right to Information Statement below and agree to the use and disclosure of information as outlined in the Statement.

Information Privacy and Right to Information
The information you provide in your Bid will be used by Arts Queensland to process and assess your application and, if successful, to process, pay and administer your allocation.

Arts Queensland treats all information in accordance with the Information Privacy Act 2009. The provisions of the Right to Information Act 2009 apply to documents in the possession of Arts Queensland.

- I consent to information provided in this RADF Bid being used for training or systems testing purposes by Arts Queensland staff.
- I give permission for Arts Queensland to forward the RADF Bid to the RADF Assessment Team.
- If this RADF Bid is approved, I consent to the media and/or Queensland's State MPs being given information about the funded projects and I understand I may be contacted directly by them.

Signature: ___________________________ Date: / / 

Name in full: ___________________________

Position: Chief Executive Officer

The Regional Arts Development Fund (RADF) is a Queensland Government and Local Government partnership to support local arts and culture. January 2013
2013-14 Strategic Initiative # □

(If there is more than one strategic initiative planned, please copy Appendix 1, complete and attach for each extra strategic initiative.) Please also include any support material you consider is relevant for your Strategic Initiative applications.

Note: RADF Committee member training / conference attendance and Arts and Cultural Policy Development are not strategic initiatives. Funding allocations for those two items should be listed separately in the Bid budget breakdown.

1. Title of Strategic Initiative (in approximately 20 words)

2. Main artform category

☐ Craft  ☐ Theatre  ☐ Dance  ☐ Museums/Collections  ☐ Design
☑ New Media  ☐ Music  ☐ Festivals  ☐ Visual Arts  ☐ Writing

3. Full description

4. Community groups which will specifically benefit from the project

☐ Aboriginal people  ☑ Older people (over 55 years of age)
☐ Torres Strait Islanders  ☐ People with a disability
☐ Australian South Sea Islanders  ☐ Women
☐ Children and young people (30 years and under)  ☐ People from culturally and linguistically diverse backgrounds (CALD)

5. Describe the benefits for your community.

6. What promotional activities are planned for this Strategic Initiative?

7. Personnel involved

How many people in total will be employed through the project?

How many volunteers (unpaid workers) will be involved with the project?

<table>
<thead>
<tr>
<th>Name (if known)</th>
<th>Role or position in project</th>
<th>Rate of pay ($hr or $/week)</th>
<th>Total fee whole $</th>
<th>Amount to be funded by RADF</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOTAL (Transfer total salaries, fees and allowances to the expenditure column in the budget) $  

TOTAL (Transfer total RADF amount to the RADF expenditure column in the budget) $
9. Strategic Initiative Budget

Please complete this budget to account for all costs of this strategic initiative. Enter any other grants for which you have applied and mark an asterisk against those grants which have already been approved.

The amounts requested in the third column (RADF) show how much RADF funding you are planning to use for each expenditure item.

<table>
<thead>
<tr>
<th>EXPENDITURE</th>
<th>COST of each expenditure item</th>
<th>RADF</th>
<th>INCOME</th>
<th>COST of each income item</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Fees and Allowances</td>
<td></td>
<td></td>
<td>Earned Income³</td>
<td></td>
</tr>
<tr>
<td>Production/Program Costs¹</td>
<td></td>
<td></td>
<td>Council Contribution (Please note if this is in-kind)³</td>
<td></td>
</tr>
<tr>
<td>Promotion, Documentation and Marketing</td>
<td></td>
<td></td>
<td>Other Grants⁵</td>
<td></td>
</tr>
<tr>
<td>Administration²</td>
<td></td>
<td></td>
<td>Sponsorship, fundraising and donations (Please note where this is in-kind)</td>
<td>n/a</td>
</tr>
<tr>
<td>RADF GRANT (total column 3)⁴</td>
<td></td>
<td></td>
<td>RADF GRANT (total column 3)⁴</td>
<td></td>
</tr>
<tr>
<td>TOTAL EXPENDITURE</td>
<td></td>
<td></td>
<td>TOTAL INCOME</td>
<td></td>
</tr>
</tbody>
</table>

Budget notes

1. materials / preparation / equipment
2. office costs / admin overhead
3. if applicable, income earned from project
4. cash / in-kind / self investment / value of materials and/or services provided as in-kind
5. eg. Australia Council for the Arts / Education Queensland / Gambling Community Benefit Fund / Federal Government

NB: the amount of the RADF grant identified above is to be included in Bid Budget item 4.
ATTACHMENT 4

Refer Item 6/2

Mary Valley Community Land Use Submission

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
Introduction

The Mary Valley has seen significant tracts of land purchased by the State in preparation for the now discontinued Traveston Crossing dam proposal. Land purchased remains in State Government ownership under a range of different tenure arrangements.

Through the Department of State Development, Infrastructure and Planning the Government has approached Council to work collaboratively in the identification of State owned tracts of land that may serve a justifiable community purpose.

This report draws on existing research, community consultation and Council expertise to identify State owned land that should be made available for community use.

Background

This report was compiled using data from a range of sources including:

- Community consultation
- Direct submissions to Council from community organisations requesting land
- Mary Valley Addendum, Gympie Regional Council Economic Development Strategy and Implementation Plan 2011
- Cooloola Open Space and Recreation Plan 2007
- Gympie Planning Scheme Study Community Infrastructure Needs Assessment 2010
- Gympie Region Community Plan 2030
- Draft Gympie Regional Council Planning Scheme 2013

Further consultation was conducted internally with the following Councillors and Council Officers:

Cr Julie Walker – Divisional Councillor
Cr Rae Gâte – Social Wellbeing Portfolio Councillor
Kimberley Toomey – Manager Planning, Strategy and Major Projects
Lynne Wilbraham – Manager Economic Development
Amy Gosley – Environmental Planning Officer
Debbie Jenkins – Manager Corporate and Customer Services
Ed French – Parks Manager
Heather Kelly – Manager Community Development and Facilities

Identified Land

In identifying land Council considered various sites. This report documents eight (8) sites in which Council has an interest and documents three (3) further sites that were considered and judged not of interest.

Land of interest to Council

A total of seven (7) sites have been identified as being of interest to Council, five (5) in the vicinity of the Kandanga township and two (2) along the Mary River at Walkers and Traveston Crossing Bridges. Further details regarding lot identification and justification follow.
Kandanga Township

A total of five (5) sites have been identified in the Kandanga township area.

Site 1

Location:

The proposed property is located at Lot 14 on RP 836709 situated at the end of Elizabeth Street, Kandanga.

Proposed Use:

Sport and recreation precinct. The site will be developed as a sport and recreation precinct for the area. It allows for Kandanga Bowls Club to relocate out of flood prone land and future expansion of sport and recreation options in Kandanga.

Rationale:

The Gympie Region Community Plan 2030 identified the following:

- Investigate the feasibility of establishing community centres in Imbil and Kandanga
- Promote the Sale of Local Produce
- Prioritise a set of improvements to sporting facilities eg. Kandanga Sports precinct.
- Increase camping areas and facilities to accommodate events
- Renew public tourism areas and lookouts.

The draft Gympie Regional Council Planning Scheme has zoned Lot 2 on RP 849528 and Lot 14 on RP 836709 for sport and recreation purposes. Extensive community consultation undertaken in the development of the planning scheme supports this use of the land.

The Mary Valley Addendum to the Gympie Regional Council Economic Development Strategy & Implementation Plan, 2011, identified the need to revitalise the Kandanga precinct and specifically identified a need to relocate the bowls club.

The area has been identified as a proposed site for relocation of the Kandanga Bowls Club and to develop a sporting and recreation precinct that is outside of the Kandanga flood zone. The identified blocks are adjacent to the existing tennis courts.

Currently 3 proposed user groups have been identified:

The Kandanga Bowls Club is currently situated on Lot 2 LX 1783 and has been inundated twice in the last two years. The relocation of the bowls club would allow their current site to be amalgamated with the adjoining Council owned lots and the entire site redeveloped as a potential camping area. Council currently has an RV site on an adjacent property and it is felt that expanding this practice to include campers will have a significant positive effect on levels of tourism within the valley and consequent economic advantages.

The Kandanga Community Garden has approached Council requesting land on which to develop a community garden. As the group’s assets are not easily removed in case of floods (gardens and fences) an area outside of flood zone is preferable.

The Kandanga Men’s Shed has been allocated funding through Department of Communities to build a shed. This is one of three sites in Kandanga that may be suitable for this purpose.
Site 2

Location:
The proposed property is located at Lot 2 RP174315 more commonly known as the eastern boundary to Jack Spicer Oval. The proposed area of land requested extends across this block to the western boundary of the Lot excluding a small street facing allotment.

Proposed Use:
Extension to Jack Spicer Oval, access and parking for the Kandanga Hall and Kandanga Rural Fire Brigade, increased capacity for the Mary River Festival, potential site for a men’s shed and trial network rest area.

Rationale:
The current user groups of the oval have identified a need to extend the playing space to allow for full sized fields and an appropriate buffer zone to ensure activities do not extend to neighbouring properties. The proposed extension to the oval will meet this need.

Extending to the western boundary of the lot allows for future expansion of both hall and RFB activities as well as improved access and parking facilities in the short term, provides a potential site for the development of a men’s shed and longer term development of a trail network rest area.

This site is the second site identified as suitable for the development of the proposed Men’s Shed.

This land use is supported by the Gympie Region Community Plan as detailed above. The proposed boundary realignment would not decrease utility of the balance of the lot as it maintains flood free land and road access.
Site 3

Location:
The proposed property is located at Lot 27 RP23273 and Lot 5 RP71515 more commonly known as 47 and 49 Main Street Kandanga and currently being utilised by the Friends of Kandanga.

Proposed Use:
The building and surrounding land would continue to be utilised by the Friends of Kandanga under a formal agreement with Council. The building would be used to house an art space negating the need for a separate building for this purpose.

Rationale:
It is proposed that the lots be realigned to ensure all infrastructure is located on one lot and includes sufficient area at the rear of the lot for emergency exit points for vehicles utilising the land on which the Kandanga Bowls Club currently stands and adjacent Council owned lots.

This is the third proposed site for a Men’s Shed and supports the ongoing utilisation of the building as a community meeting place.

The Gympie Region Community Plan identified the need to establish the feasibility of developing community centres in Imbil and Kandanga. The Gympie Planning Scheme Study Community Infrastructure Needs Assessment further identified the need for additional meeting places in the Mary Valley (identified in the study as Rural South).

The successful operation of the Friends of Kandanga in their current premises both identifies and meets this need.

In addition to providing a building for the group to continue operations, the site also provides for potential expansion and integration of additional community services that may be required in the future.

The site also allows for development of a community art space. The Gympie Region Community Plan 2030 identifies Arts, Culture and Creativity as a means to creating a valued heritage and creative community. Specifically the plan identifies the need to develop a range of cultural and artistic events, and the development of high quality facilities that support arts and creativity in the community.

The Gympie Planning Scheme Study Community Infrastructure Needs Assessment also identifies support for extensions to public art and sculpture spaces within the region, including the Mary Valley townships. Smaller district and local level art development and exhibition spaces are identified as a highly desirable initiative at this location, including the opportunity to cater for arts and crafts groups and related activities (e.g. wet and dry facilities).

Improved artistic and cultural facilities are widely known to contribute towards community capacity building in regional centres, providing an effective medium to respond to current issues, strengthen local identity and social cohesion and build on the benefits of cultural tourism.
Site 4

Location:
The proposed property is a portion of the property located at Lot 2 RP 102466, the area required being approximately 60 metres from the boundary west along the river.

Proposed Use:
The area will be developed as a canoe safe paddle area. Located adjacent to the railway it provides a still, level area for water activities for both residents and visitors to the region.

Rationale:
The Cooloola Open Space and Recreation Plan identified a need to provide safe access to the river and Yabba Creek in Imbil. These recommendations prompted a broader look at the river and creek networks within the region with a view to developing a ‘canoe trail’ through these waterways.

The proposed canoe safe play area will not link directly to a canoe trail but will enhance the project by offering a controlled local option. It is also anticipated that such a facility in Kandanga will be utilised as a community play area and have tourism benefits for the broader community.

This area would link with the proposed development of a camping area in Kandanga.

Site 5

Location:
The proposed property is located at Lot 1 RP 215627 situated adjacent to the Kandanga Museum at 25 Main Street, Kandanga.

Proposed Use:
This small parcel of land is adjacent to a tract of land currently maintained by Council and utilised as a museum. The land allocated would be amalgamated to the adjoining lot. No change in current use is projected.

Rationale:
This is a small parcel of land currently being maintained by Council in a flood prone area. The transfer of ownership of the lot would ensure consistency of approach to the area with regard to maintenance and future use if required.
River Access Sites

Two (2) sites have been identified as suitable canoe landing points along the Mary River. The proposed use and rationale are identical as they are to form a part of a greater project that increases accessibility to the river.

Site 1

Location:
The proposed property is approximately two (2) hectares of Lot 6 SP 216078 in the area known as Walkers Bridge.

Proposed Use:
The sites will be developed as canoe landing sites enabling Mary River access. The areas of land requested allow for adequate parking areas and other relevant infrastructure.

Rationale:
The Cooloola Open Space and Recreation Plan identified a need to provide safe access to the river and Yabba Creek in Imbil. These recommendations prompted a broader look at the river and creek networks within the region with a view to developing a ‘canoe trail’ through these waterways.

The proposed sites would be enhanced by the development of further sites along the river, including a final destination site in Gympie City. Allowing access upstream would enhance the length of the trail and its ability to attract both local residents and visitors to the region.
Site 2

Location:
The proposed property is a part of Lot 3 SP 186078 in the area known as Traveston Crossing Bridge. This property has been the subject of discussion between Council and the State Government. It is noted that significant erosion has occurred on the site in particular in the area previously nominated for an access road.

Proposed Use:
The sites will be developed as canoe landing sites enabling Mary River access. The areas of land requested allow for adequate parking areas and other relevant infrastructure.

Rationale:
The Cooloola Open Space and Recreation Plan identified a need to provide safe access to the river and Yabba Creek in Imbil. These recommendations prompted a broader look at the river and creek networks within the region with a view to developing a ‘canoe trail’ through these waterways.

The proposed sites would be enhanced by the development of further sites along the river, including a final destination site in Gympie City. Allowing access upstream would enhance the length of the trail and its ability to attract both local residents and visitors to the region.
Land not of interest to Council

The following three sites were discussed internally and deemed not of interest.

