



# **GYMPIE REGIONAL COUNCIL**

## **MINUTES**

*of the*

## **ORDINARY MEETING**

**CHAIRMAN: Cr MW Curran (Mayor)**

**Held in the Boardroom**

**Town Hall**

**2 Caledonian Hill**

**Gympie Qld 4570**

**On Wednesday, 31 May 2017**

**At 9am**



Gympie Regional Council **ORDINARY***Mayor MW Curran (Chairman)**Crs MA McDonald, GC Hartwig, MS Gear, DW Dodt, DH Stewart, HT Smerdon, WR Leitch and JK Cochrane***CONTENTS:**

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**The meeting commenced at 9.01am.**

**PRESENT:** Mayor Cr MW Curran (Chairman), Crs MA McDonald, GC Hartwig, MS Gear, DW Dodt, DH Stewart, HT Smerdon, WR Leitch and JK Cochrane.

Also in attendance were Chief Executive Officer (Mr BJ Smith), Director Corporate and Community Services (Ms P Gordon), Director Infrastructure Services (Mr D Scordalides), Manager Governance (Mr B Hayes), Chief Financial Officer (Mr M Booth), Manager Waste Services (Mr M Pavlinic), Coordinator Management Accounting (Mrs D Hatherell), and Minutes Clerk (Ms T Condon).

**ACKNOWLEDGEMENTS**

Cr Stewart gave the following acknowledgement:

Let me acknowledge the traditional owners of the land on which we meet today, I pay my respects to the elders of the past, present and emerging.

**DISCLOSURE OF INTERESTS BY COUNCILLORS**

M24/05/17 – Cr Smerdon – Conflict of Interest

M24/05/17 – Cr Cochrane – Perceived Conflict of Interest

**SECTION 1: OPEN WITH PRAYER**

Pastor Steve Hebbard of the Gympie Seventh-day Adventist 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.

Cr Hartwig offered his condolences to the family of Senior Constable Brett Forte for their loss and requested Council send a letter of condolence to his colleagues. The Mayor advised a letter would be forwarded to the Officer in Charge, Toowoomba Police Station following the murder of Senior Constable Brett Forte.

## **SECTION 2: APOLOGIES / LEAVE OF ABSENCE**

## **SECTION 3: CONFIRMATION OF MINUTES**

**M16/05/17 Moved Cr DH Stewart**

**Seconded Cr WR Leitch**

**That the Minutes of the Gympie Regional Council Ordinary Meeting held on 10 May 2017 be taken as read and confirmed.**

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane, Cr DW Dodt, Cr MS Gear, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Nil

## SECTION 4: PETITIONS

### 4.1 Petition - Extractive Industry Development Application

**PORTFOLIO:** Planning and Development

**DIRECTORATE:** Office of the CEO

**DOC ID:** 1924009

#### 1. REPORT

Petition received with 53 signatories.

*"We, the undersigned, respectfully petition the Gympie Regional Council to:  
Refuse the development application over land at 132 Riversdale Road Kandanga  
Qld 457- being a Material Change of Use - Development Application No 2017-  
0365*

*From: Dwelling House, Caretaker's Accommodation, Animal Husbandry*

*To: Dwelling House, Caretaker's Accommodation, Animal Husbandry, **Extractive Industry Development Application (Extracting and screening material up to 5000t per annum)***

*This application is for sand and gravel extraction and screening plant.*

*The development application should be refused because it:*

- . \* Conflicts with the Gympie Regional Council Planning Scheme*
- \* Conflicts with Environmental Values of the Mary River Catchment*
- \* Will have a further significant negative impact on the surrounding environment, the development borders the Mary River*
- \* Destroys the visual amenity of the region and will negatively impact on tourism in the Mary Valley*
- \* Would increase safety risks and noise associated with more trucks on Riversdale Road and Mary Valley Road*

*The property has already had sand and gravel extraction and has not demonstrated compliance with conditions set by Council. Therefore, it would be irresponsible of Council to approve the application with conditions, as such conditions in the past have simply been ignored.*

*The application should be refused in its entirety and the existing disturbance from past sand and gravel extraction rehabilitated back to a stable useful land use"*

**Officer Comment:** Council is in receipt of the Development Application referred to in the petition. The application (DA 2017-0365) is for a Material Change of Use – Extractive Industry (Extracting and Screening Materials up to 5000 ton per annum). The application is currently in public notification stage with submissions closing 5 June 2017.

The petition will be considered as a submission to the Development Application and will be acknowledged by way of correspondence to the first signatory on the petition.

**M17/05/17      Moved Cr MA McDonald                      Seconded Cr HT Smerdon**

**That**

- 1      The Petition be received and referred to the Chief Executive Officer for consideration**
- 2      The CEO reports back to Council.**

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane, Cr DW Dodt, Cr MS Gear, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Nil

<b>4.2</b>	<b>Petition - Safe Rural Roads</b>
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**PORTFOLIO:** Infrastructure Services

**DIRECTORATE:** Office of the CEO

**DOC ID:** 1919964

**1. REPORT**

Petition received with 58 signatories.

*"We the undersigned residents of Anderliegh, Sorensen and Winns Roads urge the Gympie Regional Council to take immediate action to make these roads safe and not causing damage to our vehicles. As ratepayers, we require a positive response to our complaints now and in the future not dismissal."*

**M18/05/17**

**Moved Cr GC Hartwig**

**Seconded Cr HT Smerdon**

- 1. That the Petition be received and referred to the Chief Executive Officer for consideration**
- 2. The CEO report back to Council.**

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane, Cr DW Dodt, Cr MS Gear, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Nil



## **SECTION 5: PLANNING AND DEVELOPMENT**

## **SECTION 6: CORPORATE AND COMMUNITY SERVICES**

### **6.1 March 2017 Monthly Financial Report**

**PORTFOLIO:** Governance, Finance, Disaster Management

**DIRECTORATE:** Corporate and Community Services

**DOC ID:**

#### **LINKS TO CORPORATE/OPERATIONAL PLAN**

#### **STRATEGIC THEMES:**

3. Our Organisation – Accountable, Responsible, Efficient and Innovative

#### **1. BACKGROUND AND PREVIOUS COUNCIL CONSIDERATION**

Council's financial report as at 31 March 2017 is provided for Council's information.

The March 2017 financial statements provide a comparison of actual results to the second budget review adopted on 15 February 2017 (Council Minute Number M07/02/17).

#### **2. REPORT**

Operating Revenue of \$82.3M is \$1.5M below budget

Operating Expenditure of \$63.6M is \$5.1M below budget

Operating Surplus (deficit) of \$18.7M is \$3.57M above budget

Capital Income of \$10.3M is \$2.7M above budget

Net Surplus of \$29M is \$6.2M above budget

The year to date Net Surplus of \$28.9M reported for the period ended 31 March 2017 is due to the half yearly timing of Gympie Regional Council's rate runs. This surplus will be required to fund the ongoing operational expenditure forecast to be incurred until the next rates run in August/September 2017.

Operational Revenue has a \$1.5M unfavourable variance to the end of March 2017 which primarily due to a higher than anticipated take up of the 10% discount and a lower than forecast growth in cleansing services.

The increase of discount allowed from 5% to 10% and the removal of the credit card surcharge resulted in an additional \$2.05M discount taken up by ratepayers in the 2016/17 financial year compared to the 2014/15 financial period. The comparison is based on these financial years as the 10% discount was introduced for the second rates run in the 2015/16 financial year and therefore does not provide a realistic basis for comparison.

The positive variance for March's operating expenditure needs to be treated cautiously.

- Favourable weather conditions have reduced maintenance costs for Infrastructure Services activities, including an underspend year to date in relation to parks and reserves.
- Cost reductions due to the closure of a number of landfill sites;
- Cost reductions negotiated with electricity providers resulting in savings in the costs of street lighting;
- Delays in the opening of the ARC has resulted in delays in the payment of management fees: and
- The timing of operational project expenditure not being linear in nature, i.e. there can be gaps between planning and completion stages. It is forecast that the costs of these projects will be fully expended by 30 June 2017. Examples of these operational projects include the Energy Audit of Council buildings not yet commenced and the Rattler operational set up costs which were dependent on confirmation of external funding.

Capital Income received to 31 March 2017 is higher than estimated year to date budget due the receipt of new grant funding under the Works for Queensland Scheme and is offset somewhat with delays in receiving funding for the Bridge Renewal program and the ARC. It is now expected that Bridge Renewal funding of approximately \$740k will be received in May 2017 and the final payment for the ARC grant of \$1.5M will be received in June 2017.

In conjunction with the roll out of our new financial management reporting module, Financial Services will continue to work with Council Directorates to adjust the monthly budgets so that they better reflect the timing of transactions, therefore providing more valid comparisons.

The Statement of Financial Position as at 31 March 2017 compares the Council's Assets, Liabilities and Community Equity position to the previous financial year. Overall results are tracking as expected with an increase in Community Equity of \$45.4M compared to 31 March 2016, the same period last financial year.

The increase of Community Equity is represented by an increase in the value of council's total assets of \$29.3M and a decrease of total liabilities of \$16.1M.

The Investment Report as at 31 March 2017 compares the Council's invested funds to the previous financial year. This comparison shows the Council currently has \$77.8M invested, compared with \$83.8M at this time last financial year. The reduction in investments primarily reflects the use of cash to fund the Aquatic Centre in lieu of borrowings as initially indicated in the budget.

The majority of Council funds are held with the Queensland Treasury Corporation and receive an interest rate return of approximately 2.54%.

The Rate Collection Report as at 31 March 2017 compares the Council's Rate collection to the previous financial year (March 2016). Currently the rates arrears is 12.17% (compared with 20.46% in March 2016). The resulting decrease in arrears primarily reflects the 10% discount available to ratepayers and the removal of the credit card surcharge.

The Capital Budget Year to Date Report (by Directorate and by Asset Type) and the associated graphs show that as at 31 March 2017, \$36.7M of Council's capital works program was financially committed/expended against the total annual budget of \$52.9M.

This variance is consistent with expenditure on capital projects which tends to be somewhat lower in the initial planning and design phases. The capital budget for the re-development of the Pavilion is \$1.25M which was originally phased over the period December 2016 to April 2017. Actual expenditure for progress payments for this project commenced in late January 2017 and is expected to be completed by May 2017. The timing of the budgets for capital expenditure will be reviewed as part of the Third Budget Review scheduled for presentation to the Council at this meeting.

### **3. BUDGET IMPLICATIONS**

There are no significant budget implications stemming from the March 2017 transactions.

### **4. POLICY IMPLICATIONS**

Monthly management reporting and quarterly forecasts are in line with Council policy and the Local Government Act 2009.

### **5. CONSULTATION**

Consultation has occurred with all Managers, Directors and the Chief Executive Officer.

### **6. CONCLUSION**

Council's financial statements for the month ending 31 March 2017 provide a comparison of actual results to the second quarter budget review adopted by Council (Council Minute Number M07/02/17). Overall results are tracking as expected.

### **ATTACHMENTS**

- [1.](#) March 2017 Financial Reports

**M19/05/17**

**Moved Cr DW Dodt**

**Seconded Cr GC Hartwig**

**That the financial statements "as attached" for the period ended 31 March 2017 be noted.**

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane, Cr DW Dodt, Cr MS Gear, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart  
**AGAINST:** Nil

## SECTION 7: OFFICE OF THE CEO

### 7.1 Policy on the Provision of Legal Assistance for Councillors and Employees

**PORTFOLIO:** Governance, Finance, Disaster Management

**DIRECTORATE:** Office of the CEO

**DOC ID:**

#### **LINKS TO CORPORATE/OPERATIONAL PLAN STRATEGIC THEMES:**

5. Our Organisation – accountable, responsive, efficient and innovative

#### **1. BACKGROUND AND PREVIOUS COUNCIL CONSIDERATION**

In response to an investigation undertaken by the Queensland Ombudsman into the outcome of a 2016 legal matter involving Redland City Council and members of that community, the Department of Infrastructure, Local Government and Planning (Department) issued a Bulletin (08/16) recommending that all councils develop an appropriate policy in regards to legal representation for Councillors and Employees.

#### **2. REPORT**

Section 235 of the Local Government Act 2009 (Act) provides broad protection from civil liability to Councillors and Council employees who act honestly and without negligence in the conduct and performance of their duties. Under the Act, civil liability attaches to the local government, not to a Councillor or employee. The legislation further states that the protection provided by the Act is in addition to any other protection given under another law or Act, including for example, the Public Interest Disclosure Act 2010.

The Department's Bulletin states that:

Local governments should have a transparent and accountable policy and procedure for providing legal assistance and associated costs for Councillors and employees so that the community maintains confidence that public funds are being expended in an appropriate way.

Matters for consideration in developing an appropriate policy covering legal assistance and associated eligible expenses include:

- when it is appropriate to provide legal assistance to a Council representative
- who is authorised to make the decision that financial support would be provided
- the limits or levels of assistance that are to be given, including costs to be covered
- the criteria for providing additional support and obligations on a council representative receiving assistance

- the circumstances in which approval for assistance may be revoked and repayment of costs sought, such as when it is found the Councillor has acted dishonestly or negligently

The Department recommends that the new policy should also be referenced within the Councillor Expenses Reimbursement Policy as required under section 250 of the Local Government Regulation 2012.