1. Lot 4 on RP44576 more commonly known as 54-58 Main Street Kandanga
   
   Requested as a potential site for Kandanga Men’s Shed, three alternate shared use sites have been identified.

2. Lot 2 RP 851773 (Part of Lot – 7 acres) Carters Ridge. Ridgewood Community Hall requested this land to be developed as a sports precinct. This lot was considered previously by Council’s sport and recreation committee and judged as not required for this purpose. Funds diverted to support and maintain this development would be at the expense of recognised upgrades and maintenance to current facilities.

3. Mary Valley Trail Network. This project is not viable for Council, a preferred model would be to mirror that of the Bicentennial National Trail and maintain camp spots on land currently owned and maintained by Council.
ATTACHMENT 5

Refer Item 7/1

Correspondence from the Department of Environment and Heritage Protection

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
Dear Mr Smith

I am writing to advise you of the outcomes of the government's consideration of proposals to delete certain environmentally relevant activities (ERAs) from the Environmental Protection Regulation 2008 (EP Reg).

Following consultation on a regulatory assessment statement, the government will be seeking the Governor in Council's approval to remove 20 ERA thresholds from the requirement to hold an environmental authority under the Environmental Protection Act 1994 (EP Act). A list of the affected ERAs is attached. These changes will take effect on 31 March 2013 to align with the changes to the EP Act resulting from the Environmental Protection (Greentape Reduction) and other Legislation Amendment Act 2012.

Additionally, the government is seeking to remove the devolution in relation to ERA 4 – Poultry farming. This ERA will be regulated by the Department of Agriculture, Fisheries and Forestry (DAFF) from 31 March 2013. DAFF will work with affected local governments to transition the responsibility effectively.

During consultation, a number of local governments and the Local Government Association of Queensland (LGAQ) made submissions to express concerns about the impacts of the proposals including concern about potential environmental impacts and revenue loss. The government balanced these concerns against the benefits to businesses and the Queensland economy of reducing regulation.

In relation to environmental impacts, deregulated businesses will still be required to comply with the general environmental duty and other requirements such as not causing environmental nuisance. This will be supported by codes of practice to provide guidance to businesses on how to meet their environmental obligations. The codes will be developed in partnership with local governments and industry associations. I have attached a fact sheet describing some of the tools that are available to local governments under the EP Act to assist with compliance. Officers from the department will also be in touch with your council before the end of February to discuss the changes.
The impact of the loss of revenue varies across councils. I realise that for some councils this may be significant, although it will be offset by administrative savings from no longer needing to undertake licensing activities. I encourage you to explore other ways of funding environmental responsibilities such as the differential rating model adopted by the Gold Coast City Council.

The deletion of ERAs means that some local governments will have very few or no ERAs to administer. This could have impacts on councils who need to maintain an approval system. If the deletions will result in your council having less than 10 ERAs and you wish to consider removing the devolution for administering ERAs, I invite you to contact me to commence discussions.

For those councils who retain ERAs, the department will be offering training in March prior to the commencement of the new system. The dates and locations for training are attached. The department has also sought your assistance in supplying data to populate the new suitable operator register and I appreciate your input to this process.

Should you have any further enquiries, please contact Ms Elisa Nichols, Executive Director, Reform and Innovation of the department on telephone 3330 5988.

Yours sincerely

Andrew Chesterman
Director-General

Att
### ERA Thresholds to be removed from the Environmental Protection Regulation

<table>
<thead>
<tr>
<th>ERA Name</th>
<th>ERA threshold</th>
<th>Administered by</th>
</tr>
</thead>
<tbody>
<tr>
<td>ERA 2 - Intensive animal feedlotting</td>
<td>1a - keeping 50-150 standard cattle units in a feedlot</td>
<td>Department of Agriculture, Fisheries and Forestry</td>
</tr>
<tr>
<td></td>
<td>2a - keeping 350-1,000 standard sheep units in a feedlot</td>
<td>Department of Agriculture, Fisheries and Forestry</td>
</tr>
<tr>
<td>ERA 3 - Pig Keeping</td>
<td>1 - keeping 21-400 standard pig units</td>
<td>Department of Agriculture, Fisheries and Forestry</td>
</tr>
<tr>
<td>ERA 6 - Asphalt manufacturing</td>
<td>a - manufacturing of asphalt in a year &lt;1,000 tonnes</td>
<td>Local government</td>
</tr>
<tr>
<td>ERA 8 - Chemical storage</td>
<td>3a - storing of 10m$^3$ to 500m$^3$ of chemicals of class C1 or C2</td>
<td>Local government</td>
</tr>
<tr>
<td></td>
<td>combustible liquids under AS 1940 or dangerous goods class 3</td>
<td></td>
</tr>
<tr>
<td>ERA 16 - Extractive and screening activities</td>
<td>2a - extracting (other than dredging) less than 5,000 tonnes of material in a year if the material is extracted from a wild river area</td>
<td>Department of Environment and Heritage Protection</td>
</tr>
<tr>
<td></td>
<td>2A - screening 50t to less than 5,000 tonnes of material in a wild river area in a year</td>
<td></td>
</tr>
<tr>
<td>ERA 17 - Abrasive blasting</td>
<td></td>
<td>Local government</td>
</tr>
<tr>
<td>ERA 18 - Boilermaking or engineering</td>
<td>a - producing 200 tonnes to 10,000 tonnes of metal product in a year</td>
<td>Local government</td>
</tr>
<tr>
<td></td>
<td>b - producing more than 10,000 tonnes of metal product in a year</td>
<td></td>
</tr>
<tr>
<td>ERA 21 - Motor vehicle workshop operation</td>
<td></td>
<td>Local government</td>
</tr>
<tr>
<td>ERA 34 - Mushroom growing substrate manufacture</td>
<td></td>
<td>Department of Environment and Heritage Protection</td>
</tr>
<tr>
<td>ERA 37 - Printing</td>
<td>a - printing 200 tonnes to 1,000 tonnes of materials in a year</td>
<td>Local government</td>
</tr>
<tr>
<td></td>
<td>b - printing more than 1,000 tonnes of material in a year</td>
<td></td>
</tr>
<tr>
<td>ERA 38 - Surface coating</td>
<td>2a - coating, painting or powder coating using 1 tonne to 100 tonnes of surface coating material in a year</td>
<td>Local government</td>
</tr>
<tr>
<td>ERA 43 - Concrete batching</td>
<td></td>
<td>Local Government</td>
</tr>
<tr>
<td>ERA 48 - Wooden and laminated product</td>
<td>1 - manufacturing more than</td>
<td>Local government</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>100 tonnes of wooden products in a year</td>
<td></td>
</tr>
<tr>
<td>---------------</td>
<td>----------------------------------------</td>
<td></td>
</tr>
</tbody>
</table>

| ERA 54 - Drum and container reconditioning | Department of Environment and Heritage Protection |
| ERA 56 - Regulated waste storage | 1 - receiving and storing 5 tonnes or more, or 500 or more equivalent passenger units, of tyres or parts of tyres |
| ERA 63 - Sewage treatment | 1 - operating no-release works with a total daily peak design capacity of at least 21 equivalent persons |

Note that there have been amendments to the definitions of three ERAs:
- 19 - Metal forming, 1000 tonnes per year to exclude cold processing
- 49 - Boat maintenance or repair to only include operations within 50 metres of a bed of naturally occurring surface waters
- 38 - Surface coating at threshold (2(b)) - coating, painting or powder coating using more than 100 tonnes of materials in a year, to include motor vehicle workshops and boat maintenance and repair.
Attachment 2 - Training Schedule for Local Government

<table>
<thead>
<tr>
<th>Date</th>
<th>Place</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/03/2013</td>
<td>Mackay</td>
<td>9 - 12 am</td>
</tr>
<tr>
<td>5/03/2013</td>
<td>Brisbane</td>
<td>9 - 12 am</td>
</tr>
<tr>
<td>8/03/2013</td>
<td>Maryborough</td>
<td>9 - 12 am</td>
</tr>
<tr>
<td>8/03/2013</td>
<td>Maroochydore</td>
<td>9 - 12 am</td>
</tr>
<tr>
<td>13/03/2013</td>
<td>Cairns</td>
<td>9 - 12 am</td>
</tr>
<tr>
<td>14/03/2013</td>
<td>Gold Coast</td>
<td>9 - 12 am</td>
</tr>
<tr>
<td>15/03/2013</td>
<td>Gladstone</td>
<td>9 - 12 am</td>
</tr>
<tr>
<td>20/03/2013</td>
<td>Emerald</td>
<td>9 - 12 am</td>
</tr>
<tr>
<td>22/03/2013</td>
<td>Townsville</td>
<td>9 - 12 am</td>
</tr>
<tr>
<td>27/03/2013</td>
<td>Toowoomba</td>
<td>9 - 12 am</td>
</tr>
</tbody>
</table>
Environmental Protection Act - Tools to respond to environmental complaints and incidents

Compliance tools
There are currently a number of enforcement tools available to local governments to respond to pollution complaints and incidents from activities that do not hold an environmental authority, including deregulated environmentally relevant activities (ERAs). These include:

- administrative actions (i.e. issuing a warning letter), which is not set out in the legislation;
- issuing an on-the-spot fine;
- issuing a direction notice;
- requiring a draft transitional environmental program;
- requiring an environmental evaluation or audit;
- issuing an environmental protection order;
- prosecution of the offender for environmental harm, breach of development conditions, breach of the "minor water pollution" offence, or contravening noise standards.

In addition, where a deregulated ERA already has a development permit, the existing development permit conditions will continue to apply and compliance action can be taken under the Sustainable Planning Act 2009.

Two of the more commonly used Environmental Protection Act 1994 enforcement tools are on-the-spot fines and direction notices.

On-the-spot fine (Penalty Infringement Notice)
- Local government officers can issue a Penalty Infringement Notice (also known as an on-the-spot fine) for breaches of the Environmental Protection Act 1994.
- These notices operate similarly to a speeding fine or a parking fine.
- The notices can be issued, for example, in relation to:
  - causing environmental nuisance by contravening a noise standard
  - depositing a contaminant into a watercourse or stormwater drainage (including issues caused by erosion and sediment deposit from a construction site);
  - breaching the noise standards (e.g. noisy building work must not be carried out before 6:30am on a business day).
- The fines are generally $1100 for an individual and $2200 for a corporation.

For example:
If a local government ‘authorised officer’ attends a complaint at a building site and notices a person hosing mud from the building site into the stormwater drain, the authorised officer should attempt to determine who the responsible person was for the release. This should include considering whether a higher ranking person may have directed the person to release the mud and also whether the responsible person has met their general environmental duty. If the authorised officer considers there is sufficient evidence, the authorised officer can issue an on-the-spot fine (penalty infringement notice) to the responsible person.
Direction Notice

- A direction notice can require actions to:
  - do something to prevent further water contamination (e.g. cover exposed earth on building sites);
  - clean-up effects of previous water contamination (i.e. remedy the problem);
  - stop doing something which caused the water contamination (e.g. stop depositing the contaminant).
- The direction notice was designed to be simple to issue. It can be issued by any authorised person who reasonably believes that a person is causing environmental nuisance or minor water pollution. The direction may also be made verbally and confirmed by a written direction notice later.
- Failing to comply with a direction notice can lead to a fine of up to $33,000 for an individual and $165,000 for a corporation or an on-the-spot fine of $1100 for an individual and $2200 for a corporation.

For example:
Where a local government ‘authorised officer’ has attended to a complaint where a person has been fixing their car and has drained the contents of the sump into the roadside gutter, the officer can issue a direction notice requiring the person to remove the oil from the roadside gutter to prevent it from being washed into the downstream waterway which might be a creek or river.

Powers of entry

Even though an ERA has been deregulated, local government officers will still have the right to enter a place to investigate whether the Environmental Protection Act 1994 is being breached. An authorised person may enter a place if:
- the occupier consents to the entry;
- it is a public place and the entry is made when the place is open to the public;
- it is a place where an industry is conducted and the entry is made when the place is open for conduct of business or is otherwise open for entry;
- the entry is authorised by a warrant;
- the authorised officer believes on reasonable grounds that unlawful environmental harm has been caused by the release of a contaminant into the environment.

For example:
The local government ‘authorised officer’ has been called to a complaint and has identified the outlet pipe at a truck depot as the source of diesel flowing into a waterway. The officer can enter the place to investigate where the flow of diesel is coming from in an attempt stop the release of diesel into the waterway and the likelihood of further environmental harm or nuisance. In this circumstance the officer can enter the land without the owner’s consent.
ATTACHMENT 6

Refer Item 8/3

Summarised Budget Report

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
### SUMMARISED BUDGET REPORT

**as at 28 February 2013**

<table>
<thead>
<tr>
<th>PROGRAMS</th>
<th>Status</th>
<th>Actual 28-Feb-13</th>
<th>Revised Budget 2012/13</th>
<th>% of Revised Budget 2012/13</th>
<th>% of Original Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CORPORATE GOVERNANCE</strong></td>
<td>On Track</td>
<td>$31,251,243</td>
<td>$32,666,216</td>
<td>96.85%</td>
<td>91.62%</td>
</tr>
<tr>
<td>Revenue</td>
<td>On Track</td>
<td>$5,586,994</td>
<td>$12,062,873</td>
<td>46.32%</td>
<td>46.54%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>On Track</td>
<td>$412,779</td>
<td>$865,041</td>
<td>47.72%</td>
<td>46.76%</td>
</tr>
<tr>
<td>Capital Expenditure</td>
<td>On Track</td>
<td>-</td>
<td>$882,800</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Debt Redemption</td>
<td>On Track</td>
<td>$0</td>
<td>$0</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Comment:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td></td>
<td></td>
<td></td>
<td>1st half year rates have issued. Percentages reflect this.</td>
<td></td>
</tr>
<tr>
<td>Expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt Redemption</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Graphical Representation**

![Graphical representation of budget items]

<table>
<thead>
<tr>
<th>ENGINEERING SERVICES</th>
<th>% Year Completed</th>
<th>66.67%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$7,922,598</td>
<td></td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>$22,528,022</td>
<td></td>
</tr>
<tr>
<td>Capital Expenditure</td>
<td>$8,539,521</td>
<td></td>
</tr>
<tr>
<td>Debt Redemption</td>
<td>$111,487</td>
<td></td>
</tr>
</tbody>
</table>

**Comment:**

Revenue percentage is low at this stage due to floodwork subsidy not yet received. Claim for $12,030,720 is with QRA now, with an additional $496,575 due to be submitted by the end of March. Since 31 Jan 2013, Council has received $3,192,474 Grant monies. This consists of the 3rd qtr Financial Assistance Grant and and Natural Disaster Relief and Recovery Arrangements grant money. Subject to possible impacts of current weather events expect to submit claim for balance by end of year. More information will be available at the time of the 9 month budget review at the end of March.

**Expenses:**

Flood repair work is on track.

**Debt Redemption:** Debt redemption for interprogram loan for the full 2012/13 year has been brought to account.
### COMMUNITY SERVICES

<table>
<thead>
<tr>
<th>Status</th>
<th>Actual 28-Feb-13</th>
<th>Revised Budget</th>
<th>Budget 2012/13</th>
<th>% of Revised Budget</th>
<th>% of Original Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td>$12,066,851</td>
<td>$12,263,518</td>
<td>$11,938,990</td>
<td>98.40%</td>
<td>101.07%</td>
</tr>
<tr>
<td><strong>Operating Expenses</strong></td>
<td>On Track</td>
<td>$9,422,221</td>
<td>$20,152,520</td>
<td>46.57%</td>
<td>46.75%</td>
</tr>
<tr>
<td><strong>Capital Expenditure</strong></td>
<td>Under Review</td>
<td>$993,632</td>
<td>$8,381,371</td>
<td>11.86%</td>
<td>9.64%</td>
</tr>
<tr>
<td><strong>Debt Redemption</strong></td>
<td>On Track</td>
<td>$236,575</td>
<td>$478,030</td>
<td>49.49%</td>
<td>49.49%</td>
</tr>
</tbody>
</table>

**Comment:**
1st half year rates have issued. Percentages reflect this. Additionally, an SES grant of $31,946 was received.

**Revenue:**
Capital works down considerably mainly due to works budgeted for waste management being deferred to 2013/2014. The 9 month budget review will provide further details.

### SHIRE DEVELOPMENT & PLANNING

<table>
<thead>
<tr>
<th>Status</th>
<th>% Year Completed</th>
<th>% of Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td>$744,364</td>
<td>50.73%</td>
</tr>
<tr>
<td><strong>Operating Expenses</strong></td>
<td>On Track</td>
<td>$2,404,905</td>
</tr>
<tr>
<td><strong>Capital Expenditure</strong></td>
<td>On Track</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Debt Redemption</strong></td>
<td>On Track</td>
<td>$0</td>
</tr>
</tbody>
</table>

**Comment:**
Less revenue than anticipated due to the continuing economic downturn. Budget will be adjusted as necessary at 9 month budget review.

**Revenue:**
Expenditure is down, with staffing levels remaining low in response to the continuing economic downturn. The budgeted amounts will be altered at 9 month budget review accordingly.

**Reviewing**
- Revenue
- Operating Expenses
- Capital
- Debt Redemption
<table>
<thead>
<tr>
<th>PROGRAMS</th>
<th>Status</th>
<th>Actual 28-Feb-13</th>
<th>Revised Budget</th>
<th>Budget 2012/13</th>
<th>% of Revised Budget</th>
<th>% of Original Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>WATER PROGRAM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td>On Track</td>
<td>$9,470,210</td>
<td>$9,618,040</td>
<td>$8,522,640</td>
<td>98.46%</td>
<td>111.12%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>On Track</td>
<td>$4,168,996</td>
<td>$6,142,170</td>
<td>$6,142,170</td>
<td>67.87%</td>
<td>67.87%</td>
</tr>
<tr>
<td>Capital Expenditure</td>
<td>Review</td>
<td>$1,001,909</td>
<td>$2,284,637</td>
<td>$2,190,000</td>
<td>43.85%</td>
<td>45.75%</td>
</tr>
<tr>
<td>Debt Redemption</td>
<td>On Track</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

**Comment:**
Revenue: 1st half year rates have issued. Percentages reflect this.

Expenses: Some delays in capital works owing to environmental approval requirements and operational staffing shortage. Some works will be deferred to 2013/14 at 9 month budget review, due to ongoing weather events and shortage of available contractors.

Debt Redemption: N/A

<table>
<thead>
<tr>
<th>SEWERAGE PROGRAM</th>
<th>% Year Completed</th>
<th>% of Revised</th>
<th>% of Original</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>On Track</td>
<td>$9,712,194</td>
<td>101.82%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>On Track</td>
<td>$5,120,196</td>
<td>67.20%</td>
</tr>
<tr>
<td>Capital Expenditure</td>
<td>Review</td>
<td>$1,147,455</td>
<td>32.12%</td>
</tr>
<tr>
<td>Debt Redemption</td>
<td>On Track</td>
<td>$243,081</td>
<td>48.20%</td>
</tr>
</tbody>
</table>

**Comment:**
Revenue: 1st half year rates have issued. Percentages reflect this.

Expenses: Some delays in capital works owing to environmental approval requirements and operational staffing shortage. Some works will be deferred to 2013/14 due to ongoing weather events, to be further assessed at 9 month budget review.

Debt Redemption:
INVESTMENT REPORT
as at 28 February 2013
(IN ACCORDANCE WITH COUNCIL'S INVESTMENT POLICY)

<table>
<thead>
<tr>
<th>Fund</th>
<th>Invested Balance</th>
<th>YTD Int. Yield</th>
<th>Rev Budget Estimate</th>
<th>% of Rev Budget Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consolidated Operating Fund</td>
<td>$74,088,885</td>
<td>$2,394,940</td>
<td>$3,300,000</td>
<td>72.57%</td>
</tr>
<tr>
<td>Trust Fund</td>
<td>$1,661,634</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indicative Interest Rate</td>
<td>4.02%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comment: Investments placed in accordance with Council's Investment Policy PR-FS-023
Council's investment policy is reviewed annually.
## RATE COLLECTION

as at 28 February 2013

<table>
<thead>
<tr>
<th>% Year Completed</th>
<th>67.00%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate Collection</td>
<td></td>
</tr>
<tr>
<td>28-02-13</td>
<td>29-02-12</td>
</tr>
<tr>
<td><strong>Arrears 1 July 2012</strong></td>
<td><strong>Arrears 1 July 2011</strong></td>
</tr>
<tr>
<td><strong>Levy Raised 12/13</strong></td>
<td><strong>Levy Raised 11/12</strong></td>
</tr>
<tr>
<td><strong>Interest Raised</strong></td>
<td><strong>Interest Raised</strong></td>
</tr>
<tr>
<td><strong>Receipts</strong></td>
<td><strong>Receipts</strong></td>
</tr>
<tr>
<td><strong>Discount Applied</strong></td>
<td><strong>Discount Applied</strong></td>
</tr>
<tr>
<td><strong>Pensioner Rebate (Govt)</strong></td>
<td><strong>Pensioner Rebate (Govt)</strong></td>
</tr>
<tr>
<td><strong>Pensioner Rebate (Council)</strong></td>
<td><strong>Pensioner Rebate (Council)</strong></td>
</tr>
<tr>
<td><strong>Balance Outstanding</strong></td>
<td><strong>Balance Outstanding</strong></td>
</tr>
<tr>
<td><strong>Credit Balance</strong></td>
<td><strong>Credit Balance</strong></td>
</tr>
<tr>
<td><strong>Balance Outstanding</strong></td>
<td><strong>Balance</strong></td>
</tr>
</tbody>
</table>

### Comment:
2nd half year Rates Levy for 12/13 has been issued. Rates are due for payment on 21 March 2013.
ATTACHMENT 7

Refer Item 8/4

Procurement Policy

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
PROCUREMENT POLICY FOR GOODS AND SERVICES
TABLE OF CONTENTS

1. INTRODUCTION .................................................................................................................... 1
2. POLICY OBJECTIVE .............................................................................................................. 1
3. RESPONSIBILITY .................................................................................................................. 2
4. SOUND CONTRACTING PRINCIPLES .................................................................................... 2
5. PURCHASES UNDER $15,000.00 (EXCL GST) ..................................................................... 3
6. PURCHASES WORTH $15,000.00 OR MORE, BUT LESS THAN $200,000.00 (EXCL GST) .................................................................................................................. 3
7. PURCHASES WORTH $200,000.00 OR MORE (EXCL GST) ........................................... 3
8. EXCEPTIONS FOR MEDIUM AND LARGE Sized CONTRACTUAL ARRANGEMENTS .... 4
9. DELEGATIONS ....................................................................................................................... 5
10. REVIEW .............................................................................................................................. 5
11. PROCEDURES ..................................................................................................................... 6
GYMPIE REGIONAL COUNCIL

FINANCIAL SERVICES

PROCUREMENT POLICY FOR GOODS AND SERVICES

1. INTRODUCTION

This document sets out Council's policy for the procurement of goods and services. This policy applies to the procurement of all goods, equipment and related services, construction contracts and service contracts (including maintenance).

The procurement of all Council goods and services must be carried out in compliance with the Local Government Act 2009 (the "Act") and the Local Government Regulation 2012 (the "Regulations").

2. POLICY OBJECTIVE

2.1 To facilitate the procurement of goods and services in the most cost-effective, timely and practical manner.

2.2 To ensure that Council complies with the Regulations and where appropriate, the State Procurement Policy.

2.3 To ensure all officers have a clear understanding of all aspects of the Procurement Policy and procedures.

2.4 Council endorse financial delegations for procurement above which purchases must be approved by Council (FS-F-321).

2.5 To ensure that all delegated officers have a clear understanding of their responsibilities.

2.6 To maintain adequate internal control over all aspects of purchasing and supply and disposal.

2.7 To ensure purchased works, goods and services contribute positively to Council’s delivery of quality infrastructure and services.

2.8 Disposal of all goods must be authorised by the Chief Executive Officer, with higher value items offered for public auction or tender.

Council’s procurement activities aim to achieve advantageous procurement outcomes by:-

(a) promoting value for money with probity and accountability; and
(b) advancing Council’s economic, social and environmental policies; and
(c) providing reasonable opportunity for competitive local businesses that comply with relevant legislation to supply to Council; and
(d) promoting compliance with relevant legislation.

In accordance with Chapter 6 Contracting of the Regulation, this policy incorporates relevant requirements regarding the procurement of goods and services and the carrying out of the sound contracting principles as stated in Section S106 of the Act.
3. RESPONSIBILITY

Council officers responsible for the procurement of goods and services must comply with this policy. It is the responsibility of Council officers involved in the procurement process to understand the meaning and intent of this policy.

4. SOUND CONTRACTING PRINCIPLES

Council officers must have regard to the following procurement principles in all purchasing activities:

(a) **Value for money**

Council must harness its purchasing power to achieve the best value for money. The concept of value for money is not restricted to price alone. The value for money assessment must include consideration of:-

(i) contribution to the advancement of Council’s priorities; and  
(ii) fitness for purpose, quality, services and support; and  
(iii) whole-of-life costs including costs of acquiring, using, maintaining and disposal; and  
(iv) internal administration costs; and  
(v) technical compliance issues; and  
(vi) risk exposure; and,  
(vii) the value of any associated environmental benefits.

(b) **Open and effective competition**

Purchasing should be open and result in effective competition in the provision of goods and services. Council must give fair and equitable consideration to all prospective suppliers.

(c) **The development of competitive local business and industry**

Where price, performance, quality, suitability and other evaluation criteria are comparable, the following areas may be considered in evaluating offers:-

(i) creation of local employment opportunities;  
(ii) more readily available servicing support;  
(iii) more convenient communications for contract management;  
(iv) economic growth within the local area;  
(v) benefit to Council of associated local commercial transaction.

(d) **Environmental protection**

Council promotes environmental protection through its purchasing procedures. In undertaking any purchasing activities Council will:-

(i) promote the purchase of environmentally friendly goods and services that satisfy value for money criteria; and  
(ii) foster the development of products and processes of low environmental and climatic impact; and  
(iii) provide an example to business, industry and the community by promoting the use of climatically and environmentally friendly goods and services; and  
(iv) encourage environmentally responsible activities.
(e) Ethical behaviour and fair dealing

Council officers involved in purchasing are to behave with impartiality, fairness, independence, openness, integrity, and professionalism in their discussions and negotiations with suppliers and their representatives.

NB Equal consideration is not required to be given to each of the contracting principles.

5. PURCHASES UNDER $15,000.00 (excl GST)

When entering into a contract for the acquisition of goods or services for less than $15,000.00 the following options apply:

(a) for purchases under $3,000.00 (excl GST) one verbal quotation is sufficient, however verbal quotations can be recorded on form FSF-135 record of verbal quotations;
(b) for purchases between $3,000.00 and $15,000.00 (excl GST) two written quotations are to be invited and recorded. Council may decide not to accept any of the quotes it receives.
(c) If a procurement activity is likely to be medium to high risk then a risk analysis should be undertaken.

Records of offers received must be kept on file in accordance with Council’s records management procedures.

6. PURCHASES WORTH $15,000.00 OR MORE, BUT LESS THAN $200,000.00 (excl GST)

Council cannot enter into a medium-sized contract unless Council first invites three written quotes for the contract. Written quotations are to be recorded.

If a procurement activity is likely to be medium to high risk then a risk analysis should be undertaken.

The invitation must be to at least three persons who Council considers can meet Council’s requirements, at competitive prices. Council may decide not to accept any of the quotes it receives.

However, if Council does decide to accept a quote, Council must accept the quote most advantageous to it having regard to the sound contracting principles identified in Section 106 of the Act.

This requirement is subject to the exceptions identified in paragraph 8.

Records of offers received must be kept on file in accordance with Council’s records management procedures.

7. PURCHASES WORTH $200,000.00 OR MORE (excl GST)

Council cannot enter into a large-sized contract unless Council first invites written tenders for the contract in accordance with the requirements of Section 224 of the Local Government Regulation.

For purchases greater than $200k a formal tender process must be undertaken.

This requirement is subject to the exceptions identified in paragraph 8.

Council must either invite written tenders or invite expressions of interest under Section 228 of the Local Government Regulation.
The invitation for tenders must:-

(a) be made by an advertisement in a newspaper that circulates generally in the local government area of Council; and
(b) allow written tenders to be given to Council for at least 21 days after the advertisement is published.

Council must comply with the requirements in Section 228(7) of the Local Government Regulation if it wants to invite tenderers to change their tenders to take account of a change in the tender specifications.

Records of offers received must be kept on file in accordance with Council’s records management procedures.