The Queensland Ombudsman has further recommended that councils develop relevant policies to address this area of administration.

An appropriate policy has been prepared in line with the recommendations provided by the Department and is attached to this report for Council's consideration. A minor administrative amendment is further required to Section 3.3 of the Councillor Expenses Reimbursement Policy (GRC011) to acknowledge the establishment and application of the new policy in relation to legal costs.

### **3. BUDGET IMPLICATIONS**

Adequate resourcing for legal costs forms part of Council's annual budget deliberations.

### **4. POLICY IMPLICATIONS**

The introduction of this new policy formalises Council's obligations as required under s 235 of the Act. As noted in the report, a minor administrative amendment is also required to the Councillor Expenses Reimbursement Policy (GRC011).

### **5. CONSULTATION**

Mayor and Councillors

CEO

Manager Governance

Department Infrastructure, Local Government and Planning

Queensland Ombudsman

Review of available Qld Council policies on the subject matter

### **6. CONCLUSION**

The Queensland Ombudsman and the Department have recommended that councils develop and adopt relevant policies to deal with the provision of legal assistance to Councillors and employees in line with the provisions of the Local Government Act 2009. An appropriate policy has been drafted for Council's consideration. In adopting the new legal assistance policy, a minor administrative amendment is further required to the Councillor Expenses Reimbursement Policy (GRC011) to appropriately reference the new policy.

### **ATTACHMENTS**

1. Policy on the Provision of Legal Assistance for Councillors and Employees
2. Councillor Expenses Reimbursement Policy

**M20/05/17      Moved Cr GC Hartwig                      Seconded Cr DH Stewart**

**That the matter lay on the table**

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane,  
Cr DW Dodt, Cr MS Gear, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Nil

## **SECTION 8: INFRASTRUCTURE SERVICES**

### **8.1 Rationalisation of the Network of Waste Facilities and Opening hours**

**PORTFOLIO:** Water and Sewerage and Waste Management

**DIRECTORATE:** Infrastructure Services

**DOC ID:**

#### **LINKS TO CORPORATE/OPERATIONAL PLAN STRATEGIC THEMES:**

1. Our Infrastructure – well planned, integrated and safe
4. Our Environment - sustainable, well-managed and accessible

#### **1. BACKGROUND AND PREVIOUS COUNCIL CONSIDERATION**

The rationalisation of Council's Waste Management Facilities is one of the recommendations of the adopted Gympie Regional Waste Management Strategy.

Council at its ordinary meeting of 5 May 2017 approved the extension of the designated waste collection areas allowing the standard Gympie region wide waste and recycling 'wheelie bin' collection service to be available to over 1,400 ratepayers who previously were without these basic services. This removes the reliance on rural transfer stations for the regular disposal of domestic waste.

Gympie Regional Waste Strategy highlighted Council's exposure to licence breaches and environmental risk. The \$13 million program of staged closure, rehabilitation and resolution of land tenure issues for Council's rural landfills has significantly reduced this exposure.

However it has not addressed the operational safety risks with the operation of the uncontrolled bulk bin Waste Management Facilities.

These risks include:

- Disposal of chemicals, asbestos and other prohibited wastes
- Contamination of green/timber waste stockpiles
- Lighting of fires and burning of waste
- Uncontrolled dumping of waste requiring additional labour and plant costs to clean up site.

The continued operation of uncontrolled WMF sites, poses a high risks to the community, Council staff and its contractors.

The responsibility on Council to positively control its waste sites has been highlighted in the gas bottle explosion at the Traveston Waste Management Facility in 2016. The action included in the safety improvement notice issued



to Council Workplace Health and Safety Queensland included actions related to supervision and control processes in relation to 'dangerous goods' cannot be satisfied at Council's uncontrolled facilities.

Council's current unmanned sites are at Amamoor, Woolooga, Tansey, Manumbar, Kilkivan and Goomeri.

In view of the risks involving with unsupervised waste management facilities and the need to meet the requirements of Workplace Health and Safety Queensland, all of Council Waste Management Facilities must be controlled as soon as practicable. This involves supervision when open and secured from access when closed.

## 2. REPORT

The cost of providing control and supervision at all of Council's current waste facilities (WMFs) is considered cost prohibitive and a review of Council's waste facility operations was carried out and a draft rationalisation program of sites and opening hours prepared for discussion.

### **Rationalisation of the network of waste facilities and opening hours**

This draft rationalisation program of WMFs and opening hours has considered:

- the need to mitigate the risks associated with unsupervised sites and meet the requirements of Workplace Health and Safety Queensland
- the significant costs associated with the controlling and supervising operation of the current number of WMFs
- the need to meet Environment Protection Authority licence requirements
- the reduction on need for WMFs due to the expansion of Designated Waste Collection areas
- the current overlap of WMFs of the same catchments

### **Summary of proposed rationalisation**

Site	Proposed change	Opening hours
Rainbow Beach	No changes	Monday, Tuesday, Thursday: 8am to 4pm Weekend: 9am to 1pm
Tin Can Bay	Amended opening hours	Week days 8am-4pm, Closed Tuesday Weekend: 10am -2pm
Traveston	Close	
Amamoor	Close	
Mary Valley	Amended opening hours	Monday, Tuesday, Friday: 8am to 4pm. Weekend: 10am to 2pm
Bonnick Road	Amended opening hours to meet EPA licence requirements	Week days: 8am to 4 pm Weekend: 10am to 3pm

Site	Proposed change	Opening hours
Gunalda	Amended opening hours	Monday, Tuesday: 8am to 4pm Sunday: 10am to 2pm
Sexton	Amended opening hours	Monday, Wednesday, Thursday: 8am to 12pm Weekend: 10am to 2pm
Woolooga	Close	
Widgee	Amended opening hours	Monday, Tuesday, Friday: 8am to 4pm Weekend: 10am to 2pm
Goomeri Landfill	Amended opening hours	Monday, Wednesday, Friday: 8am to 4pm Saturday: 9am to midday Sunday: 1pm to 4pm
Kilkivan Landfill	Amended opening hours	Tuesday, Thursday, Friday: 8am to 4pm Saturday: 1pm to 4pm Sunday: 9am to midday
Tansey	Close	
Manumbar	Close – Install Bin Bank	

### Methodology

The review undertaken included:

- the nature, operation and catchment issues for each waste facility
- the opportunities from the practical extension of kerbside collection in these catchments
- the comparative current costs and service levels across the region
- the costs of increasing service levels to control and supervise the unsupervised sites in the region
- the need to meet EPA licences and other regulatory obligations

The Review uses standards adopted in Council's Regional Waste Management Strategy 2015-2020 which sets a level of service that customer travel time to facilities should be less than 30 minutes for 95 percent of residents. All disposal sites in the region are within 20km distance radius.

Most of the region is within a 30 minute catchment of one of the facilities, however, a number of catchments do overlap. These overlaps indicate duplication or over-servicing in some catchments and provide the opportunity and options for rationalisation and efficiency gains.

- Southside and Bonnick Road waste facility catchments almost overlap entirely;
- Imbil, Traveston and Amamoor catchments overlap;
- Woolooga, Sexton, Kilkivan catchments overlap;
- Goomeri and Tansey catchments overlap; as do
- Rainbow Beach and Tin Can Bay catchments.

### Details of proposed changes to Operating Hours

The table below presents the detailed changes to the operating hours for each site.

#### Changes to Operating Hours

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Weekly total
<b>Bonnick Road</b>	8am- 4pm	8am- 4pm	8am- 4pm	8am- 4pm	8am- 4pm	10am- 3pm	10am- 3pm	
	Reduction 1 hour	Reduction 1 hour	Reduction 1 hour	Reduction 1 hour	Reduction 1 hour	Reduction 4 hours	Reduction 5 hour	Reduction 14 hours
<b>Gunalda</b>	8am- 4pm	8am- 4pm					8am- 4pm	
	Reduction 2 hours	Reduction 2 hours					Reduction 2 hours	Reduction 6 hours
<b>Tin Can Bay</b>	8am- 4pm		8am- 4pm	8am- 4pm	8am- 4pm	9am - 1pm	10am - 2pm	
	Reduction 1 hour	Reduction 9 hours	Reduction 1 hour	Reduction 1 hour	Reduction 1 hour	Reduction 4 hours	Reduction 4 hours	Reduction 21 hours
<b>Sexton</b>	8am – midday		8am – midday	8am – midday		8am – midday	Midday - 4pm	
	Reduction 1 hour		Reduction 1 hour	Reduction 1 hour		Reduction 1 hour	Reduction 1 hour	Reduction 5 hours
<b>Widgee</b>	8am- 4pm	8am- 4pm			8am- 4pm	8am – midday	10am- 2pm	
	Reduction 2 hours	Reduction 2 hours			Reduction 2 hours	Reduction 6 hours	Reduction 6 hours	Reduction 18 hours
<b>Mary Valley</b>	8am- 4pm	8am- 4pm			8am- 4pm	8am – midday	10am – 2pm	
	Reduction 2 hours	Reduction 2 hours			Reduction 2 hours	Reduction 4 hours	Reduction 4 hours	Reduction 12 hours
<b>Rainbow Beach</b>	8am- 4pm	8am- 4pm		8am- 4pm		9am - 1pm	9am - 1pm	
								No change
<b>Kilkivan</b>		8am- 4pm		8am- 4pm	8am- 4pm	1pm- 4pm	9am - midday	
								New hours
<b>Goomeri</b>	8am- 4pm		8am- 4pm		8am- 4pm	9 - midday	1pm- 4pm	
								New hours
<b>Traveston</b>								
								Facility to close
<b>Southside</b>								
								facility to close

#### 4.1.1 Financial Implications of proposed changes

The financial implications of the proposed changes are presented in table 2.  
The proposed changes to the network of sites and opening hours have an

estimated reduction in operational expenditure by approximately \$470,000 per annum.

Table 2 - Financial Implications of proposed changes.

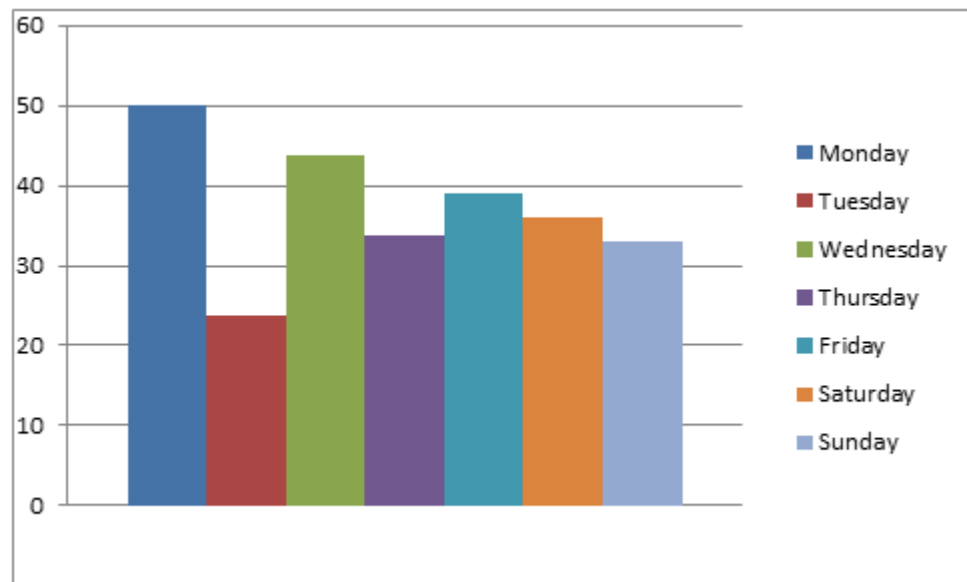
Site	Current Budget Expenditure	Post Changes Expenditure
Bonnick Road	\$1,272,000	\$1,200,000
Tin Can Bay	\$348,000	\$300,000
Imbil	\$230,000	\$200,000
Amamoor	\$47,000	-
Traveston	\$181,000	-
Tansey	\$11,000	-
Goomeri	\$204,000	\$150,000
Kilkivan	\$80,000	\$150,000
Woolooga	\$22,000	-
Sexton	\$97,000	\$97,000
Gunalda	\$140,000	\$120,000
Widgee	\$198,000	\$160,000
Manumbar	\$12,000	-
Total	\$2,843,000	\$2,377,000

### **Details of each Waste Management Facility**

#### ***Tin Can Bay Waste Management Facility***

Tin Can Bay waste management facility has been recently converted from a landfill into a transfer station accepting domestic waste, recyclables, green waste scrap steel and bulky waste. Current opening hours are: Monday - Friday 8am to 5pm; Saturday and Sunday 8am to 4pm, totalling 61 hours per week.

The site is fully supervised and all its transactions are recorded. The chart below shows the average number of entries per day.



The records also show that there is little traffic before 8am and after 4pm weekdays and before 10am and after 2pm on weekends.

Based on this information and with the aim to reduce the cost it is proposed to reduce the opening hours to 40 hours per week creating an estimated saving of \$50,000 per annum.

The proposed new hours would include closing the site on Tuesdays and reducing the opening hours to 8am to 4pm weekdays and 10am to 2pm weekends. It needs to be noted that Rainbow Beach Waste Facility is open on Tuesdays.