A local government must as soon as practicable after entering a contract worth $200,000 or more (excl GST
(a) publish the relevant details of the contract on the local governments website and
(b) display the relevant details of the contract in a conspicuous place in the local government’s public office

The relevant details must be published or displayed for a period of at least 12 months.

8. EXCEPTIONS FOR MEDIUM AND LARGE SIZED CONTRACTUAL ARRANGEMENTS

Section 229 of the Regulation identifies exceptions for medium and large-sized contracts. If one of the exceptions applies, Council may enter into:-

(a) a medium-sized contract without first inviting written quotes; or
(b) a large-sized contract without first inviting written tenders.

The exceptions are:-

(a) if the Local Government decides, by resolution, to prepare a quote or tender consideration plan and prepares and adopts the plan in accordance with the requirements of Section 230 of the Regulation and
(b) entering into a contract if the contract is made with a person who is on an approved contractor list established by Council in accordance with the requirements of Section 231 of the Regulation and
(c) entering into a contract if the contract is entered into with a supplier from a register of pre-qualified suppliers established by Council in accordance with the requirements of Section 232 of the Regulation 2012 and
(d) entering into a contract for goods or services if the contract is entered into with a preferred supplier under a preferred supplier arrangement that is made in accordance with the requirements of Section 233 of the Regulation and
(e) entering into an arrangement with an approved supplier arrangement under an LGA arrangement established in accordance with the requirements of Section 234 of the Regulation and
(f) entering into a medium-sized contract or a large-sized contract if:-
(i) Council resolves that it is satisfied that there is only one supplier who is reasonably available; or
(ii) Council resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders; or
(iii) a genuine emergency exists; or
(iv) the contract is for the purchase of goods and is made by auction; or
(v) the contract is for the purchase of second-hand goods; or
(vi) the contract is made with, or under an arrangement with, a government body.
9. DELEGATIONS

Only the Council officers listed in the Delegations Table (FS-F-321) are entitled to sign requisitions, and then only in accordance with their financial delegation limits. By signing or approving a requisition/purchase order all officers are confirming that they have taken full notice of this policy and will comply with all of the requirements of this policy.

10. REVIEW

It is the responsibility of the Director of Corporate and Community Services to monitor the adequacy of this policy and recommend appropriate changes. This policy will be formally reviewed annually.
11. PROCEDURES

The Financial Services Directorate maintains supporting procedures, work instructions and forms:-

- FS-P-111  Specification and Requisition
- FS-P-112  Tenders and Quotations
- FS-P-113  Receipt of Purchased Works, Goods and Services
- FS-P-114  Disposal of Surplus or Obsolete Goods
- FS-P-171  Purchase and Disposal of Assets
- FS-P-172  End of Year Inventory Control
- FS-P-173  On-Line Purchase Orders
- CS-WI-011  Tender Opening
- FS-WI-182  Hazardous Goods Storage and Handling
- FS-WI-183  Herbicide Control
- FS-WI-186  Packaging and Storage
- FS-WI-187  Purchase Receipts
- FS-WI-192  Stores Issues
- FS-F-100  Stores Issues Docket
- FS-F-102  Material Sales Docket
- FS-F-321  On-Line Purchasing Authority to Requisition
- FS-F-322  Requisition for Purchase Order
ATTACHMENT 8

Refer Item 8/5

Tourism Advisory Committee Terms of Reference

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
Terms of Reference

For

Gympie Region
Tourism Advisory Committee
1. INTRODUCTION

The promotion of visitation to a destination such as the Gympie Region is a vital part of the economy. The importance of establishing good communication processes and collaborative relationships between stakeholders in order to foster innovation, information awareness, industry capacity building and a shared vision for the regions Tourism Industry is paramount.

Gympie Regional Council recognizes that it must engage with industry in order to grow and sustain visitation to the region and has resolved to establish the Tourism Advisory Committee (TAC).

This Terms of Reference provides the framework for how the TAC will function, and is designed to provide clear direction on the roles and responsibility of TAC in providing advice and direction in working with Council to deliver priorities for the region as identified within the Strategy.

2. CHARTER

2.2 Objectives

The key objectives of the Tourism Advisory Committee is to provide Gympie Regional Council with advice and direction on issues, opportunities and action items that will assist the development of the region’s Tourism industry and promote the region generally. This will be based on the three pillars of sustainable tourism:

- Destination Development;
- Destination Marketing; and
- Destination Management.

The overriding objective for Gympie Regional Council is to promote visitation whether it be for business, events or other reasons.

The TAC will focus on the following:

- Reviewing and guiding the implementation of the Destination Gympie Region Strategic Action Plan
- Encouraging a collaborative approach to the development of the tourism industry in the Gympie Region.
- Act as a conduit between the Gympie Region Tourism Industry and Council, and in turn back to industry.
- Providing advice on the direction of the Tourism Industry in the Gympie region.
- Act as advocate for the activities implemented through TAC.
- Encourage activities that lead the industry in an innovative manner.
• Providing advice on marketing the region as a destination to visit, live, invest and stay.

• Develop strategic partnerships with key stakeholders, such as:
  • Tourism and Events Queensland;
  • Sunshine Coast Destinations;
  • Fraser Coast Tourism; and
  • Noosa Tourism.

3. OPERATIONS
3.1 Operating Procedures

• The Gympie Region TAC is an advisory committee with primary contact with the Destination Gympie Region section of Council through the Tourism Development Manager.

• The Destination Gympie Region office will communicate recommendations made by the TAC to Council via the Tourism Development Manager.

• The TAC is encouraged to initiate matters for examination, which fall within its Terms of Reference.

• The role of the TAC (as an advisory body only) precludes it or its members from directing Council officers on any matter. Additionally Council officers are not bound by any advice put forward by the TAC. Council officers are bound however, to submit relevant TAC recommendations to Council for its consideration and determination.

• Whilst the TAC may provide advice to Council officers in respect of the tourism budget, it does not determine the budget development process or allocation of this funding. However Council officers in the course of developing the annual tourism budget program will incorporate advice from the TAC relating to funding of projects or initiatives.

• Where the TAC considers it necessary, the Committee will form project based sub-committees (known as Working Parties) from its own membership as well as other external expertise as required.

• The TAC will meet a minimum of five (5) times per annum.

• At the most relevant time within Council’s budget planning process the TAC will discuss its program for the following year, recommending appropriate allowances for inclusion in Council’s annual budget and monitoring spending against the approved budget.

• Agendas and minutes of the TAC will be serviced by Gympie Regional Council, through the Destination Gympie Region section.
3.2 Membership

- The committee membership should reflect a diversity of Tourism related business interests from across the region.
- Councils Tourism Advisory Committee will consist of two (2) Councillors appointed by Council and five (5) industry representatives appointed by Council.
- Members will be appointed for a term concluding 12 months after each Local Government election.
- The Tourism Development Manager will attend meetings as will any other officer nominated by the CEO.
- The above mentioned Council officers will be encouraged to contribute items and information for consideration by TAC, but will not have voting rights and will essentially have ‘observer’ status.

3.3 Quorum

The quorum for the TAC shall be the majority of the members of the Committee.

3.4 Meeting Protocol

- The Chair of the TAC will be a Councillor appointed by Council
- The Tourism Development Manager is the Executive Officer of the TAC.
- TAC members that do not attend three (3) consecutive TAC meetings will be required to provide evidence to support their continued membership of the TAC. If suitable evidence is not provided then that individual will forfeit their membership
- Member voting to be consensus based.

4. MEMBER PROTOCOL & EXPECTATIONS

- Committee members will have a demonstrated interest in the Tourism industry.
- Committee members should have a strong service orientation.
- Committee members will have a willingness to contribute, and be capable of informing and motivating others. A sense of humour and enjoyment of people is important.
- Committee members must act honestly and in good faith; not make improper use of information or their position; and avoid any conflict of interest by declaring any interest prior to the commencement of any meeting.
- Committee members may at times be exposed to confidential information, and as a result must not disclose any confidential information unless specifically authorised to do so.
Committee members must not engage in any conduct or behave in any manner that may discredit the TAC.

Members will share a desire to assist the Tourism Development Manager to present programs and services of quality and relevance to the community.

It is desirable that Committee members enjoy a significant profile in the community to enable effective advocacy for the region’s Tourism priorities.

Members must have a passion for the industry, the region and for the continued development of the Tourism industry.

Members will have ability and readiness to act solely in the best interests of the Gympie Region Tourism industry, without regard to personal interest or benefit.

Members will bring their personal knowledge and experience to bear on issues of relevance.

Members will have an ability and willingness to be an ambassador for the Gympie region and to represent the region positively to media, tourism organisations, the local community and visitors.

Breaches of these protocols may result in membership for that individual being cancelled.
Terms of Reference

For

Gympie Region
Tourism Advisory Committee
1. INTRODUCTION

The promotion of visitation to a destination such as the Gympie Region is a vital part of the economy. The importance of establishing good communication processes and collaborative relationships between stakeholders in order to foster innovation, information awareness, industry capacity building and a shared vision for the region’s Tourism Industry is paramount.

Gympie Regional Council recognizes that it must engage with industry in order to grow and sustain visitation to the region and has resolved to establish the Tourism Advisory Committee (TAC).

This Terms of Reference provides the framework for how the TAC will function, and is designed to provide clear direction on the roles and responsibility of TAC in providing advice and direction in working with Council to deliver priorities for the region as identified within the Strategy.

2. CHARTER

2.2 Objectives

The key objectives of the Tourism Advisory Committee is to provide Gympie Regional Council with advice and direction on issues, opportunities and action items that will assist the development of the region’s Tourism industry and promote the region generally. This will be based on the three pillars of sustainable tourism:

- Destination Development;
- Destination Marketing;
- Destination Management; and
- Noosa Tourism.

The overriding objective for Gympie Regional Council is to promote visitation whether it be for business, events or other reasons.

The TAC will focus on the following:

- Reviewing and guiding the implementation of the Destination Gympie Region Strategic Action Plan
- Encouraging a collaborative approach to the development of the tourism industry in the Gympie Region.
- Act as a conduit between the Gympie Region Tourism Industry and Council, and in turn back to industry.
- Providing advice on the direction of the Tourism Industry in the Gympie region.
- Act as advocate for the activities implemented through TAC.
- Encourage activities that lead the industry in an innovative manner.
• Providing advice on marketing the region as a destination to visit, live, invest and stay.
• Develop strategic partnerships with key stakeholders, such as:
  • Tourism and Events Queensland;
  • Sunshine Coast Destinations; and
  • Fraser Coast Tourism.

3. OPERATIONS
3.1 Operating Procedures
• The Gympie Region TAC is an advisory committee with primary contact with the Destination Gympie Region section of Council through the Tourism Development Manager.
• The Destination Gympie Region office will communicate recommendations made by the TAC to Council via the Tourism Development Manager.
• The TAC is encouraged to initiate matters for examination, which fall within its Terms of Reference.
• The role of the TAC (as an advisory body only) precludes it or its members from directing Council officers on any matter. Additionally Council officers are not bound by any advice put forward by the TAC. Council officers are bound however, to submit relevant TAC recommendations to Council for its consideration and determination.
• Whilst the TAC may provide advice to Council officers in respect of the tourism budget, it does not determine the budget development process or allocation of this funding. However Council officers in the course of developing the annual tourism budget program will incorporate advice from the TAC relating to funding of projects or initiatives.
• Where the TAC considers it necessary, the Committee will form project based sub-Committees (known as Working Parties) from its own membership as well as other external expertise as required.
• The TAC will meet a minimum of five (5) times per annum.
• At the most relevant time within Council’s budget planning process the TAC will discuss its program for the following year, recommending appropriate allowances for inclusion in Council's annual budget and monitoring spending against the approved budget.
• Agendas and minutes of the TAC will be serviced by Gympie Regional Council, through the Destination Gympie Region section.
3.2 Membership

- The committee membership should reflect a diversity of Tourism related business interests from across the region.
- Councils Tourism Advisory Committee will consist of two (2) Councillors appointed by Council and five (5) industry representatives appointed by Council.
- Members will be appointed for a term concluding 12 months after each Local Government election.
- The Tourism Development Manager will attend meetings as will any other officer nominated by the CEO.
- The above mentioned Council officers will be encouraged to contribute items and information for consideration by TAC, but will not have voting rights and will essentially have ‘observer’ status.

3.3 Quorum

The quorum for the TAC shall be the majority of the members of the Committee.

3.4 Meeting Protocol

- The Chair of the TAC will be a Councillor appointed by Council
- The Tourism Development Manager is the Executive Officer of the TAC.
- TAC members that do not attend three (3) consecutive TAC meetings will be required to provide evidence to support their continued membership of the TAC. If suitable evidence is not provided then that individual will forfeit their membership.
- Member voting to be consensus based.

4. MEMBER PROTOCOL & EXPECTATIONS

- Committee members will have a demonstrated interest in the Tourism industry.
- Committee members should have a strong service orientation.
- Committee members will have a willingness to contribute, and be capable of informing and motivating others. A sense of humour and enjoyment of people is important.
- Committee members must act honestly and in good faith; not make improper use of information or their position; and avoid any conflict of interest by declaring any interest prior to the commencement of any meeting.
- Committee members may at times be exposed to confidential information, and as a result must not disclose any confidential information unless specifically authorised to do so.
- Committee members must not engage in any conduct or behave in any manner that may discredit the TAC.
• Members will share a desire to assist the Tourism Development Manager to present programs and services of quality and relevance to the community.

• It is desirable that Committee members enjoy a significant profile in the community to enable effective advocacy for the region’s Tourism priorities.

• Members must have a passion for the industry, the region and for the continued development of the Tourism industry.

• Members will have ability and readiness to act solely in the best interests of the Gympie Region Tourism industry, without regard to personal interest or benefit.

• Members will bring their personal knowledge and experience to bear on issues of relevance.

• Members will have an ability and willingness to be an ambassador for the Gympie region and to represent the region positively to media, tourism organisations, the local community and visitors.

• Breaches of these protocols may result in membership for that individual being cancelled.
ATTACHMENT 9

Refer Item 8/7

Acceptable Request Guidelines

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
ACCEPTABLE REQUEST GUIDELINES
FOR COUNCILLOR REQUESTS FOR ASSISTANCE OR INFORMATION
(Local Government Act 2009 sections 170A “acceptable request guidelines”)

1.0 PURPOSE AND SCOPE

This procedure has been developed to establish a process for Councillors to request advice from employees or information from the Chief Executive Officer (CEO).

A Councillor’s request for advice or access to Council information that would not normally be made available to the general public shall be considered a “Councillor Request for Information”.

The provisions of this procedure apply to all Gympie Regional Council Councillors (excluding the Mayor as per s170A(5)), Gympie Regional Council employees and covers all forms of communication between Councillors and employees.

2.0 DEFINITIONS

Advice: the application of an employee’s knowledge and recommendation on a particular topic or matter to assist the Councillor carry out his or her responsibilities under the Local Government Act 2009.

Information: includes access to or copies of information held by Council, not normally accessible to the public or required by legislation to be restricted.

Council Employee: as defined under the Local Government Act 2009 section 199(2), which also includes contractors (eg a consultant engineer, town planner or solicitor).

3.0 ACTIONS

3.1 Councillor requests for advice

3.1.1 All requests by Councillors for advice from employees, except as outlined in paragraph 3.1.5, are to be made to the CEO, Directors or Managers.

3.1.2 To ensure good administrative practice, Councillor requests for detailed or complex advice should be submitted on the Councillor Request for Information form CGF018 either by the Councillor themselves or by the employee taking the request.

3.1.3 If, following instruction from the CEO, Director or Manager, the response is sourced by another council employee, the communication of advice and assistance should only be conveyed through the original contact ie the CEO, Director or Manager.

3.1.4 The CEO may negotiate appropriate timelines and scope for the provision of any help or advice by any employee. This is particularly relevant where the CEO considers the matter to be complex, or where it may substantially and unreasonably divert the resources of Council from their use in the performance of its functions.

3.1.5 Notwithstanding 3.1.1 above, Councillors are requested to seek help or advice from other Council employees:--

(a) where the employee normally provides similar information to members of the public; or

(b) in the event of an emergency, to alert an employee to the emergency so that Council can take steps to deal with the emergency.
3.1.6 Employees who receive a request outside these guidelines must advise the CEO, the Director or Manager of the request as soon as practicable following the request.

3.1.7 Employees may communicate directly with Councillors on any issue affecting them as a private citizen.

3.2 Councillor requests for information

3.2.1 A Councillor may, subject to any limits prescribed under a regulation, ask the CEO to provide information, that the local government has access to, relating to the local government.

3.2.2 To ensure good administrative practice, Councillor requests for detailed or complex information should be submitted on the Councillor Request for Information Form CGF018 either by the Councillor themselves or by the employee taking the request.

3.2.3 If the request covers a complicated issue, or has an overly broad scope or timeframe, the Councillor may be requested by the CEO to raise the issue at a Council Meeting seeking Council’s approval to commit the resources necessary to pursue the issue.

3.2.4 Councillor requests about information regarding another Councillor are to be made to the CEO in writing.

4.0 REASONABLE LIMITS ON REQUESTS

4.1 Use of Information

4.1.1 In relation to requests for advice or information, under section 171 of the Act, a Councillor must not release information that the Councillor knows, or should reasonably know, is information that is confidential to the local government. Furthermore, a Councillor must not use information that was acquired as a Councillor to:
   a) gain, directly or indirectly, a financial advantage for the person or someone else; or
   b) cause detriment to the local government.

4.1.2 Any information obtained by or made available to Councillors needs to be considered in accordance with the Councillor Confidentiality Procedure.

4.2 Exemptions

4.2.1 As per section 170A (3), a Councillor may not ask the CEO to provide information relating to the local government:
   a) that is a record of the regional conduct review panel or the tribunal; or
   b) if disclosure of the information to the Councillor would be contrary to an order of a court or tribunal; or
   c) that would be privileged from production in a legal proceeding on the ground of legal professional privilege.

4.2.2 Under the Information Privacy Act 2009, restrictions may also apply to a document to the extent that it contains personal information:
   a) Arising out of a complaint or investigation of misconduct, under the Crime and Misconduct Act 2001
   b) Contained in a public interest disclosure under the Public Interest Disclosure Act 2010
   c) Arising out of a covert undertaking of an operation, investigation or function of a law enforcement agency (including Council)
d) About a person who is included in a witness protection program under the *Witness Protection Act 2000*

4.2.3 Other restrictions may apply to information collected:
   a) Under the *Worker’s Compensation Act 2003*
   b) Regarding payroll information eg bank account details, Child Support Agency deductions, tax file numbers etc
   c) Any other legislation that restricts access to information

4.2.4 In accordance with section 170A(6)(b), requests for information to the CEO that relate to an individual’s personal employment details, including documents containing confidentiality clauses, will be refused.

5.0 REFERENCES

5.1 *Local Government Act 2009* sections 170A

5.2 CSF018 Councillor Request for Information Form

5.3 *Information Privacy Act 2009*

5.4 Gympie Regional Council’s Councillor Confidentiality Procedure
ATTACHMENT 10

Refer Item 8/7

Councillor Confidentiality Procedure

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
COUNCILLOR CONFIDENTIALITY PROCEDURE

1.0 PURPOSE

This procedure provides guidance to Councillors in complying with section 171(3) of the Local Government Act 2009 ("LG Act") regarding the proper handling of confidential information. The procedure aims to assist Council in determining what might be considered confidential information and how this information should be handled.

2.0 INTRODUCTION

It is accepted that Councillors will be in receipt of confidential information that may or may not be part of a formal Council meeting. Councillors must use Council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.

This procedure aims to support Councillors in balancing the right and duty to inform the public and consult with constituents about Council business with the interest Council has in preventing disclosure of confidential information.

This procedure does not override an individual Councillor's statutory obligations in respect of the use of information, nor does it override Council's obligations under the LG Act or any other legislation or subordinate legislation to disclose or publish information where this is required by law.

3.0 SCOPE

This procedure applies to confidential information held by Council and Councillors.

Legislative and policy context
Section 171(3) of the LG Act sets out provisions relating to the release of confidential information by Councillors. It states:

A Councillor must not release information that the Councillor knows, or should reasonably know, is information that is confidential to the local government.

Note—
A contravention of subsection (3) is misconduct that is dealt with by the tribunal.

4.0 DEFINITIONS

'Councillor briefing sessions' are non-decision-making forums convened by Councillors, the CEO and, as directed by the CEO, other Council officers that create an opportunity for Councillors and officers to discuss matters of proposed policy or other strategic or community sensitive issues, as well as providing a forum for Councillors to be made aware of issues of significance to the organisation and/or to the community.

'Information' comes in any number of forms including letters, reports/documents, facsimiles, attachments, tapes, emails, electronic media, and/or other forms of information including discussions during meetings.

5.0 POLICY STATEMENT

Council operates in an environment of public accountability in which it seeks to inform the public of issues under consideration and the nature of decisions made by Council and its committees. Therefore, information should ordinarily be released to the public unless there are compelling reasons which
indicate that this is not in the public interest.

At the same time, Council is conscious of the need to handle Council information in a way that promotes and maintains the public’s trust and confidence in the integrity of the local government.

It is accepted that Councillors will be in receipt of confidential information that may or may not be part of a formal Council meeting. It is Council’s responsibility to ensure that such information is treated confidentially, so as not to harm, prejudice or compromise the interests of Council or any individual or organisation, or enable any individual or organisation to gain a financial advantage.

Whilst endeavouring in the interests of public accountability to limit the number of matters which are considered in confidential sessions, Council acknowledges that it is appropriate to consider certain matters in closed meetings.

6.0 RESPONSIBILITIES OF COUNCILLORS

Councillors must be aware of their responsibilities and agree they should:

- exercise due care when handling or using information acquired in their role as a Councillor;
- acknowledge that there will be information that must be treated as confidential because to release it would reduce public trust and confidence in the integrity of the Council;
- acknowledge that disclosure of confidential information constitutes a breach of the LG Act;
- if uncertain, presume information is confidential, and seek advice from the CEO prior to any release of it;
- undertake not to disclose, and to use their best endeavours to prevent disclosure of, confidential information to any person or organisation, specifically:
  - avoid discussing confidential Council information with family, friends and business associates; and
  - ensure documents containing confidential information are properly safeguarded at all times – including materials stored at private or business residences.

7.0 CONFIDENTIAL INFORMATION

The following types of information shall be deemed to be confidential to Council unless or until Council resolves to the contrary in a particular instance:

- Commercial in confidence information — including where the release of information would affect a third party’s competitive advantage; this is particularly relevant in a competitive tender situation.
- Information derived from government departments or ministers that has been classified as confidential.
- Information of a personal nature or about personal affairs, for example the personal details of Councillors or Council staff.
- Information relating to a property disposal or acquisition process where release of the information may prejudice Council (see also section 171(1) of the LG Act).
- Financial and legal analysis where the disclosure of that information may compromise Council or someone else.
- Information that could result in action being taken against Council for defamation.
- Information involving legal advice to Council or a legal issue or a matter before the courts.
- Information that is expressly given to Councillors in confidence.
- Information examined or discussed at Councillor briefing sessions, unless the CEO declares that such information (or part thereof) is not confidential.
- Information about:
  - the appointment, dismissal or discipline of employees
  - industrial matters affecting employees
It is acknowledged that some of the above classes of information may need to be disclosed from time to time for legal proceedings or in accordance with the Right to Information Act 2009.

Nevertheless, this procedure deems that as a minimum:

- The CEO may make a declaration that information concerning a specific matter is to be treated as confidential to Council, and the information will remain confidential unless or until Council resolves to the contrary.
- An item on a Council or committee meeting agenda – and the information contained in the documentation or supporting material – that is declared confidential by the CEO is to remain confidential unless or until Council or the committee resolves to the contrary.
- If the mayor or a Councillor in a meeting asks that a matter be treated as confidential, Council will formally resolve as to whether all information concerning the matter is confidential.
- If a meeting of a committee resolves that an item – and the information contained in the documentation or supporting material – is to be confidential it remains confidential unless or until Council resolves to the contrary.
- If Council exercises its powers under section 275 of the Local Government Regulation 2012 to close its meeting to members of the public, all information in relation to the matters discussed during that closed meeting or the closed portion of the meeting is confidential, unless and until the Council resolves to the contrary.
- Confidential information shall be clearly identified as confidential.
- Any information of a type deemed to be confidential is to be presumed by Councillors to be confidential to Council and must not be released without seeking advice from the CEO.
- If a Councillor has any doubt as to whether Council considers information to be confidential, the Councillor is to act on the assumption that Council does so intend until the doubt is resolved at a subsequent meeting of Council.

8.0 CONSIDERATION OF CONFIDENTIAL MATERIAL - COUNCIL MEETINGS

The following procedures will apply to the preparation of an agenda and material for consideration at meetings of the Council:

1. If it is considered by the Chief Executive Officer (CEO) that the Council should consider a matter in a closed meeting, the CEO will clearly indicate such recommendation on the agenda.
2. The CEO will make a declaration that all information contained in the documentation and associated material is information confidential to the Council.
3. The CEO will ensure that the documentation and material is clearly marked as confidential.
4. The reason for the recommendation will be set out in the material.

The following procedures will apply to a recommendation by the CEO that a matter be considered in a closed meeting:

1. Council will consider the recommendation in open session unless to do so would result in the public release of the information concerning the matter.
2. Council shall determine by resolution whether the matter is confidential or not for the purposes of declaring that a meeting should be a closed one.
3. Upon moving that an issue be dealt with in a closed meeting, the mover must clearly state the reason for the motion.
4. Council will resolve that:
− the matter is to be considered in a closed meeting, and all information relating to that matter is confidential to Council, or
− the matter will be considered in open session.

Information considered at a closed meeting of Council shall remain confidential unless or until Council resolves otherwise.

9.0 RELEASE OF CONFIDENTIAL INFORMATION
Any release of confidential information for any purpose to any person or organisation (other than those who are entitled to the information, such as other Councillors or Council staff) is a breach of section 171(3) of the LG Act. Release includes:

- orally telling any person about the information or any part of the information.
- providing the original or a copy of documentation or any part of the documentation that is marked confidential.
- paraphrasing – putting into your own words – any confidential information and providing that in writing or orally.

10.0 BREACH OF THIS PROCEDURE
A person may make a complaint about a breach by a Councillor of section 171(3) by giving notice of the complaint to the Council’s CEO. A breach of section 171(3) is “misconduct” (see the definition of “misconduct” in section 176(3)(d) of the LG Act). Allegations of misconduct must be referred by the Council’s CEO to the chief executive of the Department of Local Government (see section 176C(4) of the LG Act).

Thereafter the chief executive of the Department of Local Government must refer the complaint to either a regional conduct review panel or the remuneration and discipline tribunal (see section 177(3) of the LG Act). If either the panel or tribunal decide that a Councillor has breached section 171(3), section 180(2) and (5) identify orders or recommendations that may be made.
ATTACHMENT 11

Refer Item 8/8

Revised Standing Orders

of the

ORDINARY MEETING

On Wednesday 27 March 2013
At 9.00 am
Standing Orders of Gympie Regional Council

1.0 Object

1.1 The Local Government Act 2009 (the Act) is based on the principles of:

- 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 and
- ethical and legal behaviour of Councillors and local government employees.

Under s 12(3)(c) of the Act, Councillors are required to attend meetings regularly and vote on matters coming before a meeting. The object of these Standing Orders is to regulate the conduct of meetings of the local government and its Standing Committees.

2.0 Definitions

2.1 The dictionary in the schedule defines particular words used in these Standing Orders.

3.0 Application

3.1 The Standing Orders provide rules for the conduct of meetings of the local government and Standing Committee meetings of the local government.

3.2 The Standing Orders shall apply to a post-election meeting of the local government as far as practicable.

3.3 Any provision of the Standing Orders may be suspended by resolution of a meeting of the local government.

3.4 A separate resolution is required for a suspension of a standing order.

3.5 A resolution to suspend a standing order must specify the application and duration of the suspension.

3.6 Where a matter arises at a meeting of the local government which is not provided for in the Standing Orders, the matter may be determined by the Chairman.

Procedures

4.0 Quorum at Meetings

4.1 In accordance with s 259 of the Local Government Regulation 2012, business may be conducted at a meeting of a local government only if a quorum is present. A quorum of a local government is a majority of its Councillors or one half of the number of Councillors in the case of an evenly numbered Council. At all stages of a meeting there must be a quorum present.
4.2 Any member of the Council can as a point of order draw attention to the lack of a quorum. A call for a check on the quorum should be addressed to the Chairman. The call for a quorum check takes precedence over any other business at the meeting.

4.3 In accordance with section 269 of the _Local Government Regulation 2012_ a quorum of a Committee is:
   (a) a majority of its members.
   (b) However, if the number of members is an even number, one-half of the number is a quorum.