### ***Gympie Waste Management Facility***

Gympie Waste Management Facility is located at Bonnick Road, Gympie. It is Council's only operational landfill and incorporates current environmental protection elements including a liners and leachate collection systems.

It is our primary Waste Management Facility and includes a separate public domestic waste drop off area (transfer station) where self-hauled waste is transferred to the landfill face by truck. The landfill face is used only by commercial trucks. The site accepts an extensive range of recyclables including paper, scrap steel, tyres, motor oil, batteries and e-waste.

The site is open seven days per week, 8am to 5pm (63 hours per week). These hours need to be reviewed in light of traffic numbers and Environment and Heritage Protection (EHP) Licence conditions.

Current EHP conditions specify "no audible noise between 5pm to 7am weekdays and 3pm to 10am weekends". In order to cover the tip face within daily time limits, the site should cease accepting waste one hour before these curfews. Traffic counts indicate low numbers after 4pm.

It is proposed that opening hours be reduced to 8am to 4pm weekdays. As commercial volumes are low on weekends it is proposed to operate 10am to 3pm and adjust operations to deal with the conflict of customers and end of day processes. In addition to compliance with the environmental authority the reduced opening hours could potentially create savings of \$70,000 per year.

***Traveston Waste Management Facility***

Traveston Waste Management Facility operates on the former Traveston Landfill site. It provides disposal of municipal waste in 3m<sup>3</sup> bins, green waste and scrap steel. The site is supervised and its operating hours are: Monday, Tuesday and Friday 7am to 5pm; Saturday and Sunday 8am to 4pm, totalling 46 hours per week.

The community in Traveston's catchment is fully serviced with a kerbside collection service although 26 properties have currently opted out of the service. It should be noted that Rainbow Beach has a similar fully serviced catchment as well as a commercial retail and accommodation component.

Traffic counts show an average of 17 entries per day with a minimum of four in one day recorded. There is anecdotal evidence that it is used by Noosa Shire residents who are avoiding tipping fees at their waste disposal facilities. Council policy has been that disposal facilities are only for Gympie region ratepayers use. This policy is difficult to practically enforce. It also needs to be noted that the Traveston Waste Facility is within the catchments of the Imbil and Bonnick Road facilities. Travel times are estimated to be 21 minutes to Imbil and 30 minutes to Bonnick Road. Annual operational cost for Traveston Waste Management Facility is \$180,000.

Balancing the operating cost against the low entry numbers, given the catchment is fully serviced by a kerbside collection and the proximity to the Imbil and Bonnick Road facilities, it is difficult to justify the value for money of this service.

It is proposed that the Traveston Waste Management Facility be closed.

***Mary Valley (Imbil) Waste Management Facility***

Imbil Waste Management Facility is located at the site of the former closed Imbil Landfill. It is the only Council transfer station using the 30m<sup>3</sup> 'hook lift/roll on roll off' bin system. This system provides a high level of service to customers as it provides roof cover for sun and rain and the pavement provides for all weather access. The set-up also makes the unloading of trailers easier. The facility provides used oil, car batteries, green waste and scrap steel disposal.

The site is fully supervised and its opening hours are Monday, Tuesday and Friday 7am to 5pm; Saturday and Sunday 8am to 4pm totalling 46 hours per week. Traffic counts indicate that the average number of entries is 30 per day, with low usage before 8am and after 4pm weekdays and before 10am and after 2pm on the weekends.

It is proposed to change the opening hours to 8am to 4pm on Monday, Tuesday and Friday and 10am to 2pm Saturday and Sunday, which totals to 32 hours per week. This reduction in opening hours would provide an estimated saving of approximately \$30,000 per annum.

***Amamoor Bin Site***

Amamoor Bin Site is located at the site of the former closed Amamoor Landfill. It provides disposal service for domestic waste utilising 3m<sup>3</sup> front lift bins. The

site is open 24/7 with no supervision. There is no usage data available for the site.

Although it is designated for domestic waste only, users often dispose of bulk waste and green waste on the ground and not in the bins. Significant Council resources are regularly required to remove this illegally disposed bulk waste. There is evidence that some of commercial entities are also using this site to avoid commercial disposal charges that would apply at the Imbil WMF.



The majority of properties in the site's catchment are serviced with a kerbside collection service. There are 18 properties along Amamoor Creek Road and two properties on Kandanga Creek Road that cannot be serviced by the kerbside collection truck. These un-serviced properties could be offered the standard 240 litre wheelie bin service at cluster bin sites.

The Amamoor Bin site is only 11 minutes travel distance to the Imbil Waste Management Facility. Most of the properties in the Amamoor catchment are also in the catchment of Imbil or Bonnick Road for properties in the north of Amamoor. Council is unable to continue the operation of unsupervised sites due to the significant public safety and environmental risks and must resolve to close the site or secure it and provide supervision.

Current cost of running the site is approximately \$50,000 per year with an additional cost of an estimated \$75,000 per year for labour to supervise the site for 32 hours. For this to occur there would also be a need to invest capital to secure the site and provide suitable staff amenities.

The site is well within the catchment of the Imbil Waste Facility and it is difficult to justify the value for money in operating the site.

It is proposed to close the Amamoor bin site.

### ***Gunalda Waste Management Facility***

Gunalda Waste Management Facility was converted from a landfill into a transfer station last year utilising 3m<sup>3</sup> front lift bins. It is supervised and its opening hours are: Sunday, Monday and Tuesday 7am to 5pm, totalling 30 hours per week. The facility accepts domestic waste, green waste, scrap steel, bulky waste, car batteries and used oil.

In the catchment area there are a number of properties currently not receiving a kerbside collection. Extending the kerbside collection service will provide this service to approximately 80 new properties, however, there would be still

more than 50 properties that would need a disposal facility for domestic waste. It does not overlap with the catchments of other sites.

Anecdotal evidence indicates that a number of residents outside the Gympie region from Glenwood regularly use the site to avoid tipping fees at sites operated by the Fraser Coast Regional Council. Council is enforcing the policy that only GRC residents can dispose waste free of charge however this can be difficult.

Traffic counts at this site show low usage before 8am and after 4pm weekdays and on Sundays before 10am and after 2pm.

It is proposed to reduce the opening hours to 8am to 4pm Monday, Tuesday and 10am to 2pm Sunday, totalling 20 hours per week. This reduction in opening hours would provide an estimated annual saving of approximately \$20,000.

### ***Sexton Waste Management Facility***

Sexton Waste Management Facility is located at the site of a closed landfill. It is a supervised bin site that accepts domestic waste, green waste, bulk waste, scrap steel car batteries and used oil. Current opening hours are Monday, Wednesday, Thursday and Saturday: 7am – 12.00 noon and Sunday: 12.00 noon – 5pm, a total of 25 hours per week.

Most of surrounding properties are serviced with kerbside collection. There are approximately 28 properties that are situated on the current collection routes which do not currently receive a kerbside service plus another 15 who will also receive a service with the expanded collection area.

There will be still 18 properties not serviced along Jensen and Harch roads south of Wide Bay Highway and approximately 30 properties north of Sexton. These properties could request a collection at a cluster site closer to their properties.

It is proposed to continue operation of this facility with opening hours as follows: 8am to 12pm Monday, Wednesday, Thursday and 10am to 2pm weekends, a total 20 hours per week. The reduction of hours will reduce the cost of operation by approximately \$10,000 per annum.

### ***Woolooga Bin Site***

Woolooga Bin Site is an unsupervised site located on road reserve on Bauple-Woolooga Road north of Woolooga. Most of the Woolooga township properties are serviced with a kerbside collection. There are eight properties not currently serviced although they are situated on the kerbside collection route plus an additional 50 properties in the Woolooga catchment which will now be service with the extended collection areas.

Thirty-six properties would remain without a service. There are five properties along Smith Road that could be serviced by a cluster site/bin bank. There are six properties along Brooweena Woolooga Road and five properties along Bauple Woolooga Road that could be serviced. There are six properties along Glen Echo Road that could not realistically be serviced without a major road upgrade. These properties will be offered 240L bin service via cluster sites.



Bin site is unsupervised site and poses high public safety and environmental risk to Council and needs to urgently discontinue its operation.

As an unsupervised bin site the Woolooga WMF needs to either be closed or secured and supervised. The bins are located in the road reserve and there is no room to convert the site into a supervised site with gate fencing and staff facilities. The site is located within the catchments of Kilkivan, Sexton and Widgee catchments with 20 minutes travel distance to Kilkivan, 15 minutes travel distance to Sexton and 19 minutes to Widgee. It is proposed to cease operation of the site.

### ***Widgee Bulk Bin Site***

The Widgee Bulk Bin Site is located on Cole Road Widgee. In addition to domestic waste the site also accepts domestic waste green waste and scrap steel. It is supervised during opening hours: Monday, Tuesday, Friday, Saturday and Sunday 7am – 5pm. The site is closed Wednesdays and Thursdays.

Traffic counts show a low average number of entries before 8am and after 4pm weekdays and low numbers between 10am and 2pm on weekends. Therefore the new proposed opening hours are Monday, Tuesday, Friday 8am – 4pm and Saturday and Sunday 10am to 2pm. This reduction of opening hours from 50 per week to 32 per week can provide an estimated annual saving of approximately \$40,000 per year.

### ***Kilkivan Waste Management Facility***

Kilkivan Waste Management Facility was converted from a semi-controlled landfill into a transfer station in December 2015. It currently operates 24/7 with no supervision.

In the last 12 months there have been incidents of asbestos and hazardous chemicals being left on the site endangering public using the site, neighbours and the neighbouring environment.

As an unsupervised site it must either close or be secured and supervised.

With the new extended collection area approximately 60 properties inside Kilkivan WMF Catchment will be serviced.

It is proposed to control the site with 30 operating hours per week, being 8am to 4pm Tuesday, Thursday, Friday, 9am to 12pm Saturday and 1pm to 4pm Sunday. The estimated additional expenditure for supervision would be approximately \$70,000 per annum.

### ***Goomeri Waste Management Facility***

Goomeri Waste Management Facility was converted from a semi controlled landfill into a transfer station in 2015. It currently operates 24/7 with no supervision.

The site also receives significant volumes of waste from outside of the region after South Burnett Regional Council imposed more controls on their waste management facilities.

As an unsupervised site it must either close or be secured and supervised.

About 600 occupied properties are in the catchment with only 219 domestic and 29 Commercial properties receiving a kerbside collection service. The extended collection area will include additional 100 residential properties.

It is proposed to control the site and the operating hours are 8am to 4pm Monday, Wednesday, Friday, 1pm to 4pm Saturday and 9am to 12 pm Sunday, a total of 30 hours per week. The supervision expenditure is estimated at \$70,000 per annum.

### ***Tansey Bin Site***

Tansey Bin site is located on the closed Tansey Landfill on Planted Creek Road, Tansey. It is a bin site with eight 3m<sup>3</sup> bins. This site is uncontrolled with 24/7 access. The site is designated for domestic waste only however, it often has illegal green waste and bulk waste.

As an uncontrolled site it must either be closed or secured and supervised.

The Tansey site is within Goomeri Waste Facility catchment with travel distance of 11 minutes to Goomeri Waste Facility.

Considering extensions to the kerbside collection service, opportunities for cluster bin sites and that the site is within the catchment of Goomeri Waste Facility, an upgrade to a fully supervised facility would not be value for money and it is proposed to discontinue the operation of this site.

### ***Manumbar Bin Site***

There are 27 occupied properties south of Goomeri in the catchment of the Manumbar Bin Site which is located adjacent to the Manumbar Community Hall. It comprises three 3m<sup>3</sup> bins with lids that are emptied weekly. The site is uncontrolled and has 24/7 access.

Although this site currently experiences the least problems as an unsupervised it still must be controlled to meet safety and environmental requirements or otherwise closed.

The kerbside collection will be provided to all properties along Kilcoy-Murgon Road between Manumbar and Goomeri.

It is proposed to close the site and locate a bin bank/cluster site at that location for the properties that cannot be serviced with kerbside collection and choose to take up this option.

## **3. BUDGET IMPLICATIONS**

The proposed changes to the network of sites and opening hours have a potential to reduce operational expenditure by approximately \$470,000 per annum. The draft Waste Services Operational Budget for 2017/2018 has been prepared on the assumption that proposed changes will be implemented from 1 July 2017.

## **4. POLICY IMPLICATIONS**

Rationalisation of the network of Waste Management Facilities is one of the objectives of the Regional Waste Strategy adopted by Council in 2013. It is in line with State Waste and Environmental policies.

**5. CONSULTATION**

The proposed changes will be communicated to the community via Council's Web Site, Waste App, Flyers delivered to customers and mail drops, and media releases. Letters will be provided to individual ratepayers offering bin bank services where applicable.

**6. CONCLUSION**

The proposed changes to the network of sites and opening hours will result in Council and the community meeting its environmental, workplace safety and landfill licence obligations.

Together with the recent expansion of collection areas, over 1400 properties will no longer be reliant on these bin sites and also will receive recycling services which are not available at these sites.

In addition it provides some savings which can be used within the Waste Management operational budget.

**M21/05/17 Moved Cr HT Smerdon****Seconded Cr DW Dodt**

**That Council implements the rationalisation program of its Waste Management Facilities with the following amended opening hours and site closures commencing 1 July 2017:**

<b>Tin Can Bay</b>	<b>Week days 8am-4pm, Closed Tuesday Weekend: 10am -2pm</b>
<b>Traveston</b>	<b>Closed</b>
<b>Amamoor</b>	<b>Friday 8am -4pm Saturday 1pm-5pm</b>
<b>Mary Valley</b>	<b>Monday, Wednesday: 8am to 4pm. Weekend: 10am to 2pm</b>
<b>Bonnick Road</b>	<b>Week days: 8am to 4 pm Weekend: 10am to 3pm</b>
<b>Gunalda</b>	<b>Monday, Tuesday: 8am to 4pm Sunday: 10am to 2pm</b>
<b>Sexton</b>	<b>Monday, Wednesday, Thursday: 8am to 12pm Weekend: 10am to 2pm</b>
<b>Woolooga</b>	<b>Closed</b>
<b>Widgee</b>	<b>Monday, Tuesday, Friday: 8am to 4pm Weekend: 10am to 2pm</b>
<b>Goomeri Landfill</b>	<b>Monday, Wednesday, Friday: 8am to 4pm Saturday: 9am to midday Sunday: 1pm to 4pm</b>
<b>Kilkivan Landfill</b>	<b>Tuesday, Thursday, Friday: 8am to 4pm Saturday: 1pm to 4pm Sunday: 9am to midday</b>
<b>Tansey</b>	<b>Closed</b>
<b>Manumbar</b>	<b>Unchanged, monitored and to be reviewed in 12 months</b>

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane,  
Cr DW Dodt, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Cr MS Gear and Cr GC Hartwig

**8.2 New 100 year flood lines for Tin Can Bay and Cooloola Cove**

**PORTFOLIO:** Planning and Development

**DIRECTORATE:** Infrastructure Services

**DOC ID:**

**LINKS TO CORPORATE/OPERATIONAL PLAN  
STRATEGIC THEMES:**

1. Our Infrastructure – well planned, integrated and safe
- 

**1. BACKGROUND AND PREVIOUS COUNCIL CONSIDERATION**

The 100 year flood extents for Tin Can Bay and Cooloola Cove have been updated using improved computer modelling. The new flood lines reduce the footprint of the 100 year flood compared to the previously adopted 100 year flood for these areas.

**2. REPORT**

The current adopted 100 year flood extents for Tin Can Bay and Cooloola Cove were produced by consulting engineers GHD in 2011/12 as part of a wider flood study for a number of catchments in the Gympie Region. Prior to adopting these flood extents in mid-2012, there had not been any official flood mapping for Tin Can Bay and Cooloola Cove. A significant number of properties were affected by the mapping.

In 2013, council became aware of advances in computerised flood modelling methods which would allow more accurate predictions. In particular, the terrain could be analysed at a much finer texture allowing features such as roads, kerb and channel and open drains to be better included. At the same time, assumptions in the original flood study about infiltration (rainfall losses) and the impact of underground stormwater systems on overland flow needed to be reviewed.

A new study was completed in 2014 by Jacobs. The output from the study has been reviewed and converted to GIS format. Sample plans showing the original and latest flood extents are attached. In summary, the latest modelling generally reduces the size of the 100 year flood extent. While this information is being used informally for various purposes it is yet to be formally adopted by Council.

**3. BUDGET IMPLICATIONS**

There are no budget implications.

**4. POLICY IMPLICATIONS**

There are no policy implications.

Note that planning scheme zoning (ie the "Limited Development" zone) and flood hazard maps for these areas will need to be changed as part of the planning scheme review being conducted by the Planning and Development Directorate.

## **5. CONSULTATION**

Planning and Development – Planning Strategy and Major Projects Section, Development and Compliance Section.

## **6. CONCLUSION**

The latest flood modelling reduces the area covered by the 100 year flood. It is considered that this modelling is a better estimate of the 100 year flood for these areas than previous models.

## **ATTACHMENTS**

1. Comparison of original and latest 100 yr flood extents - Cooloola Cove and Tin Can Bay

**M22/05/17**

**Moved Cr DW Dodt**

**Seconded Cr GC Hartwig**

**That the matter lay on the table**

**Carried**

**FOR:** Cr MW Curran, Cr DW Dodt, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Cr MA Mc Donald, Cr JK Cochrane, Cr MS Gear, Cr WR Leitch

<b>8.3</b>	<b>RFT: 2016-2017 T021 Asphalt Overlays: Various Locations</b>
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**PORTFOLIO:** Infrastructure Services

**DIRECTORATE:** Infrastructure Services

**DOC ID:**

**LINKS TO CORPORATE/OPERATIONAL PLAN  
STRATEGIC THEMES:**

1. Our Infrastructure – well planned, integrated and safe

**1. BACKGROUND AND PREVIOUS COUNCIL CONSIDERATION**

The scope of works involves asphalt overlays for capital works projects at various locations throughout the region. Aligning the asphalt phase of the various projects allows efficiency of scale and creates the required competitive environment to ensure best value.

Works include Louisa Street, Reef Street, Rose Road, Tozer Park Road, Corella Road Water Dispensing Point, Imbil Water Dispensing Point, Imbil Lookout, and Moy Pocket Road.

The Tender was placed on the vender panel website on Friday 5 May 2017 to a selection of five asphalt suppliers that have similar experience required to carry out the works.

**2. REPORT**

Request for Tender: 2016-2017 - T021 – Asphalt Overlays: Various Locations closed at 2pm on Tuesday 23 May 2017.

Four Tenders were received as follows: (all exclusive of GST).

<b>NAME OF TENDERER</b>	<b>PRICE Submitted (excluding GST)</b>
Allens Asphalt Pty Ltd	\$868,643.69
Tropic Asphalt Pty Ltd	\$1,357,480.53
Downer EDI Works	\$832,557.76
Stanley Macadam Pty Ltd	\$1,259,488.99

The Tender submitted by Downer EDI Works contained significant arithmetic errors and Allens Asphalt Pty Ltd omitted an item from the schedule of rates.

To enable uniform assessment of all tenders, these anomalies have been adjusted (ie the unit rates and estimated quantities have been calculated and the unpriced item from Allens Asphalt has been deducted from all tenders for comparison purposes only).

For comparison of tenders, the following amounts are considered: (excluding item omitted by Allens Asphalt)

<b>TENDERER</b>	<b>PRICE Comparison (excluding GST)</b>
Downer EDI Works	\$834,024.31
Allens Asphalt Pty Ltd	\$868,643.69
Stanley Macadam Pty Ltd	\$942,843.79
Tropic Asphalt Pty Ltd	\$1,006,329.33

<b>NAME OF TENDERER</b>	<b>PRICE Contract(excluding GST)</b>
Downer EDI Works	\$1,021,728.31
Allens Asphalt Pty Ltd	Incomplete
Stanley Macadam Pty Ltd	\$1,259,488.99
Tropic Asphalt Pty Ltd	\$1,357,480.53

The four tenders were evaluated using the following criteria:

- Price (60 per cent weighting)
- Key personnel and experience (20 per cent weighting)
- Relevant experience (20 per cent weighting)

<b>Rank</b>	<b>TENDERER</b>	<b>Total weighted score of price and non-price elements</b>
1	Downer EDI Works	140.00
2	Allens Asphalt Pty Ltd	137.28
3	Stanley Macadam Pty Ltd	104.62
4	Tropic Asphalt Pty Ltd	94.83

Downer EDI Works have undertaken similar works for Council and is suitable to complete the contract. They have a local asphalt plant.

### **3. BUDGET IMPLICATIONS**

The Tender: 2016-2017 - T021 – Asphalt Overlays: Various Locations form part of Road Asset Construction capital works program and has been budgeted for in the capital work budget. The calculated contract amount is within a few thousand dollars of the estimate. Due to the variable nature of asphalt usage, variations of up to 10 per cent may be expected.

There is capacity to source additional funds within the current capital works program if the increase cannot be accommodated within the individual project budgets. This will be better understood when the actual costs are known.

### **4. POLICY IMPLICATIONS**

There are no policy implications.

### **5. CONSULTATION**

Tender Evaluation: Manager (Contracts), Manager (Construction) and Technical Officer (Construction).



**6. CONCLUSION**

That the Tender of Downer EDI Works provides the most advantageous outcome for Council.

**M23/05/17****Moved Cr WR Leitch****Seconded Cr MA McDonald**

**That Council accepts the Schedule of Rates Tender of Downer EDI Works for Tender: 2016-2017 - T021 – Asphalt Overlay: Various Locations, for the GST exclusive sum of \$1,021,728.31.**

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane, Cr DW Dodt, Cr MS Gear, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Nil

**8.4 Request for Council funds - Jack Spicer Oval Electricity Supply & Infrastructure upgrade**

**PORTFOLIO:** Tourism, Sport and Recreation

**DIRECTORATE:** Infrastructure Services

**DOC ID:**

**LINKS TO CORPORATE/OPERATIONAL PLAN  
STRATEGIC THEMES:**

1. Our Infrastructure – well planned, integrated and safe
  2. Our Community – active, diverse, creative and engaged
- 

**CONFLICT OF INTEREST**

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

Cr Smerdon declared a Conflict of Interest in M24/05/17 due to being the current Manager of the Mary Valley Stags and left the meeting at 10:36am.

**CONFLICT OF INTEREST**

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

Cr Cochrane declared a perceived Conflict of Interest in M24/05/17 due to being a former player of the Mary Valley Stags but as he is no longer a member and has no association or decision making influence with the Club remained in the meeting.

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**1. BACKGROUND AND PREVIOUS COUNCIL CONSIDERATION**

The Mary Valley Stags Rugby League Club Inc. was successful in an application to the Queensland State Government's 'Get Playing Places and Spaces' Round 5 program for funding to upgrade the lighting on the oval at Jack Spicer Park Kandanga.

Mary Valley Stags Rugby League Club Inc. has requested Council's assistance to fund the cost of upgrading the supply of electricity to the Jack Spicer Park and oval, and associated infrastructure, due to a shortfall.

**2. REPORT**

The State funds of \$100,000 GST exclusive, with the addition of Club funds of \$25,000 GST exclusive, are for the installation of four new steel poles and 12 floodlights to illuminate the field to a minimum of 100 lux. The total cost of the project is \$143,960 GST exclusive and the Club is seeking a Council contribution of \$20,930 inclusive of GST to complete the project.

The Club is seeking the funds from Council to cover the cost of the upgrade of supply to the park and the infrastructure suitable for the

upgraded supply. It is not known at the time of preparing this report if there are any additional costs to be incurred from Energex associated with the upgraded supply.

The upgrade of supply and electrical equipment will also improve the current limited availability of electricity to the park and replace electrical equipment which is of a minimum standard. Expenditure will allow future improvements to the park to be undertaken, such as a second barbeque, and improved lighting of the playground and car park.

The identified works will result in significant improvements to the Council facility which services the local community. These include;

- improved lighting conditions on the field will permit increased use of the facility for training and competition for Rugby League in the Mary Valley,
- Increase to visitation to Kandanga for night games with possible economic advantages for local businesses,
- provide improved facilities for use by other sports.

Had the Club sought approved Council funding as part of their application to the State, the allocation of funds to the project would have been assessed by Council staff as being of suitable benefit to the community and recommended for Council approval.

Unfortunately, the Club had not advised Council of the funding application to the State Government and so could not then be guided to seeking funding from Council prior to the submission of the funding, as is the standard advice in these situations.

Officers will develop a policy for Council's endorsement that ensures an equitable and transparent process for clubs to access state government funds in the future.

The existing management agreement for Jack Spicer Oval will be reviewed as the Club will have significant assets within the park.

If Council approves the allocation of funds, it is proposed that funds be allocated in the 2017-18 Parks Improvements Program, with Council undertaking the works and providing this assistance to the Club as "in-kind". As Council officers are awaiting advice from Energex regarding the possibility of any additional costs that may be incurred for an upgraded supply to the site, it is proposed that an amount of \$24,000 be approved to cover such a contingency.

### **3. BUDGET IMPLICATIONS**

It is proposed that \$24,000 be allocated from Parks Contributions, and that the project, "Electricity supply & Infrastructure Upgrade - Jack Spicer Park" be added to the Parks Capital Improvements 2017-18 Program.

**4. POLICY IMPLICATIONS**

The proposed allocation of Parks Contributions to the project is within existing guidelines. Whilst the normal process for seeking Council contribution to the project has not been undertaken in this instance, the application is of suitable merit to have been judged by Council officers favourably prior to a normal application, had that been undertaken.

Officers will develop a policy that ensures an equitable and transparent process for clubs to access state government funds in the future.

**5. CONSULTATION**

There have been a number of discussions with Council and State Government staff, representatives of the Mary Valley Rugby League Club.

**6. CONCLUSION**

Support of this project through the allocation of funds will provide a benefit to the community by improving local sporting infrastructure.