4.4 Councillors who have identified a Material Personal Interest in a matter, are excused from the meeting while that matter is being discussed and voted on, and cannot be counted in the quorum, without the prior approval of the Minister under s 172(7) and (8).

4.5 If in the situation that the absence of this Councillor means that there is no longer a quorum, the Chairman should adjourn the matter to later in the meeting or to a future meeting, recall the Councillor who had left the meeting because of material personal interest or a conflict of interest, and continue the meeting. The matter should be considered later in the meeting or at a future meeting, when a quorum is present.

5.0 **Order of Business**

5.1 The order of business must be determined by resolution of the local government.

5.2 The order of business for meetings may be altered for a particular meeting.

5.3 A motion to alter the order of business may be moved without notice.

5.4 Unless otherwise altered pursuant to subsection 5.2, the order of business for Ordinary meetings will be:
   (a) Declaration of Opening
   (b) Open with a prayer and condolences
   (c) Apologies and leave of absence
   (d) Confirmation of minutes of proceeding meeting
   (e) Petitions
   (f) Report from Committee Chair and adoption of previous Committee recommendations (where relevant);
   (g) Portfolio matters
   (h) General business
   (i) "In Committee" matters
   (j) Meeting dates when applicable
   (k) Declaration of Close of Meeting

5.5 The procedure of a Committee for dealing with business must be in accordance with –
   (a) procedural directions given to the Committee by resolution of the local government, or
   (b) if there is no procedural direction governing a particular matter, the Chairman’s decision.
5.6 No discussion shall be permitted with respect to the content of previous minutes except with respect of the accuracy of the record of the proceedings.

5.7 Admission of deputations, invitees and visitors shall be at the discretion of either of:
   (a) the Mayor
   (b) the local government
   (c) the Committee Chair or
   (d) the Chief Executive Officer.

6.0 Special Meetings

6.1 The Chief Executive Officer must call a special meeting of the local government if:
   (a) the special meeting is required by a resolution of the local government or
   (b) a written request for the special meeting is lodged with the Chief Executive Officer.

6.2 A written request for a special meeting of the local government must:
   (a) be signed by the Mayor or three or more Councillors
   (b) specify the object of the special meeting and
   (c) propose a date and time for the holding of the special meeting.

6.3 The Chief Executive Officer calls a special meeting by giving written notice of the date and the time of the meeting, and the business to be conducted at the meeting, to each Councillor.

7.0 Preparing a Meeting Agenda

7.1 The Chief Executive Officer must prepare or have prepared a meeting agenda for each meeting.

7.2 In accordance with s 258 of the Local Government Regulation 2012, a written notice of each meeting is to be made available to Councillors at least two days before the day of the meeting unless it is impracticable to give the notice. The written notice must state the date, time and object of the meeting. The written notice may be given to a councillor by sending the notice to the councillor electronically.

7.3 A meeting agenda shall include, but not be limited to:
   (a) matters requiring attention from a previous meeting
   (b) officers' reports and correspondence
   (c) matters or recommendations referred to the local government by a Committee
   (d) any other business the local government determines should be included in the meeting agenda.

7.4 The agenda items should clearly identify linkages to the Corporate Plan and Operational Plan and should emphasize policy and budgetary implications where relevant, as well as an indication of the consultation undertaken during the development of the report.

7.5 A list of the items to be discussed at a meeting of council must be open to inspection at the time the agenda for the meeting is made available to Councillors as per s277(5) of the Local Government Regulation 2012.
7.6 A copy of the agenda must be given to each Councillor at least two days before the day of the meeting unless it is impracticable to give the notice.

7.7 A copy of the agenda is to be made available for inspection by the public at the time the agenda is made available to Councillors.

8.0 **Petitions**

8.1 Any petition, must be in legible writing or typewritten and contain a minimum of 10 signatures with names and addresses before it is placed on the agenda of an Ordinary meeting by the Chief Executive Officer or presented to an Ordinary meeting of the local government.

8.2 If the document supplied does not meet the criteria outlined in 8.1 above, it is not deemed to be a petition and will not be presented.

8.3 A petition may be presented to an Ordinary meeting by a Councillor who, before presenting the petition, must, as far as practicable, become acquainted with the subject matter of the petition.

8.4 On presenting a petition to an Ordinary meeting, a Councillor must:
   
   (a) state the nature of the petition and
   
   (b) read the petition.

8.5 When a petition is first presented to an Ordinary meeting, no debate on or in relation to the petition shall be allowed, and the only motion which may be moved is that:

   (a) the petition be received and tabled for consideration at a future Ordinary meeting or

   (b) the petition be received and referred to a Standing Committee or the Chief Executive Officer for consideration and a report to the local government or

   (c) the petition not be received.

9.0 **Deputations**

9.1 A deputation wishing to attend and address a meeting must do so by appointment with the Chief Executive Officer.

9.2 The Chief Executive Officer must notify the Chairman, who will determine whether the deputation is to be heard.

9.3 The Chief Executive Officer must inform the deputation of the determination.

9.4 Where it has been determined that the deputation is to be heard, a convenient time must be arranged for that purpose, and a time period allowed for the deputation to address the meeting.

9.5 For deputations comprising three or more persons, only two persons may be heard unless the Chairman determines otherwise.

9.6 A deputation must be given an adequate opportunity to explain the purpose of the deputation.

9.7 The Chairman of a meeting may terminate an address by a person at any time if:

   (a) the Chairman has allotted a specific period of time for a person's address and the period of time has elapsed or

   (b) the Chairman is satisfied that the purpose of the deputation has been
sufficiently explained to the Councillors at the meeting or
(c) the person uses insulting or offensive language or threatening actions.

10.0 Adjournments
10.1 The Chairman may adjourn the meeting for a period of not less than 15 minutes if disorder occurs. This is achieved by making the declaration and physically vacating the Chair.
10.2 If a quorum is not present within 30 minutes after the time appointed for a meeting, the meeting may be adjourned to a later hour or another day within 14 days after the day of adjournment, by:
(a) a majority of the Councillors present or
(b) if only one Councillor is present—the Councillor or
(c) if no Councillors are present—the Chief Executive Officer.
10.3 On resumption of the meeting, the Chairman must move a motion, which shall be put without debate, to determine whether the meeting shall proceed.
10.4 Where a motion to reconvene is lost, the Chairman must declare the meeting closed, and any outstanding matters must be referred to a future meeting.

11.0 Declaring a Material Personal Interest
11.1 Under s 172(5) of the Act, if a Councillor has a material personal interest in a matter to be considered at a meeting of the local government, or at any of its Committees, it is the Councillor’s responsibility to:
(a) inform the meeting of the Councillor’s material personal interest in the matter
(b) leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the issue is being considered and voted on.
11.2 The Councillor can return to the meeting when advised that the issue has been decided or finalised.
11.3 Under s 172(9) of the Act, the following must be recorded in the meeting minutes:
(a) the name of the Councillor who has a material personal interest, or possible material personal interest in a matter
(b) the nature of the material personal interest, as described by the Councillor.
(c) whether the councillor took part in the meeting, or was in the chamber during the meeting, under an approval under section 172(7).

12.0 Declaring a Conflict of Interest
12.1 Councillors must take steps to avoid, resolve or disclose any real or perceived conflicts of interest arising in a way that protects the public interest, and ensure that conflicts of interest are managed in an open and transparent manner. A conflict of interest is a conflict between—
(a) a Councillor’s personal interests; and
(b) the public interest;

that might lead to a decision that is contrary to the public interest.
Section 173 of the Act sets out responsibilities and procedures for when conflict of interest questions arise.

12.2 The Councillor must inform the meeting of—
(a) the Councillor’s personal interests in the matter; and
(b) if the Councillor participates in the meeting in relation to the matter, how the Councillor intends to deal with the real or perceived conflict of interest.

12.3 For subsection (2), a Councillor who is nominated by a local government to be a member of a board of a corporation or other association does not have a personal interest merely because of the nomination or subsequent appointment as the member.

12.4 If a quorum at the meeting can not be formed because the Councillor proposes to exclude himself or herself (or themselves) from the meeting, the Councillor(s) may remain in the meeting.

12.5 A Councillor may still participate (including by voting as per s 173(7)) in relation to the matter if the attendance of the councillor, together with any other required number of councillors, is necessary to form a quorum for the meeting.

12.6 To remove any doubt, it is declared that non-participation in the meeting is not the only way the Councillor may appropriately deal with the real or perceived conflict of interest in a transparent and accountable way.

12.7 Under section 173(8) of the Act, the following must be recorded in the meeting minutes:
(a) the name of the Councillor who has the real or perceived conflict of interest;
(b) the nature of the personal interest, as described by the Councillor;
(c) how the Councillor dealt with the real or perceived conflict of interest;
(d) if the Councillor voted on the matter—how the Councillor voted on the matter;
(e) how the majority of persons who were entitled to vote at the meeting voted on the matter eg this is recorded as ‘motion carried 8/3’ or ‘motion lost 3/8’.

12.8 For transparency and accountability, details of any declaration of, and decision on, a conflict of interest must also be minuted and accessible to the public, in accordance with s173(8) of the Act.

13.0 Mayoral Matters

13.1 The Mayor may introduce a matter or subject not on the agenda for consideration at a meeting. The matter may take precedence over all other matters for consideration at the meeting.

13.2 The motion comprising the Mayoral matter may be put by the Mayor:
(a) to the meeting of the local government without being seconded and
(b) at any stage of the meeting of the local government considered appropriate by the Mayor.

13.3 If the motion comprising the Mayoral matter is passed by the local government, the Mayoral matter becomes a resolution of the local government.
14.0 Committees

14.1 Any Councillor may attend a meeting of a Committee and may address the Committee in accordance with the procedures established by the Chairman of the Committee.

14.2 A local government that appoints a Committee may appoint one person as an alternate member of the Committee. An alternate member, of a Committee, is a person who attends meetings of the Committee and acts as a member of the Committee only if another member of the Committee is absent from the meeting of the Committee.

**Rules of Debate**

15.0 Motions

15.1 A motion brought before a meeting in accordance with the Act or the Standing Orders may be received and put to the meeting by the Chairman.

15.2 The Chairman may require a motion or an amendment to a motion to be stated in full or recorded in writing before permitting it to be received.

15.3 The Chairman may call the notices of motion in the order in which they appear on the meeting agenda, and where no objection is taken to a motion being taken as a formal motion, the Chairman may put the motion to the vote without discussion.

15.4 An item on the meeting agenda must not be removed from the agenda where a Councillor at the meeting objects to its being removed.

15.5 When a motion has been moved and seconded, it becomes subject to the control of the local government and must not be withdrawn without the consent of both the mover and the seconder.

15.6 It is the Chairman’s role to ensure any motions are within the meeting’s jurisdiction. Therefore the Chairman can rule a motion as out of order if it:

   (a) is unclear and vague in its language
   (b) is the direct negative or inconsistent with a resolution just passed by the meeting
   (c) is unnecessary in that it proposes a course of action or policy already resolved upon by the meeting
   (d) proposes an action that is unlawful
   (e) is a matter that was subject to a previous amendment or a repealed resolution which was defeated within the period of time specified in subsection 23 of the Standing Order
   (f) it is outside the jurisdiction of the Council
   (g) contains defamatory statements or
   (h) is vexatious and proposed only as a way to obstruct the orderly transaction of business.

15.7 The Chairman has the discretion to seek the agreement of the meeting to separate out the parts of the motion so that the meeting can deal with them individually as if they were separate motions.
16.0 Moving a Motion

16.1 A Councillor who moves a motion or an amendment to a motion creates a “right” to address the motion. This right can only be exercised at the time the motion is made—it cannot be ‘reserved’ to be exercised at a later stage of the debate.

16.2 The mover has, if the motion is accepted and debated, a right of reply. The exercise of the right of reply closes off the debate and the meeting goes to the vote.

17.0 Absence of Mover of Motion

17.1 Where a Councillor who has given notice of a motion is absent from the meeting at which the motion is to be considered, the motion may be moved by another Councillor at the meeting, or deferred to the next meeting.

18.0 Motion to be Seconded

18.1 A motion or an amendment to a motion must not be debated at a meeting of the local government unless or until the motion or the amendment is seconded.

18.2 A motion or an amendment to a motion (other than a procedural motion) that is not seconded lapses for want of a seconder. The meeting will move to the next item.

18.3 If a seconder emerges, the seconder has the right to speak to the motion. This right can be reserved to a later part of the debate.

18.4 Councillors who second a motion need to be aware that if they defer their right to speak:

(a) there is no right of reply

(b) a procedural resolution can cut off the debate before the right is exercised

(c) it is not possible to withdraw support for the motion

(d) Councillors cannot move amendments to motions they have seconded.

19.0 Speaking to Motions and Amendments

19.1 The mover of an amendment to a motion must read the amendment and state that the amendment is so moved, but must not speak to the amendment until it is seconded.

19.2 A Councillor may request further information from the Chairman before or after the motion or the amendment to the motion is seconded.

19.3 Following the seconding of a motion or an amendment of a motion, the first speaker must be in favour of the motion or the amendment, and each subsequent speaker alternatively against and in favour of the motion or amendment.

19.4 The mover of an amendment to a motion has no right of reply.

19.5 Each Councillor must speak not more than once to the same motion or the same amendment except as a right of reply unless the Chairman in his or her discretion rules otherwise.

19.6 Each speaker is restricted to not more than five minutes unless the Chairman in his or her discretion rules otherwise.

19.7 Where two or more Councillors attempt to speak at the same time, the Chairman is to
determine who is entitled to priority.

19.8 In the case of the mover and the seconder addressing the motion consecutively in the positive, the Chairman may decide to allow the next two speakers to be for the contra position. After these speakers the debate would revert to the pattern of speakers for and against alternatively.

20.0 Amendment of Motion

20.1 An amendment to a motion must:
   (a) be in terms which retain the identity of the motion and
   (b) not negate the motion and
   (c) must be proposed before the debate on a motion has concluded – that is before the mover of the motion has had their “right of reply”.

20.2 Not more than one motion or one proposed amendment to a motion may be put before a meeting at any one time.

20.3 Where an amendment to a motion is before a meeting, no other amendment to the motion can be considered until after the first amendment has been put.