**M24/05/17****Moved Cr GC Hartwig****Seconded Cr MS Gear**

**That Council approves the allocation of Parks Contributions, to an amount of \$24,000, to the Electricity supply & infrastructure upgrade at Jack Spicer Park, as part of the Parks Capital Improvements 2017-18 Program.**

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane, Cr DW Dodt, Cr MS Gear, Cr GC Hartwig and Cr DH Stewart

**AGAINST:** Nil

Cr HT Smerdon returned to the meeting at 10:40am

**ADJOURNMENT OF MEETING**

The meeting adjourned for morning tea at 10.40am

**RESUMPTION OF MEETING**

The Meeting resumed at 11.05am.

**COUNCIL IN COMMITTEE**

The Mayor advised the meeting that Council was going "Into Committee" to discuss:

1. 2016/17 Third Budget Review

**M25/05/17****Moved Cr DW Dodt****Seconded Cr HT Smerdon**

**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:-**

- 1. 2016/17 Third Budget Review**

**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**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane, Cr DW Dodt, Cr MS Gear, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Nil

**COUNCIL OUT OF COMMITTEE****M26/05/17****Moved Cr DW Dodt****Seconded Cr JK Cochrane**

**That proceedings be resumed in Open Council.**

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane, Cr DW Dodt, Cr MS Gear, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Nil

<b>SECTION 9: IN COMMITTEE</b>
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<b>9.1</b>	<b>2016/17 Third Budget Review</b>
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**PORTFOLIO:** Governance, Finance, Disaster Management

**DIRECTORATE:** Corporate and Community Services

**DOC ID:**

This item is in-committee in accordance with s275(1)(c) of the *Local Government Regulation 2012* - the local government budget.

**M27/05/17      Moved Cr MA McDonald                      Seconded Cr DH Stewart**

**That Council adopts the revised operational budget and capital program as outlined in the attachments to this report.**

**Carried**

**FOR:** Cr MW Curran, Cr MA McDonald, Cr WR Leitch, Cr JK Cochrane, Cr DW Dodt, Cr MS Gear, Cr GC Hartwig, Cr HT Smerdon and Cr DH Stewart

**AGAINST:** Nil

**SECTION 10: ATTACHMENTS**

6.1	<b>March 2017 Monthly Financial Report</b>	
	ATTACHMENT 1	MARCH 2017 FINANCIAL REPORTS ..... 38
7.1	<b>Policy on the Provision of Legal Assistance for Councillors and Employees</b>	
	ATTACHMENT 1	POLICY ON THE PROVISION OF LEGAL ASSISTANCE FOR COUNCILLORS AND EMPLOYEES..... 49
	ATTACHMENT 2	COUNCILLOR EXPENSES REIMBURSEMENT POLICY..... 56
8.2	<b>New 100 year flood lines for Tin Can Bay and Cooloola Cove</b>	
	ATTACHMENT 1	COMPARISON OF ORIGINAL AND LATEST 100 YR FLOOD EXTENTS - COOLOOLA COVE AND TIN CAN BAY..... 65

There being no further business the meeting closed at 11.13am.

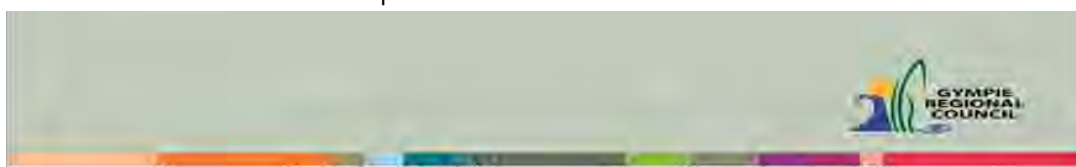
Confirmed this TWENTY-EIGHTH day of JUNE 2017



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Cr MW Curran  
CHAIRMAN

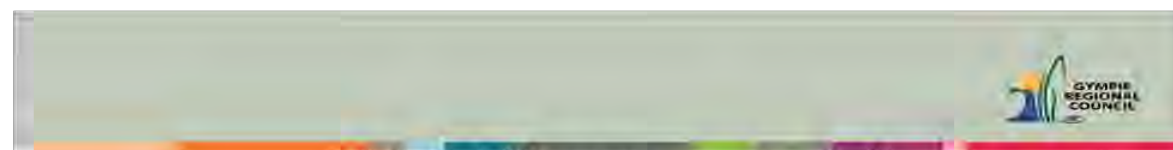
*Gympie Regional Council*



## Statement of Financial Position

	As at Mar 2017	2017	2016
<b>Assets</b>			
<b>Current Assets</b>			
Cash Assets and Cash Equivalents		79,219,485	88,672,673
Inventories		4,297,665	2,700,996
Trade and Other Receivables		10,897,818	17,971,590
Total Current Assets		<u>94,414,968</u>	<u>109,345,259</u>
<b>Non-Current Assets</b>			
Capitalised WIP (prev PPE)		1,120,014,749	1,075,770,433
Trade and Other Receivables		180,000	258,986
Total Non-Current Assets		<u>1,120,194,749</u>	<u>1,076,029,419</u>
<b>Total Assets</b>		<b>1,214,609,717</b>	<b>1,185,374,678</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Borrowings		1,250,613	1,235,875
Other Liabilities		430,976	429,985
Provisions		6,633,489	7,151,274
Trade and Other Payables		10,448,359	25,243,121
Total Current Liabilities		<u>18,763,437</u>	<u>34,060,256</u>
<b>Non-Current Liabilities</b>			
Borrowings		19,809,761	20,797,982
Provisions		13,851,107	13,800,773
Trade and Other Payables		156,329	101,109
Total Non-Current Liabilities		<u>33,817,197</u>	<u>34,699,864</u>
<b>Total Liabilities</b>		<b>52,580,634</b>	<b>68,760,119</b>
<b>Net Assets</b>		<b><u>1,162,029,083</u></b>	<b><u>1,116,614,559</u></b>
<b>Community Equity</b>			
Asset Revaluation Reserves		430,095,477	408,404,456
Other Reserves		0	67,731,071
Retained Surplus		0	22
Council Capital		702,939,624	632,933,750
Operating result current year		28,993,982	7,545,260
<b>Total Community Equity</b>		<b><u>1,162,029,083</u></b>	<b><u>1,116,614,558</u></b>





### Operating Statement By Directorate


Mar 2017

(This report refers to the second budget review adopted by Council February 2017)

March Actual	March Budget	Variance	Total Council	March Actual YTD	March Budget YTD	Variance	Full Year Budget	% of full Year Budget
<b>Operating Income</b>								
17,700	13,402	4,298	OCED	165,937	143,379	22,558	208,608	79.54%
983,477	1,019,932	(26,455)	Directorate of Infrastructure Services	17,745,477	18,334,482	(589,005)	22,403,357	79.21%
(284,745)	(3,010)	(281,735)	Water and Sewerage Business Unit	20,497,627	20,704,881	(207,254)	20,876,337	98.19%
(1,023,700)	380,577	(1,384,277)	Directorate of Corporate & Community Services	41,088,995	41,968,027	(879,031)	43,736,991	93.94%
213,643	201,764	11,879	Directorate of Planning & Development	2,790,650	2,668,701	121,949	3,365,102	82.93%
<b>(83,626)</b>	<b>1,592,665</b>	<b>(1,676,291)</b>	<b>Total Operating Income</b>	<b>82,289,687</b>	<b>83,819,450</b>	<b>(1,529,763)</b>	<b>90,592,335</b>	<b>90.84%</b>
<b>Capital Income</b>								
2,820,000	-	2,820,000	OCED	2,820,000	-	2,820,000	-	100.00%
2,046,036	1,566,809	479,427	Directorate of Infrastructure Services	5,147,544	5,699,731	(552,187)	10,583,880	48.64%
32,925	77,000	(44,075)	Water and Sewerage Business Unit	858,948	1,012,000	(153,052)	1,243,000	69.10%
-	41,667	(41,667)	Directorate of Corporate & Community Services	195,337	375,003	(179,666)	1,228,250	15.90%
-	-	-	Directorate of Planning & Development	1,305,918	585,308	720,610	1,405,428	92.92%
<b>4,898,961</b>	<b>1,685,276</b>	<b>3,213,685</b>	<b>Total Capital Income</b>	<b>10,327,746</b>	<b>7,672,642</b>	<b>2,655,104</b>	<b>14,460,558</b>	<b>71.42%</b>
<b>4,815,335</b>	<b>3,277,941</b>	<b>1,537,394</b>	<b>TOTAL INCOME</b>	<b>92,617,433</b>	<b>91,492,092</b>	<b>1,125,341</b>	<b>105,052,893</b>	<b>88.16%</b>
<b>Operating Expenses</b>								
581,905	492,608	89,297	OCED	4,267,007	5,081,425	(814,418)	6,750,272	63.21%
3,679,785	3,616,082	63,704	Directorate of Infrastructure Services	29,429,941	32,065,722	(2,635,781)	43,852,011	67.11%
1,563,343	1,400,378	162,966	Water and Sewerage Business Unit	11,096,344	11,501,478	(405,134)	15,425,871	71.93%
1,492,909	1,520,165	(27,256)	Directorate of Corporate & Community Services	13,587,567	14,416,242	(828,675)	16,970,574	80.07%
623,745	576,482	47,263	Directorate of Planning & Development	5,242,590	5,663,049	(420,459)	7,669,569	68.36%
<b>7,941,688</b>	<b>7,605,715</b>	<b>335,974</b>	<b>Total Operating Expenses</b>	<b>63,623,451</b>	<b>68,727,917</b>	<b>(5,104,466)</b>	<b>90,668,287</b>	<b>70.17%</b>
<b>7,941,688</b>	<b>7,605,715</b>	<b>335,974</b>	<b>TOTAL EXPENSES</b>	<b>63,623,451</b>	<b>68,727,917</b>	<b>(5,104,466)</b>	<b>90,668,287</b>	<b>70.17%</b>
<b>(8,025,315)</b>	<b>(6,013,050)</b>	<b>(2,012,265)</b>	<b>Operating surplus (deficit)</b>	<b>18,666,236</b>	<b>15,091,533</b>	<b>3,574,703</b>	<b>(75,952)</b>	<b>-24576.36%</b>
<b>(3,126,354)</b>	<b>(4,327,774)</b>	<b>1,201,420</b>	<b>NET RESULT</b>	<b>28,993,982</b>	<b>22,764,175</b>	<b>6,229,807</b>	<b>14,384,606</b>	<b>201.56%</b>

#### Comments

The Operating Statement by Directorate (Total Council) Report excludes the Competitive Neutrality and Community Service Obligation Budget amounts, reflecting the Statutory Financial Budget that was adopted by Council. The following Operating Statement by Directorate Reports include the Competitive Neutrality and Community Service Obligation Budget amounts that are the responsibility for individual areas. The Operating Statement by Directorate Reports that reflect this difference are the Directorate of Corporate & Community Services Report and the Directorate of Infrastructure Services Report.

								
Operating Statement By Directorate								
Mar 2017								
(This report refers to the second budget review adopted by Council February 2017)								
March Actual	March Budget	Variance	CEO	March Actual YTD	March Budget YTD	Variance	Full Year Budget	% of Full Year Budget
<b>Operating Income</b>								
255	329	(74)	Economic Development	30,798	2,961	27,837	28,949	106.39%
-	-	-	Media & Communications	-	-	-	-	0.00%
2,500	8,333	(5,833)	People & Organisational Development	69,000	74,997	(5,997)	100,000	69.00%
-	-	-	Internal Audit & Risk	-	-	-	-	0.00%
5,738	3,565	2,173	Destination Gympie	23,897	32,085	(8,188)	42,773	55.87%
46	92	(46)	Governance	22,974	23,589	(615)	23,861	96.28%
9,161	1,083	8,078	CEO	19,268	9,747	9,521	13,025	147.93%
<b>17,700</b>	<b>13,402</b>	<b>4,298</b>	<b>Total Operating Income</b>	<b>165,937</b>	<b>143,379</b>	<b>22,558</b>	<b>208,608</b>	<b>79.54%</b>
<b>Capital Income</b>								
2,820,000	-	2,820,000	Economic Development	2,820,000	-	2,820,000	-	100.00%
-	-	-	Media & Communications	-	-	-	-	0.00%
-	-	-	People & Organisational Development	-	-	-	-	0.00%
-	-	-	Internal Audit & Risk	-	-	-	-	0.00%
-	-	-	Destination Gympie	-	-	-	-	0.00%
-	-	-	Governance	-	-	-	-	0.00%
-	-	-	CEO	-	-	-	-	0.00%
<b>2,820,000</b>	<b>-</b>	<b>2,820,000</b>	<b>Total Capital Income</b>	<b>2,820,000</b>	<b>-</b>	<b>2,820,000</b>	<b>-</b>	<b>100.00%</b>
<b>2,837,700</b>	<b>13,402</b>	<b>2,824,298</b>	<b>TOTAL INCOME</b>	<b>2,985,937</b>	<b>143,379</b>	<b>2,842,558</b>	<b>208,608</b>	<b>1431.36%</b>
<b>Operating Expenses</b>								
27,303	25,814	1,489	Economic Development	250,314	299,387	(49,073)	440,879	56.78%
52,801	52,437	364	Media & Communications	348,993	483,172	(134,179)	651,715	53.55%
208,780	191,699	17,081	People & Organisational Development	1,498,852	1,778,116	(279,264)	2,396,046	62.56%
10,250	12,727	(2,477)	Internal Audit & Risk	97,185	148,553	(52,368)	191,181	50.83%
33,263	36,034	(2,771)	Destination Gympie	304,707	332,990	(28,283)	449,747	67.75%
27,873	18,576	9,297	Governance	164,594	182,477	(17,883)	248,225	66.31%
221,636	155,321	66,315	CEO	1,602,363	1,855,730	(253,367)	2,372,479	67.54%
<b>581,905</b>	<b>492,608</b>	<b>89,297</b>	<b>Total Operating Expenses</b>	<b>4,267,007</b>	<b>5,081,425</b>	<b>(814,418)</b>	<b>6,750,272</b>	<b>63.21%</b>
<b>581,905</b>	<b>492,608</b>	<b>89,297</b>	<b>TOTAL EXPENSES</b>	<b>4,267,007</b>	<b>5,081,425</b>	<b>(814,418)</b>	<b>6,750,272</b>	<b>63.21%</b>
<b>(564,206)</b>	<b>(479,206)</b>	<b>(85,000)</b>	<b>Operating surplus (deficit)</b>	<b>(4,101,070)</b>	<b>(4,938,046)</b>	<b>836,976</b>	<b>(6,541,664)</b>	<b>62.69%</b>
<b>2,255,794</b>	<b>(479,206)</b>	<b>2,735,000</b>	<b>NET RESULT</b>	<b>(1,281,070)</b>	<b>(4,938,046)</b>	<b>3,656,976</b>	<b>(6,541,664)</b>	<b>19.58%</b>