20.4 Where an amendment is proposed but lapses or is lost, the meeting must return to the original motion.

20.5 A Councillor who proposes or seconds a motion must not propose or second an amendment to the original motion.

20.6 Once an amendment has been moved and seconded it cannot be withdrawn without the consent of the meeting.

20.7 At any time during debate, a Councillor may foreshadow a motion to inform the Council of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.
   (a) A motion foreshadowed may be prefaced with a statement that in the event a particular motion before the Chairman is not resolved, a Councillor intends to move an alternative or additional motion.
   (b) A motion foreshadowed has no procedural standing and is merely a means to assist the flow of the meeting.
   (c) A foreshadowed motion is not recorded in the minutes.

21.0 Closing the Debate

21.1 The close of debate is reached when any of the following occur:
   (a) speakers for one side of the debate have addressed Council consecutively
   (b) the time allotted has expired
   (c) the number of speakers for and against was limited by agreement and has been reached
   (d) a procedural motion to close the debate—for example, ‘I move that the question be now put’—has been proposed and has received majority support.

21.2 Upon the decision to move to close the debate, the mover now has the ‘right of reply’. This is the final step in the debate.
22.0 Right of Reply

22.1 Once the mover has exercised the ‘right of reply’ all further debate on the motion ceases. The Chairman should not call the mover until the time to close off the debate has emerged.

22.2 In exercising the ‘right of reply’ the following conventions should be observed:
   (a) it can be waived and the meeting can go straight to the vote, particularly if there have been no speakers against the motion
   (b) the purpose of the ‘right of reply’ is basically to respond to any points raised in the debate, and to present a final brief summary of the case for the motion
   (c) new arguments cannot be introduced during the right of reply
   (d) at the end of the right of reply the motion is put to the vote
   (e) if the majority supports the motion it becomes a formal resolution of Council and as such is the Council’s official policy
   (f) the motion fails if it does not receive the majority support and the motion lapses unless revived at a later stage
   (g) in the event of a tied vote, the Chairman can exercise a casting vote.

23.0 Method of Taking Vote

23.1 Before any matter is put to the vote, the Chairman may direct that the motion or amendment be read again by the Chief Executive Officer or minutes clerk.

23.2 The Chairman must, in taking the vote on a motion or an amendment, put the question, first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote.

23.3 The local government must vote by a show of hands or as otherwise directed by the Chairman.

23.4 A question is decided by a majority of the votes of the Councillors present. Each Councillor present has a vote on each question to be decided and, if the votes are equal, the Councillor presiding as Chairman has a casting vote.

23.5 Any Councillor may call for a division or a question in relation to the taking of a vote immediately following the Chairman declaring the result of the vote.

23.6 If a division is taken, the Chief Executive Officer must record:
   (a) the names of the Councillors voting in the affirmative and
   (b) the names of the Councillors voting in the negative.

23.7 The Chairman must declare the result of a vote or a division as soon as it has been determined.

23.8 Councillors may request that their names and how they voted be recorded in the minutes for voting other than by division.

23.9 If a Councillor present fails to vote, the Councillor is taken to have voted in the negative.
24.0 Repealing or Amending Resolutions

24.1 A resolution of a local government may be repealed or amended only if written notice of intention to propose the repeal or amendment is given to each Councillor at least five days before the meeting at which the proposal is to be made, in accordance with s 262 of the Local Government Regulation 2012.

24.2 Where a motion to repeal or amend a resolution is defeated, a second motion proposing repeal or amendment cannot not be moved for at least three months after the date the original repeal or amendment motion was defeated.

24.3 Councillors present at the meeting at which the motion to repeal or amend is put may defer consideration of the motion, however, consideration of the motion must not be deferred for more than three months.

25.0 Types of Motions

25.1 A formal motion is a proposition that requires or acknowledges action that has to be done or has been done. It can also state a view or a preferred position on a particular issue.

25.2 Procedural motions are a set of resolutions that can be employed in specific ways to control the conduct of meetings. Procedural motions fall into two categories:

   (a) Permanent— resolutions that dispose of the matter permanently.
   (b) Temporary— resolutions that temporarily set the matter aside without a vote being taken.

25.3 Where a procedural motion is lost, debate on the motion or amendment before the meeting must continue.

26.0 Procedural Motions

26.1 At a meeting, a Councillor may during the debate of a matter at the meeting, move a motion (each a procedural motion):

   (a) that the question/motion be now put to the vote
   (b) that the meeting proceed to the next item of business
   (c) that the motion and amendment now before the meeting be adjourned
   (d) that the question/motion lie on the table
   (e) that the matter be put to Committee
   (f) a point of order
   (g) a motion of dissent against a point of order
   (h) that a report or document be tabled
   (i) to suspend the rule requiring that ...
   (j) that the meeting stand adjourned or
   (k) that the time is up.

26.2 If unsuccessful when first called, a procedural motion to close the resolution may be moved again later in the debate. However, a later closure resolution may:
(a) not be moved by the person who moved it originally and
(b) not be moved by a person who has previously spoken in the debate.

**Permanent Procedural Motions**

27.0 **Motion that the Question be Put - Closure**

27.1 A procedural motion that the question be put may be moved when no other Councillor at the meeting wishes to speak to the motion or amendment before the meeting.

27.2 The motion does not need to be seconded.

27.3 Where a motion “that the question be put” is carried, the Chairman must immediately put the motion or amendment before the meeting to the vote.

27.4 The motion that the question be put can only be made by the Chairman or by a Councillor who has not already spoken in the debate.

27.5 If the motion is successful, the Chairman should:

- (a) in the case of an amendment, proceed to the vote
- (b) in the case of a motion, permit the mover of the motion to exercise the right of reply before calling for the vote or
- (c) if the closure resolution is defeated, the debate continues from the stage at which it was interrupted. A speaker standing when the procedural resolution was moved is permitted to continue and can use up the balance of permitted time.

28.0 **Motion to Proceed to Next Item of Business**

28.1 Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter the subject of the motion must cease.

28.2 The motion does not need to be seconded.

28.3 This motion cannot be moved by a Councillor who has already spoken to the motion – that is it cannot be used to stifle debate from other Councillors.

28.4 This motion cannot be proposed while a speaker is still speaking to a motion or an amendment.

28.5 Debate on the subject of the motion may be considered again at a future meeting with the giving of notice in relation to the order of business in accordance with 7.3(a) of these Standing Orders.

**Temporary Procedural Motions**

29.0 **Motion that Debate be Adjourned**

29.1 A procedural motion that another motion or an amendment before a meeting be adjourned, may specify a time and date, to which the debate is to be adjourned.

29.2 The motion must be seconded.

29.3 The Chairman has no discretion to refuse the motion.

29.4 The motion may not be moved by a Councillor who has participated in the debate on the motion.
29.5 A procedural motion “that the debate be adjourned” may adjourn the matter to a later part of the meeting or a future meeting. However this motion must not adjourn debate on a matter for more than two months after the date of the procedural motion.

30.0 Motion that the Motion Lie on the Table

30.1 A procedural motion that a motion or question lie on the table can only be moved where the Chairman or a Councillor requires additional information on the matter before the meeting (or the result of some other action of the local government or a person is required) before the matter may be concluded at the meeting.

30.2 The motion does not need to be seconded.

30.3 The mover of the motion must not have participated in debate and it must be proposed at the close of a speech not while a speaker is still speaking.

30.4 Where a motion under subsection 30.1 above is passed, the local government must proceed with the next matter on the agenda.

30.5 Where a motion under subsection 30.1 above is passed, another procedural motion that the matter be taken from the table may be moved at the meeting at which the first procedural motion was carried or at a later meeting.

30.6 If the motion is not carried, it cannot be reintroduced at a later stage of the debate for that particular matter.

31.0 That the Matter be Referred to Committee

31.1 A matter before the Council may be referred to a Committee for consideration, advice and reporting back.

31.2 When a motion to refer the matter to Committee is proposed:
   (a) the motion must be seconded
   (b) the Chairman has no discretion to decline the motion
   (c) it is possible to amend the procedural resolution to specify details of the terms of reference and composition of the Committee
   (d) debate and right of reply by the mover are permissible
   (e) a Councillor who has participated in the debate can move the procedural resolution
   (f) if carried, the motion and any amendments that have been accepted are held over until the Committee reports back.

32.0 Points of Order

32.1 A Councillor may ask the Chairman to decide a point of order where it is believed that another Councillor:
   (a) has failed to comply with proper procedures
   (b) is in contravention of the Standing Orders, a local law or any other legislation or
   (c) is beyond the jurisdictional power of the local government.

32.2 The motion does not need to be seconded.
32.3 A point of order cannot be used as a means of contradicting a statement made by a Councillor speaking about a matter.

32.4 Where a point of order is raised, consideration of the matter about which the Councillor was speaking may be suspended until further notice. Despite anything to the contrary in the Standing Orders, a point of order arising at any time must, until decided, suspend the consideration of every other motion or matter.

32.5 Once the point of order has been raised, the Chairman must determine whether the point of order is upheld or overruled.

32.6 Upon a point of order arising during the process of a debate, the Councillor raising the point of order may speak to the point of order. The Chairman must permit the Councillor calling the ‘point of order’ to state what standing order, code or procedure they believe has been breached.

32.7 The point of order must be made by another Councillor at the meeting at which the breach is alleged to have been committed.

32.8 The comment or actions that lead to the point of order may be withdrawn by the Councillor – and if accepted by the complainant – no further action is required.

32.9 The Council can only deal with the complaint (point of order) at the meeting if the quorum exists, otherwise it is carried over to the next meeting.

32.10 As per s 181(2) of the Act, if inappropriate conduct happens in a meeting of the local government or its Committees, the Chairman of the meeting may make any one or more of the following orders that the Chairman considers appropriate in the circumstances:

(a) an order that the Councillor’s inappropriate conduct be noted in the minutes of the meeting
(b) an order that the Councillor leave the place where the meeting is being held (including any area set aside for the public), and stay out of the place for the rest of the meeting
(c) an order that a Councillor who fails to leave the place where the meeting is being held when ordered to do so, be removed from the place.

33.0 Motion of Dissent Against a Point of Order

33.1 A Councillor may move a motion of dissent in relation to a ruling of the Chairman on a point of order. The procedural resolution is stated in the following terms ‘That the Chairman’s ruling is dissented from’.

33.2 The motion does not need to be seconded.

33.3 Where a motion is moved under subsection 33.1, further consideration of any matter must be suspended until after a ruling is made on the motion of dissent.

33.4 Only a mover of the resolution and the Chairman can speak to the resolution.

33.5 There is no ‘right of reply’.

33.6 The Chairman puts the resolution to the meeting in the form ‘that the Chairman’s ruling be upheld’.

33.7 Where a motion of dissent is carried the matter to which the ruling of the Chairman was made must proceed as though that ruling had not been made.

33.8 Where, as a result of a ruling of the Chairman on a point of order, a matter was discharged as out of order - the matter must be restored to the meeting agenda and
be dealt with in the normal course of business.

34.0 Motion that a Report be Tabled
34.1 A motion that a report or document be tabled may be used by a Councillor to introduce a report or other document to a meeting.
34.2 The motion does not need to be seconded.

35.0 Motion to Suspend Requirements of a Rule
35.1 A procedural motion to suspend the requirements of a rule may be made by a Councillor in order to permit some action that otherwise would be prevented by the Standing Orders.
35.2 A motion under subsection 35.1 must specify the duration of the suspension.
35.3 The motion does not need to be seconded.

36.0 Motion that the Meeting Stands Adjourned
36.1 A procedural motion that a meeting stands adjourned may be moved by a Councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a Councillor's time for speaking to the matter, and must be put without debate.
36.2 The motion does not need to be seconded.
36.3 A motion that the “meeting stands adjourned” must specify the time for the resumption of the meeting and on the resumption of the meeting the local government must continue with the business before the meeting at the point where it was discontinued on the adjournment.
36.4 Where a motion under subsection 36.1 above is lost, the Chairman must not accept a similar motion for at least 30 minutes after the time the motion was lost.
36.5 Notice of meeting to re-convene an adjourned meeting must be delivered to all Councillors at least two days before the day of the meeting unless it is impracticable to give the notice in accordance with s 258(1) of the Local Government Regulation 2012.

37.0 That the Time is Up
37.1 A procedural resolution from the Chairman to indicate that the time limit for debating a particular matter has elapsed may be called in the form ‘That the time is up’. In calling this motion, the Chairman needs to consider the following:
   (a) there is adequate time provided for the mover of the motion to exercise the ‘right of reply’
   (b) the motion does not need to be seconded
   (c) amendments to the limits or specified time are permissible – there is some flexibility if discussions are productive and facilitating good decision making
   (d) once the procedural motion has been moved, no further debate is possible
   (e) any Councillor can move this procedural resolution even if they have already participated in the debate.
37.2 In the event that the procedural resolution, ‘That the time is up’ is not carried, the debate is carried on under the normal rules. Furthermore, if the procedural motion is not carried, it should not be raised again with regard to the same matter.

**Conduct During Meetings**

38.0 Appropriate Conduct During Meetings

38.1 After a meeting of the local government has been formally constituted and the business commenced, a Councillor must not enter or leave the meeting without first notifying the Chairman.

38.2 A Councillor must address the Chairman while:
- (a) Moving any motion or amendment
- (b) Seconding any motion or amendment
- (c) Taking part in any discussion
- (d) Placing or replying to any question or
- (e) Addressing the local government for any other purpose.

38.3 Councillors must address each other during a meeting by their respective titles, "Mayor" or "Councillor", and in speaking of or addressing officers must
- (a) address them in a respectful manner and
- (b) confine their remarks to the matter then under consideration.

38.4 Councillors must remain seated and silent while a vote is being taken except when calling for a division.

38.5 A Councillor must not make comments of a personal nature about or imply improper motives to another Councillor or any officer of the local government.

38.6 A Councillor must not interrupt another Councillor who is speaking except upon a point of order being raised either by the Chairman or the Councillor.

38.7 If the Chairman intervenes during the process of a debate, any Councillor then speaking or offering to speak, and each Councillor present, must preserve strict silence so that the Chairman may be heard without interruption.

38.8 Councillors need to be mindful of the *Information Privacy Act 2009* and the *Defamation Act 2005* when conducting business at Council meetings.

39.0 Chairing a Meeting

39.1 It is the role of the Mayor to preside at meetings of Council (s 12(4)(a) of the Act). Under section 165 of the Act if the Mayor is absent or if the office is vacant, the Deputy Mayor acts for the Mayor.

39.2 In the case of a Council Committee (s 267(1) of the *Local Government Regulation 2012*), the Council can appoint a Chairman. In the case of a Council not appointing a chair to the Committee, the Committee may choose and appoint one of its members as the chair.