### Operating Statement By Directorate

Mar 2017

(This report refers to the second budget review adopted by Council February 2017)

March Actual	March Budget	Variance	Directorate of Infrastructure Services	March Actual YTD	March Budget YTD	Variance	Full Year Budget	% of full Year Budget
<b>Operating Income</b>								
-	-	-	Manager of Parks Operations	-	-	-	-	0.00%
-	-	-	Manager of Parks Design	-	-	-	-	0.00%
33,260	4,772	28,488	Manager Lands Protection	52,533	42,948	9,585	57,265	91.74%
-	-	-	Disaster Management Coordinator	24,588	20,000	4,588	120,000	20.49%
266,647	180,917	85,730	Manager Waste Services	8,646,665	9,182,576	(535,911)	9,509,323	90.93%
725,055	600,804	124,251	Manager Depot Operations	5,865,347	5,407,236	458,111	7,209,638	81.35%
13,646	316,296	(302,650)	General Manager Construction and Maintenance	1,962,666	2,500,377	(537,711)	3,932,606	49.91%
55,369	17,643	37,726	General Manager - Design Services	1,495,179	1,482,845	12,334	1,976,525	75.65%
-	-	-	Major Projects	-	-	-	-	0.00%
-	-	-	Director DIS	-	-	-	-	0.00%
<b>1,093,977</b>	<b>1,120,432</b>	<b>(26,455)</b>	<b>Total Operating Income</b>	<b>18,046,977</b>	<b>18,635,982</b>	<b>(589,005)</b>	<b>22,805,357</b>	<b>79.13%</b>
<b>Capital Income</b>								
-	-	-	Manager of Parks Operations	-	-	-	-	0.00%
21,583	11,458	10,125	Manager of Parks Design	159,197	103,122	56,075	137,500	115.78%
-	-	-	Manager Lands Protection	-	-	-	-	0.00%
-	-	-	Disaster Management Coordinator	-	-	-	-	0.00%
-	-	-	Manager Waste Services	-	-	-	-	0.00%
-	-	-	Manager Depot Operations	-	-	-	-	0.00%
-	324	(324)	General Manager Construction and Maintenance	(229,813)	253,251	(483,064)	254,229	-90.40%
2,024,454	1,554,827	469,627	General Manager - Design Services	5,218,160	5,343,358	(125,198)	10,192,151	51.20%
-	-	-	Major Projects	-	-	-	-	0.00%
-	-	-	Director DIS	-	-	-	-	0.00%
<b>2,046,036</b>	<b>1,566,609</b>	<b>479,427</b>	<b>Total Capital Income</b>	<b>5,147,544</b>	<b>5,699,731</b>	<b>(552,187)</b>	<b>10,583,880</b>	<b>48.64%</b>
<b>3,140,013</b>	<b>2,687,041</b>	<b>452,972</b>	<b>TOTAL INCOME</b>	<b>23,194,521</b>	<b>24,335,713</b>	<b>(1,141,192)</b>	<b>33,389,237</b>	<b>69.47%</b>
<b>Operating Expenses</b>								
337,339	264,171	73,168	Manager of Parks Operations	2,497,783	2,894,777	(396,994)	3,720,088	67.14%
-	-	-	Manager of Parks Design	-	-	-	-	0.00%
140,279	106,762	33,517	Manager Lands Protection	931,965	1,027,457	(95,492)	1,386,098	67.24%
18,100	14,792	3,308	Disaster Management Coordinator	143,666	135,334	8,332	182,010	78.93%
689,992	717,433	(27,441)	Manager Waste Services	5,682,730	6,416,271	(733,541)	8,619,117	65.93%
596,420	511,467	84,953	Manager Depot Operations	4,397,647	4,657,371	(259,724)	6,493,553	67.72%
1,082,689	945,430	137,259	General Manager Construction and Maintenance	8,275,772	8,865,639	(589,867)	12,058,692	68.63%
796,784	1,044,043	(247,259)	General Manager - Design Services	7,334,901	7,902,656	(567,755)	11,164,765	65.70%
-	-	-	Major Projects	-	-	-	-	0.00%
26,392	20,194	6,198	Director DIS	190,107	190,848	(741)	260,529	72.97%
<b>3,687,996</b>	<b>3,624,292</b>	<b>63,704</b>	<b>Total Operating Expenses</b>	<b>29,454,572</b>	<b>32,090,353</b>	<b>(2,635,781)</b>	<b>43,884,852</b>	<b>67.12%</b>
<b>3,687,996</b>	<b>3,624,292</b>	<b>63,704</b>	<b>TOTAL EXPENSES</b>	<b>29,454,572</b>	<b>32,090,353</b>	<b>(2,635,781)</b>	<b>43,884,852</b>	<b>67.12%</b>
<b>(2,594,019)</b>	<b>(2,503,860)</b>	<b>(90,159)</b>	<b>Operating surplus (deficit)</b>	<b>(11,407,595)</b>	<b>(13,454,371)</b>	<b>2,046,776</b>	<b>(21,079,495)</b>	<b>54.12%</b>
<b>(547,983)</b>	<b>(937,251)</b>	<b>389,268</b>	<b>NET RESULT</b>	<b>(6,260,051)</b>	<b>(7,754,640)</b>	<b>1,494,589</b>	<b>(10,495,615)</b>	<b>59.64%</b>



## Operating Statement By Directorate

Mar 2017

(This report refers to the second budget review adopted by Council February 2017)

March Actual	March Budget	Variance	Water and Sewerage Business Unit	March Actual YTD	March Budget YTD	Variance	Full Year Budget	% of full Year Budget
<b>Operating Income</b>								
97,854	134,016	(36,162)	General Manager Water	10,061,251	10,167,684	(106,433)	10,403,666	96.71%
(249,212)	(3,639)	(245,573)	General Manager Sewerage	10,836,538	10,937,338	(100,800)	11,006,219	98.46%
<b>(151,358)</b>	<b>130,377</b>	<b>(281,735)</b>	<b>Total Operating Income</b>	<b>20,897,788</b>	<b>21,105,022</b>	<b>(207,234)</b>	<b>21,409,885</b>	<b>97.61%</b>
<b>Capital Income</b>								
13,971	21,417	(7,446)	General Manager Water	343,981	405,753	(61,772)	470,000	73.19%
18,954	55,583	(36,629)	General Manager Sewerage	514,967	606,247	(91,280)	773,000	66.62%
<b>32,925</b>	<b>77,000</b>	<b>(44,075)</b>	<b>Total Capital Income</b>	<b>858,948</b>	<b>1,012,000</b>	<b>(153,052)</b>	<b>1,243,000</b>	<b>69.10%</b>
<b>(118,434)</b>	<b>207,377</b>	<b>(325,811)</b>	<b>TOTAL INCOME</b>	<b>21,756,736</b>	<b>22,117,022</b>	<b>(360,286)</b>	<b>22,652,885</b>	<b>96.04%</b>
<b>Operating Expenses</b>								
784,306	658,239	126,067	General Manager Water	5,452,210	5,401,009	51,201	7,252,789	75.17%
787,019	750,120	36,899	General Manager Sewerage	5,668,078	6,124,413	(456,335)	8,205,007	69.08%
<b>1,571,325</b>	<b>1,408,359</b>	<b>162,966</b>	<b>Total Operating Expenses</b>	<b>11,120,288</b>	<b>11,525,422</b>	<b>(405,134)</b>	<b>15,457,796</b>	<b>71.94%</b>
<b>1,571,325</b>	<b>1,408,359</b>	<b>162,966</b>	<b>TOTAL EXPENSES</b>	<b>11,120,288</b>	<b>11,525,422</b>	<b>(405,134)</b>	<b>15,457,796</b>	<b>71.94%</b>
<b>(1,722,683)</b>	<b>(1,277,982)</b>	<b>(444,701)</b>	<b>Operating surplus (deficit)</b>	<b>9,777,500</b>	<b>9,579,600</b>	<b>197,900</b>	<b>5,952,089</b>	<b>164.27%</b>
<b>(1,689,758)</b>	<b>(1,200,982)</b>	<b>(488,776)</b>	<b>NET RESULT</b>	<b>10,638,448</b>	<b>10,591,600</b>	<b>44,848</b>	<b>7,195,089</b>	<b>147.83%</b>



### Operating Statement By Directorate

Mar 2017

(This report refers to the second budget review adopted by Council February 2017)

March Actual	March Budget	Variance	Directorate of Corporate & Community Services	March Actual YTD	March Budget YTD	Variance	Full Year Budget	% of full Year Budget
<b>Operating Income</b>								
(1,134,127)	203,177	(1,337,304)	Corporate Finance	39,848,059	40,719,621	(871,562)	48,681,839	81.85%
2,758	29,000	(26,243)	Manager Property	233,529	261,000	(27,471)	348,000	67.11%
-	-	-	Manager Information Communication Technology	-	-	-	-	0.00%
1,020	3,176	(2,156)	Manager Branch Administration	32,380	28,584	3,796	38,112	84.96%
34,047	62,125	(28,078)	Finance	508,976	559,125	(50,149)	745,500	68.27%
23,425	14,088	9,337	Manager Community Development & Facilities	216,090	126,792	89,298	169,050	127.83%
3,303	4,490	(1,187)	Co-ordinator Art Gallery	95,530	78,410	17,120	91,880	103.97%
62,066	60,712	1,354	Manager Libraries	204,006	243,069	(39,063)	308,316	66.17%
-	-	-	Customer Contact Coordinator	-	-	-	-	0.00%
-	-	-	Director DCCS	-	-	-	-	0.00%
<b>(1,007,509)</b>	<b>376,768</b>	<b>(1,384,277)</b>	<b>Total Operating Income</b>	<b>41,138,570</b>	<b>42,016,601</b>	<b>(878,031)</b>	<b>50,382,697</b>	<b>81.65%</b>
<b>Capital Income</b>								
-	-	-	Corporate Finance	-	-	-	-	0.00%
-	41,667	(41,667)	Manager Property	75,637	375,003	(299,366)	500,000	15.13%
-	-	-	Manager Information Communication Technology	-	-	-	-	0.00%
-	-	-	Manager Branch Administration	-	-	-	-	0.00%
-	-	-	Finance	-	-	-	-	0.00%
-	-	-	Manager Community Development & Facilities	119,700	-	119,700	728,250	16.44%
-	-	-	Co-ordinator Art Gallery	-	-	-	-	0.00%
-	-	-	Manager Libraries	-	-	-	-	0.00%
-	-	-	Customer Contact Coordinator	-	-	-	-	0.00%
-	-	-	Director DCCS	-	-	-	-	0.00%
<b>-</b>	<b>41,667</b>	<b>(41,667)</b>	<b>Total Capital Income</b>	<b>195,337</b>	<b>375,003</b>	<b>(179,666)</b>	<b>1,228,250</b>	<b>15.90%</b>
<b>(1,007,509)</b>	<b>418,435</b>	<b>(1,425,944)</b>	<b>TOTAL INCOME</b>	<b>41,333,907</b>	<b>42,391,604</b>	<b>(1,057,697)</b>	<b>51,610,947</b>	<b>80.09%</b>
<b>Expenses</b>								
(103,064)	150,719	(253,783)	Corporate Finance	563,434	482,493	80,941	(1,802,535)	-31.26%
385,863	181,614	204,249	Manager Property	1,159,540	994,508	165,032	1,204,342	96.28%
206,709	281,288	(74,579)	Manager Information Communication Technology	2,321,737	2,822,584	(500,847)	3,794,236	61.19%
49,096	54,017	(4,921)	Manager Branch Administration	475,155	513,478	(38,323)	694,557	68.41%
249,625	251,425	(1,800)	Finance	2,234,676	2,349,103	(114,427)	3,187,684	70.10%
563,799	483,748	80,051	Manager Community Development & Facilities	4,505,815	4,716,699	(210,884)	6,404,906	70.35%
63,005	43,051	19,954	Co-ordinator Art Gallery	363,600	428,587	(64,987)	575,149	63.22%
190,305	188,808	1,497	Manager Libraries	1,644,272	1,715,020	(70,748)	2,341,519	70.22%
95,739	93,478	2,261	Customer Contact Coordinator	806,390	850,666	(44,276)	1,172,159	68.80%
25,720	25,904	(184)	Director DCCS	214,610	244,765	(30,155)	334,105	64.23%
<b>1,726,796</b>	<b>1,754,052</b>	<b>(27,256)</b>	<b>Total Operating Expenses</b>	<b>14,289,228</b>	<b>15,117,903</b>	<b>(828,675)</b>	<b>17,906,122</b>	<b>79.80%</b>
<b>1,726,796</b>	<b>1,754,052</b>	<b>(27,256)</b>	<b>TOTAL EXPENSES</b>	<b>14,289,228</b>	<b>15,117,903</b>	<b>(828,675)</b>	<b>17,906,122</b>	<b>79.80%</b>
<b>(2,734,305)</b>	<b>(1,377,284)</b>	<b>(1,357,021)</b>	<b>Operating surplus (deficit)</b>	<b>26,849,342</b>	<b>26,898,698</b>	<b>(49,356)</b>	<b>32,476,575</b>	<b>82.67%</b>
<b>(2,734,305)</b>	<b>(1,335,617)</b>	<b>(1,398,688)</b>	<b>NET RESULT</b>	<b>27,044,679</b>	<b>27,273,701</b>	<b>(229,022)</b>	<b>33,704,825</b>	<b>80.24%</b>



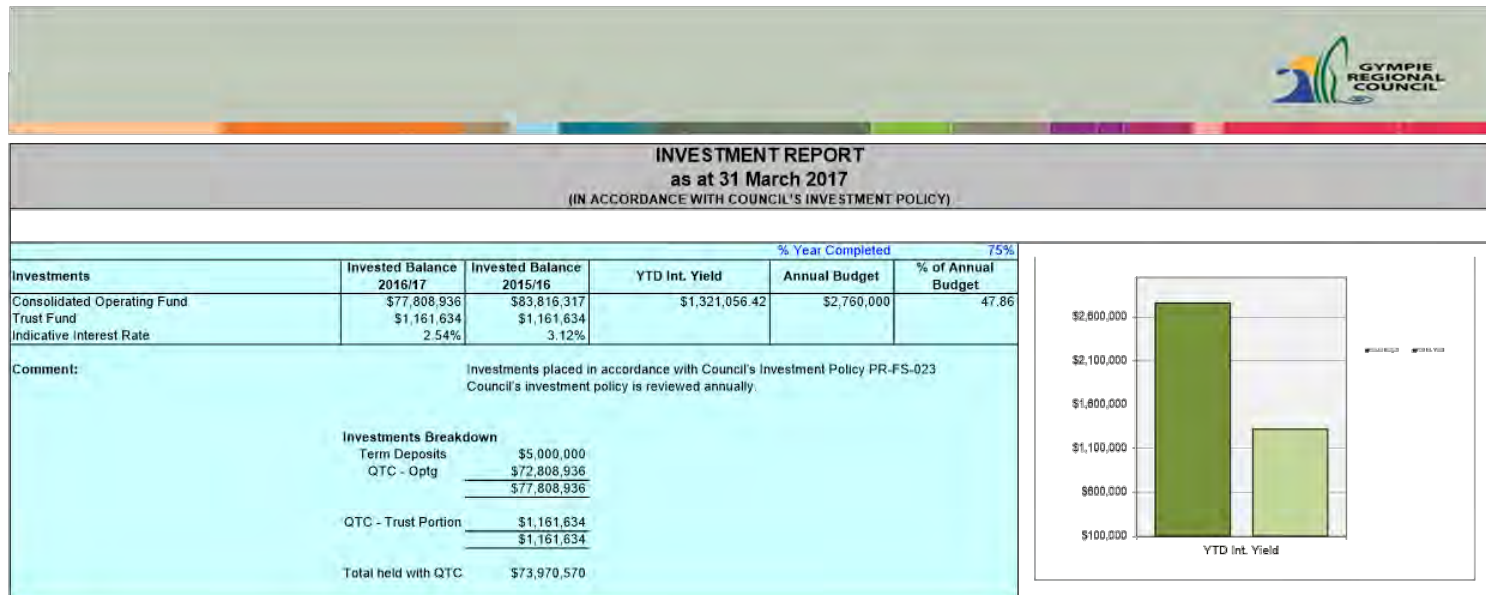


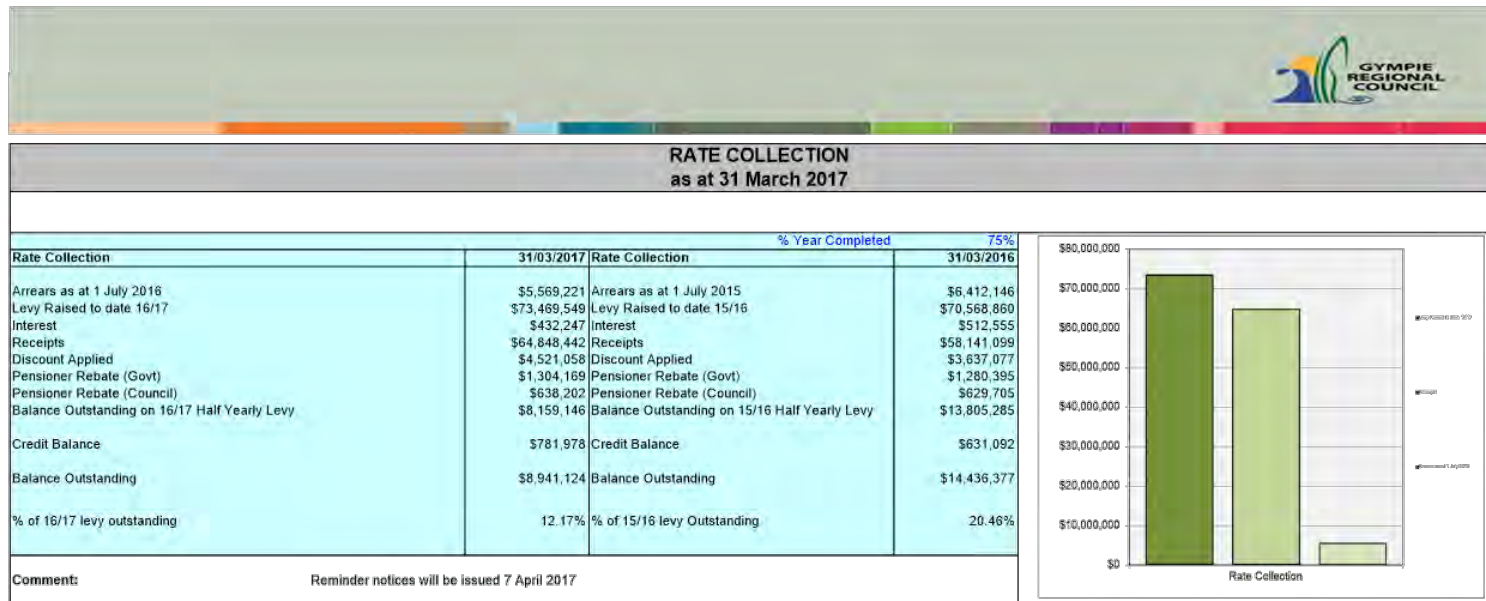
## Operating Statement By Directorate

Mar 2017

(This report refers to the second budget review adopted by Council February 2017)

March Actual	March Budget	Variance	Directorate of Planning & Development	March Actual YTD	March Budget YTD	Variance	Full Year Budget	% of full Year Budget
<b>Operating Income</b>								
-	-	-	Placemaking	-	-	-	-	0.00%
128,297	111,503	16,794	Manager Building & Plumbing Services	1,118,130	1,003,527	114,603	1,429,035	78.24%
56,957	57,006	(49)	Manager Development & Compliance	484,911	513,054	(28,143)	684,080	70.89%
-	-	-	Manager Planning Strategy & Major Projects	-	-	-	-	0.00%
28,283	33,255	(4,972)	Environmental Health & Regulatory Services	320,225	287,095	33,130	386,962	82.75%
-	-	-	Director DPD	-	-	-	-	0.00%
107	-	107	Co-Ordinator Environmental Planning	867,384	865,025	2,359	865,025	100.27%
<b>213,643</b>	<b>201,764</b>	<b>11,879</b>	<b>Total Operating Income</b>	<b>2,790,650</b>	<b>2,668,701</b>	<b>121,949</b>	<b>3,365,102</b>	<b>82.93%</b>
<b>Capital Income</b>								
-	-	-	Placemaking	-	-	-	-	0.00%
-	-	-	Manager Building & Plumbing Services	-	-	-	-	0.00%
-	-	-	Manager Development & Compliance	-	-	-	-	0.00%
-	-	-	Manager Planning Strategy & Major Projects	1,305,918	585,908	720,010	1,405,428	92.92%
-	-	-	Environmental Health & Regulatory Services	-	-	-	-	0.00%
-	-	-	Director DPD	-	-	-	-	0.00%
-	-	-	Co-Ordinator Environmental Planning	-	-	-	-	0.00%
-	-	-	<b>Total Capital Income</b>	<b>1,305,918</b>	<b>585,908</b>	<b>720,010</b>	<b>1,405,428</b>	<b>92.92%</b>
<b>213,643</b>	<b>201,764</b>	<b>11,879</b>	<b>TOTAL INCOME</b>	<b>4,096,568</b>	<b>3,254,609</b>	<b>841,959</b>	<b>4,770,530</b>	<b>85.87%</b>
<b>Operating Expenses</b>								
9,928	29,106	(19,178)	Placemaking	35,825	138,012	(102,187)	219,070	16.35%
92,406	72,368	20,038	Manager Building & Plumbing Services	679,731	675,306	4,425	926,408	73.37%
57,617	51,023	6,594	Manager Development & Compliance	499,121	484,559	14,562	662,980	75.28%
58,035	78,885	(20,850)	Manager Planning Strategy & Major Projects	718,221	977,863	(259,642)	1,224,958	58.63%
195,482	157,710	37,772	Environmental Health & Regulatory Services	1,478,148	1,461,224	16,924	1,977,389	74.75%
160,325	124,773	35,552	Director DPD	1,378,724	1,177,736	200,988	1,606,941	85.80%
49,954	62,617	(12,663)	Co-Ordinator Environmental Planning	452,820	748,349	(295,529)	1,051,813	43.05%
<b>623,745</b>	<b>576,482</b>	<b>47,263</b>	<b>Total Operating Expenses</b>	<b>5,242,590</b>	<b>5,663,049</b>	<b>(420,459)</b>	<b>7,669,559</b>	<b>68.36%</b>
<b>623,745</b>	<b>576,482</b>	<b>47,263</b>	<b>TOTAL EXPENSES</b>	<b>5,242,590</b>	<b>5,663,049</b>	<b>(420,459)</b>	<b>7,669,559</b>	<b>68.36%</b>
<b>(410,102)</b>	<b>(374,718)</b>	<b>(35,384)</b>	<b>Operating surplus (deficit)</b>	<b>(2,451,941)</b>	<b>(2,994,348)</b>	<b>542,407</b>	<b>(4,304,457)</b>	<b>56.96%</b>
<b>(410,102)</b>	<b>(374,718)</b>	<b>(35,384)</b>	<b>NET RESULT</b>	<b>(1,146,023)</b>	<b>(2,408,440)</b>	<b>1,262,417</b>	<b>(2,899,029)</b>	<b>39.53%</b>