39.3 It is the duty of the Chairman to:
- (a) preserve order and ensure proceedings are conducted in a proper manner by:
  - i. determining that the meeting is properly constituted and a quorum is present
ii. informing Councillors as to the business and objectives of the meeting

iii. providing a forum for the exchange of views and ideas on key issues before the Council or Committee

iv. confining discussion to within the scope of the meeting and within reasonable limits of time

v. deciding whether proposed resolutions and amendments are in order

vi. formulating for discussion and decision any proposed resolution (motion) that has been moved for the consideration of the meeting

vii. deciding points of order and other incidental matters that require a decision

viii. preserving order at the meeting

ix. ensuring the overall public interest is maintained.

(b) ensure the decisions of the meeting are respected and properly handled:

i. putting relevant questions to the meeting and conducting a vote (and where required, giving a casting vote)

ii. declaring the result

iii. ensuring a division is taken if properly requested

iv. ensuring the record of minutes of the proceedings is kept up-to-date

v. adjourning the meeting when circumstances justify that course

vi. declaring the meeting closed when its business is complete.

(c) to preserve the right of all Councillors to participate in the meeting:

i. A Councillor can alert the meeting Chairman to an alleged incident that could be considered a point of order in relation to conduct

ii. As a sanction, the Chairman may request that inappropriate behaviour be noted in the minutes of the meeting (s 181(5)(a) of the Act)

iii. The Chairman may also make an order that the Councillor leave the place where the meeting is being held, including the place set aside for the public, and to stay away for the remainder of the meeting (s 181(5)(b) of the Act)

iv. If a Councillor refuses to comply with the order, the Chairman can further order (s 181(5)(c) of the Act) to have the person removed from the place.

v. The meeting would usually be adjourned until the person has left or been removed.

40.0 Questions

40.1 At a meeting a Councillor may ask a question for reply by another Councillor or an officer of the local government regarding any matter under consideration at the meeting.

40.2 A question must be asked categorically and without argument and discussion is not permitted at the meeting in relation to the reply, or the refusal to reply, to the question.

40.3 A Councillor or officer who is asked a question may request that the question be taken on notice for the next meeting.
40.4 A Councillor who asks a question at a meeting, whether or not upon notice, is deemed not to have spoken to the debate of the motion to which the question relates.

40.5 The Chairman may disallow a question which he or she considers is inconsistent with good order.

40.6 A Councillor may move a motion that a ruling of the Chairman under subsection 40.5 above, be disagreed with, and if such motion is carried, the Chairman must allow the question.

41.0 Inappropriate Conduct and Disorder

41.1 Councillors must comply with the Standing Orders. Behaving in an offensive or disorderly manner in a meeting contrary to Standing Orders is considered to be ‘inappropriate conduct’ as defined in s 176(4) and 181 of the Act.

41.2 A member of the local government or a Committee commits an act of disorder at a meeting of the local government or the Committee if the member:
   (a) obstructs or interrupts the proper conduct of the meeting
   (b) uses indecent or offensive language
   (c) makes a statement reflecting adversely on the reputation of the local government or the Committee
   (d) makes a statement reflecting adversely on the character or motives of a member or officer of the local government or a Committee or
   (e) refuses or wilfully fails to comply with a direction given by the Chairman of the meeting.

41.3 At a meeting, if the Chairman or a Councillor considers that a matter or motion before the meeting is of an objectionable nature or outside the powers of the local government, the Chairman or the Councillor may declare on a point of order, that the matter not be considered further.

41.4 If Councillors make personal comments that slur a Councillor, an employee, contractor or any other person, they risk defaming the person and breaching the Defamation Act 2005. Councillors are encouraged to critique the statements made by other Councillors, employees, contractors or any other person, rather than to be critical of the person.

41.5 The Chairman may, where disorder arises at a meeting, adjourn the meeting.

41.6 If a member contravenes subsection 41.2(e) above, an authorised person may, at the request of the Chairman, exercise reasonable force to remove the member, and to keep the member away, from the meeting.

Meetings Open to the Public

42.0 Attendance of Public and Media at Meetings

42.1 In accordance with s 274 of the Local Government Regulation 2012, a meeting is open to the public unless the local government or Committee has resolved that the meeting is to be closed in accordance with section 43 of the Standing Orders.

42.2 An area must be made available at the place where a meeting is to take place for members of the public and representatives of the media to attend the meeting and as many people as can reasonably be accommodated in the area must be permitted to
attend the meeting.

42.3 If the local government resolves that a meeting be closed to the public, the public and representatives of the media must be excluded from the meeting.

42.4 Each Councillor present at a meeting of the local government must sign his or her name in a book to be kept for that purpose by the Chief Executive Officer.

42.5 At a meeting, a person who is not a Councillor or a member of the Committee must not take part in the meeting.

42.6 The Chairman may invite a member of the public to take part in the proceedings of a meeting.

42.7 Except when invited to do so by the Chairman, a member of the public must not take or attempt to take part in the proceedings of a meeting.

42.8 During debate on a motion, the Chairman may invite submissions, comments or questions from members of the public.

42.9 If any submission or comment of a member of the public is irrelevant, offensive or unduly long, the Chairman may require the member of the public to cease making the submission or comment.

42.10 For any matter arising from a submission or comment from a member of the public, the local government may:

(a) refer the matter to a Committee
(b) deal with the matter immediately
(c) place the matter on notice for discussion at a future meeting or
(d) note the matter and take no further action.

42.11 Any person invited to address a meeting must

(a) stand, act and speak with decorum and
(b) frame any remarks in respectful and courteous language.

42.12 Council does not electronically record the proceedings of the meetings. The use of electronic recording devices by others requires the prior permission of the Chairman. Recording device(s) are not to be positioned within the official meeting area without the prior permission of the Chairman.

43.0 Closing a Meeting

43.1 Under s 275 of the Local Government Regulation 2012, 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:

(a) the appointment, dismissal or discipline of employees
(b) industrial matters affecting employees
(c) the local government’s budget
(d) rating concessions
(e) contracts proposed to be made by it
(f) starting or defending legal proceedings involving it
(g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act or
(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

43.2 If Council exercises its powers under section 275 of the Local Government Regulation 2012 to close its meeting to members of the public, all information in relation to the matters discussed during that closed meeting or the closed portion of the meeting is confidential, unless and until the Council resolves to the contrary.

43.3 A local government or Committee must not make a resolution (other than a procedural resolution) in a closed meeting.

43.4 A resolution that a meeting be closed must state the nature of the matters to be considered while the meeting is closed.

**Confidentiality**

44.0 Dealing with confidential information

44.1 An item on a Council or Committee meeting agenda – and the information contained in the documentation or supporting material – that is declared confidential by the CEO (as part of the agenda preparation process) is to remain confidential unless or until Council or the Committee resolves to the contrary.

44.2 If the Mayor or a Councillor in a meeting asks that a matter be treated as confidential, Council will formally resolve as to whether all information concerning the matter is confidential.

44.3 If a meeting of a Committee resolves that an item – and the information contained in the documentation or supporting material – is to be confidential it remains confidential unless or until Council resolves to the contrary.

44.4 When questions arise as to the handling of confidential information during a meeting, these matters should be considered in accordance with the Councillor Confidentiality Procedure.

**Procedure not Provided for**

45.0 Procedure not Provided for

45.1 If an appropriate or adequate method of dealing with a matter is not provided for in the Act or the Standing Orders, the method of dealing with the matter may be determined by the Chairman.

**Teleconferencing**

46.0 Use of teleconferencing facilities

46.1 Under s 276 of the Local Government Regulation 2012, a local government may allow a person to take part in a meeting by teleconferencing.

46.2 A Councillor taking part in a meeting by teleconferencing is taken to have attended the meeting if—

(a) the Councillor was simultaneously in audio contact with each other person at the meeting; and

(b) the local government approved the teleconferencing arrangement.
Record of the Meetings

47.0 Minutes of the Meeting

47.1 The minutes of a meeting of the local government or a Committee must include a copy of any material necessary for a proper understanding of the proceedings of the meeting.

47.2 The material to be included in the minutes under this section is in addition to the material required under s 172 and s 173 of the Act.

47.3 S 272 of the Local Government Regulation 2012 outlines a set of requirements for the recording of meetings. Specifically the minutes of each meeting must include:

   (a) the names of Councillors or Committee members present at the meeting
   (b) if a division is called on a question, the names of all persons voting on the question and how they voted.
   (c) the confirmation of the minutes from previous meetings as signed by the person presiding over the meeting.

47.4 S 273 of the Local Government Regulation 2012 requires that local governments must record reasons for decisions made at a meeting that are inconsistent with a recommendation or advice given to the local government by an employee or person otherwise engaged by the local government, where either or both of the following apply:

   (a) the decision is about entering into a contract the total value of which is more than the greater of the following:
      i) $200,000 (ex GST) or
      ii) 1% of the local government’s net rate and utility charges as stated in the local government’s audited financial statements included in the most recently adopted annual report.
   (b) the decision is inconsistent with:
      i. the policy or approach ordinarily followed by the local government for the type of decision or
      ii. the policy previously adopted by the local government by resolution and still in force.

The Chief Executive Officer must ensure the minutes of the meeting include a statement of the reasons for not adopting the recommendation or advice.

47.5 All Committee recommendations must be submitted to a meeting of the local government.

48.0 Confirmation of the Minutes

48.1 Councils are required to have the minutes of a meeting confirmed by the Councillors or Committee members present at the meeting and signed by the Chairman at the subsequent meeting of the Council s 272(3) of the Local Government Regulation 2012.

48.2 The confirmation of minutes is subject to a motion. The meeting may, until the vote on the confirmation of the minutes is carried, move amendments to the minutes. Once the minutes have been confirmed, they cannot be altered.
48.3 If at a later date an error is noted in the minutes, the correction may be noted in a resolution passed by Council. The minutes are not actually changed to incorporate the correction.

49.0 Adoption of Committee Recommendations
49.1 Councils are required to have the recommendations of a meeting confirmed by the Committee members present at the meeting and signed by the Chairman at the subsequent meeting of the Committee s 272(3) of the Local Government Regulation 2012.

49.2 Recommendations of Committee meetings are presented to the next Ordinary meeting of Council for adoption.

49.3 Committee recommendations cannot be enforced or acted upon until they have been adopted by Council at an Ordinary meeting.

50 Distribution of the Minutes
50.1 As per s 272 of the Local Government Regulation 2012, a copy of the minutes of each meeting must be available for inspection by the public, at Council’s public office(s) and on its website, within 10 days after the end of the meeting.

50.2 Once confirmed a copy of the minutes will be made available for purchase from Council’s public office(s) as per the scheduled fees and charges.

Adopted: F27/01/11

Amended: F18/09/11

Amended: XXX
Schedule One

Dictionary


Agenda: a list of items in the order of the business to be considered at a meeting.

Amendment: is a proposed change of wording or intent in a motion.

Chairman: the person presiding over the meeting of the local government or Committee.

Chief Executive Officer: a person who holds an appointment under s 194 of the Act.

Conflict of Interest: is a conflict between (a) a Councillor’s personal interests (including personal interests arising from the Councillor’s relationships or club memberships, for example); and (b) the public interest; that might lead to a decision that is contrary to the public interest. However, a Councillor does not have a conflict of interest in a matter—

(a) merely because of—
   (i) an engagement with a community group, sporting club or similar organisation undertaken by the Councillor in his or her capacity as a Councillor; or
   (ii) membership of a political party; or
   (iii) membership of a community group, sporting club or similar organisation if the Councillor is not an office holder for the group, club or organisation; or
   (iv) the Councillor’s religious beliefs; or
   (v) the Councillor having been a student of a particular school or the Councillor’s involvement with a school as parent of a student at the school; or

(b) if the Councillor has no greater personal interest in the matter than that of other persons in the local government area.’

Defamation: the result of a statement or printed material that—in the view of a reasonable member of the community—would cause them to think less of the person referred to in the communication. The statement may be expressed directly or by insinuation or irony, and may be spoken word, audible sounds, words, signs, signals, gestures or visible representation.

Foreshadowed motion: a motion or amendment that deals with the same subject matter as a current motion or amendment and proposes to be moved at the earliest opportunity after the current motion or amendment before the Chairman lapses or is disposed of.

Inappropriate conduct: conduct that is not appropriate conduct for a representative of a local government, but is not misconduct, including for example:
   (a) a Councillor failing to comply with the local government’s procedures or
   (b) a Councillor behaving in an offensive or disorderly way in a meeting of the local government or any of its Committees.

Local law: a law made by the local government.

Material Personal Interest: a Councillor has a material personal interest in the matter if any of the following persons stands to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of the consideration of the matter at the meeting—
(a) the Councillor  
(b) a spouse of the Councillor  
(c) a parent, child or sibling of the Councillor  
(d) a partner of the Councillor  
(e) an employer (other than a government entity) of the Councillor  
(f) an entity (other than a government entity) of which the Councillor is a member  
(g) another person prescribed under a Regulation.

However, a Councillor does not have a material personal interest in the matter if the Councillor has no greater personal interest in the matter than that of other persons in the local government area.

**Majority:** a number greater than half the members entitled to vote, but may mean greater than half the members then in office (and not necessarily at the meeting).

**Model local law:** a local law as being suitable for adoption by all local governments approved and notified by gazette notice from the Minister.

**Minutes:** a summary of proceedings and resolutions of a meeting and the decisions reached.

**Motion:** a proposed resolution not yet voted on by a local government.

**Notice of meetings:** the written notice of a meeting stating day, date and time of the meeting.

**Ordinary meeting:** a periodic meeting of the local government as required under s 257 of the *Local Government Regulation 2012*.

**Point of order:** a matter raised during consideration of a motion concerning the rules of a meeting, usually to draw attention to a breach in the rules of the meeting procedure.

**Public office:** the public offices for the Gympie Regional Council are:  
(a) Town Hall, Caledonian Hill  
(b) 242 Mary St Gympie  
(c) 26 Bligh St Kilkivan

**Quorum:** the number of elected members that must be present to make proceedings of a meeting valid.

**Regulations:** prescribed under the *Local Government Act 2009*, namely the *Local Government Regulation 2012*.

**Repeal:** means to withdraw a motion or resolution that has not yet been enacted.

**Resolution:** a formal expression of opinion or decision by Council.

**Standing Committee:** a Committee of its Councillors that meets to discuss the topic decided by the local government when establishing the Committee.

**Teleconferencing:** is the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in discussions as they happen.