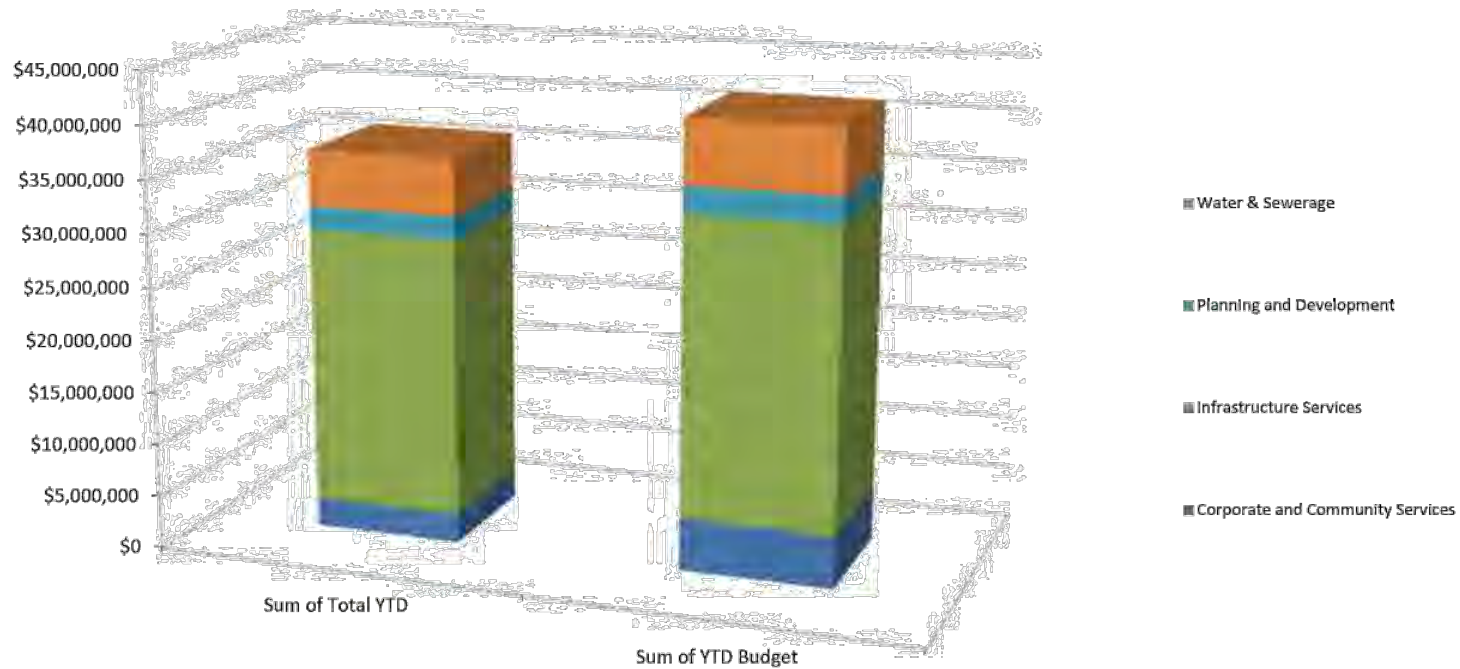


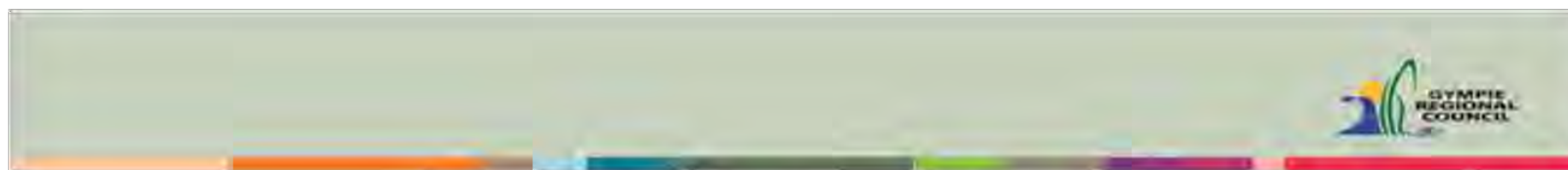






### Capital Works by Directorate - March 2017





### Capital Program Review as at 31/03/2017

<u>Directorate</u>	<u>Actuals - YTD 31/03/17</u>	<u>Committed Value</u>	<u>Total Actuals YTD 31/03/17</u>	<u>Original Budget</u>	<u>2nd Budget Review</u>
Corporate and Community	\$2,629,308	\$114,630	\$2,743,938	\$7,471,477	\$6,125,709
Water & Sewerage	\$4,352,468	\$930,493	\$5,282,962	\$6,300,000	\$8,117,129
Infrastructure Svcs	\$24,269,098	\$2,204,853	\$26,473,951	\$32,643,569	\$35,466,110
Planning & Development	<u>\$1,720,056</u>	<u>\$467,386</u>	<u>\$2,187,442</u>	<u>\$1,871,000</u>	<u>\$3,271,310</u>
	<u><b>\$32,970,930</b></u>	<u><b>\$3,717,362</b></u>	<u><b>\$36,688,293</b></u>	<u><b>\$48,286,046</b></u>	<u><b>\$52,980,258</b></u>

## **POLICY ON THE PROVISION OF LEGAL ASSISTANCE FOR COUNCILLORS AND EMPLOYEES**

### **1.0 PURPOSE**

- 1.1 The purpose of this policy is to establish a governing framework for the provision of legal assistance by the Gympie Regional Council (Council) to Councillors or employees of Council.
- 1.2 The policy is designed to ensure compliance with the Council's obligations under the *Local Government Act 2009* and the *Local Government Regulation 2012*.

### **2.0 LEGISLATION**

- *Local Government Act 2009* (Qld) (LGA); and
- *Local Government Regulation 2012* (Qld) (LGR).

### **3.0 INTRODUCTION**

- 3.1 The Council recognises that Councillors and employees, as a result of their Council roles, functions and duties may at times require legal representation. In some circumstances, it may be appropriate for the Council to provide financial assistance to meet the cost of obtaining the legal representation.
- 3.2 For example, a Councillor or employee may personally be threatened with legal action if an aggrieved party believes that they will not, or have not, carried out their legislative or administrative role, functions or responsibilities in a correct and appropriate manner.
- 3.3 Section 235 of the LGA provides that a local government administrator is not civilly liable for an act done under the LGA or the *Local Government Electoral Act 2011* (Qld) (LGEA), or an omission made under the LGA or the LGEA, honestly and without negligence. Instead the liability attaches to the Council. The term "local government administrator" includes a Councillor, the Chief Executive Officer (CEO), an authorised person, another local government employee or an interim administrator.
- 3.4 The payment of the legal representation costs of a Councillor or employee which is necessary and arises from the performance in good faith of their Council role, duties and functions, should also lie with the Council. Accordingly, the Council has adopted this policy to explain when the Council will fund or partly fund the cost of providing relevant legal representation to Councillors and employees.
- 3.5 If the payment of the legal representation costs of a Councillor or employee is to be made under this policy it is critical that the obtaining of relevant legal representation (and any associated costs) strictly complies with the terms of any approvals that have been given under this policy. Repayment of any legal costs that have been incurred other than in accordance with the approvals given under this policy will be strictly enforced.
- 3.6 This policy also sets out the process that the Council will follow in dealing with any requests for legal assistance that are received from Councillors or employees.

### **4.0 ROLES AND RESPONSIBILITIES**

- 4.1 The CEO is to normally receive, assess and decide any requests for legal assistance from a Councillor or employee. The CEO is then to make any other related decisions on behalf of the Council under this policy.
- 4.2 If the applicant under this policy is the CEO, the Mayor is to receive, assess and decide the request for legal assistance from the CEO. The Mayor is then to make any other related decisions on behalf of the Council under this policy.
- 4.3 Any application made under this policy may be assessed in the first instance by an appropriate employee so nominated by either the CEO or the Mayor in their respective roles.
- 4.4 The CEO and the Mayor are delegated by the Council to make the relevant decisions provided for under this policy.
- 4.5 The CEO and the Mayor are delegated by the Council to incur the relevant liabilities and to approve the associated expenditure on behalf of the Council in accordance with this policy.

## **5.0 ASSESSMENT CRITERIA**

- 5.1 There are four major criteria that will be considered when a decision is to be made under this policy.
- 5.2 These criteria are:
  - (a) the legal representation costs must relate to a matter that arises from the performance, by the Councillor or employee, of his or her Council role, functions and duties;
  - (b) the relevant actions of the Councillor or employee must have been made in good faith;
  - (c) the legal representation costs must be in respect of legal proceedings that have been threatened or commenced against a Councillor or employee in their personal capacity, or which, in exceptional circumstances, may need to be commenced to properly protect the interests of a Councillor, employee or the reputation of the Council. Set out below in clause 6 of this policy are examples which provide further guidance in this regard; and
  - (d) the legal representation costs must not relate to a matter that is purely of an individual or private nature in the sense that it must arise from the performance by the Councillor or employee of their Council functions or duties.

## **6.0 TYPES OF LEGAL REPRESENTATION COSTS THAT MAY BE APPROVED**

- 6.1 If the criteria in clause 5.2 of this policy are satisfied, the CEO or the Mayor in their respective roles may approve the payment of legal representation costs. Examples could include:
  - (a) where legal proceedings are threatened or instituted personally against a Councillor or employee as a result of the reasonable discharge of their Council role, functions and duties. For example, the defence of a personal legal action for defamation or a claim for damages or compensation that is personally made against a Councillor or employee and the legal proceedings arise from a decision made or action taken by the Councillor or employee in the discharge of their Council role, functions or duties; or

- (b) to enable legal proceedings to be commenced and/or maintained by a Councillor or employee to protect them in a personal or physical sense or to allow them to continue to properly carry out their Council functions or duties. For example, if a Councillor or employee needs to personally obtain a restraining or similar Court order against a third party who is continually making personal threats against the Councillor or employee as a result of the discharge of their Council role, functions and duties that have been performed in good faith; or
  - (c) to pay for the reasonable legal representation costs of a Councillor or employee that are connected with the performance of their Council role or duties and which arises from the operation of a statutory or administrative investigation by a regulatory authority or the conduct of an independent public investigation or inquiry; or
  - (d) where the actions of a third party against a Councillor or employee are causing them continuing personal distress or is having a significant detrimental effect on the public reputation and confidence in the Council as a public body. For example, if a person or organisation unreasonably continues to make untrue and unwarranted adverse public statements (including on social media) against a Councillor or employee.
- 6.2 The Council will not approve, unless there are exceptional circumstances, the payment of legal representation costs for a Councillor or employee to institute or consider the institution of defamation or other personal proceedings against a third party seeking damages or compensation.
- 6.3 The Council will not approve for a Councillor, unless there are exceptional circumstances, the payment of legal representation costs that arise from, or are associated with, election issues or the conduct of an election campaign especially having regard to the implied freedom of political communication that has been recognised by the Australian Courts.
- 6.4 Under this policy, the Council will not approve the payment of legal representation costs for a Councillor or employee to institute or consider the institution of proceedings against another Councillor or employee.

## **7.0 APPLICATION FOR PAYMENT**

- 7.1 A Councillor or employee who seeks assistance for the payment of legal representation costs under this policy is to make an application(s) in writing in the form set out in Schedule 1 to the CEO of the Council. If the applicant under this policy is the CEO the application is to be made to the Mayor.
- 7.2 A written application under this policy for the payment of legal representation costs is to provide the required details which may include:
- (a) the details of the matter for which legal representation is sought;
  - (b) how that matter relates to the Council role, functions and duties of the Councillor or employee making the application;
  - (c) the lawyer (or law firm) who is to be asked to provide the legal representation;
  - (d) the nature of legal representation to be sought (such as legal advice, representation in court, preparation of legal proceedings or lodgement of a defence);
  - (e) an estimate of the cost of the relevant legal representation; and
  - (f) why the Council should provide the relevant support and assistance.

Item 7.1 Policy on the Provision of Legal Assistance for Councillors and Employees

Attachment 1 Policy on the Provision of Legal Assistance for Councillors and Employees

- 7.3 The application is to also include a declaration by the applicant that they have acted honestly, without negligence and in good faith.
- 7.4 Any application should normally be made before the incurring of any legal costs to which the application relates.
- 7.5 The application is to be accompanied by a signed written statement by the applicant that he or she:
- (a) has read and understands the terms of this policy;
  - (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions set out in clauses 10.1 - 10.2 and any other conditions which are provided for in any approval given under this policy; and
  - (c) the applicant undertakes to repay to the Council any legal representation costs in accordance with the provisions of clauses 10.1 - 10.2.
- 7.6 In relation to clause 7.5(c), an applicant may be requested to sign a more formal document which requires repayment of monies to the Council in return for the provision of assistance under the terms of this policy.
- 7.7 So far as possible under the LGA and LGR any application under 7.1, written statement under 7.5 and formal document under 7.6 will be kept confidential owing to the potential sensitive nature of the content.

## **8.0 LIMITATION OF LEGAL REPRESENTATION COSTS**

- 8.1 The CEO or the Mayor in their respective roles in approving an application in accordance with this policy may set a limit on the legal costs that will be paid.
- 8.2 A Councillor or employee may make a further or subsequent application to the Council under this policy in respect of the same matter.

## **9. POSSIBLE DECISIONS**

- 9.1 The CEO or the Mayor may:
- (a) refuse;
  - (b) grant; or
  - (c) grant subject to conditions,
- an application for the payment of legal representation costs under this policy.
- 9.2 The CEO or the Mayor in their respective roles may, in appropriate circumstances decide to approve the provision of legal representation to a Councillor or employee but may require that the Council's legal advisor or other Council employees provide the relevant assistance, advice or representation using internal or external resources.
- 9.3 The conditions that may be imposed under clause 9.1 may include, but are not restricted to, setting a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment of the legal representation costs paid for by the Council under this policy.

Item 7.1 Policy on the Provision of Legal Assistance for Councillors and Employees

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- 9.4 In assessing an application, the CEO or the Mayor in their respective roles may have regard to any insurance benefits that may be available to the applicant under the Council's insurance policies or other similar arrangements.
- 9.5 The CEO or the Mayor in their respective roles may, subject to clause 9.6, determine that a Councillor or employee whose application for legal representation costs has been approved:
- (a) did not act in good faith; or
  - (b) provided false or misleading information in respect of their application for assistance under this policy.
- 9.6 A determination under clause 9.5 may be made but only on the basis of, and consistently with, the findings of a court, tribunal inquiry, regulatory investigation or other similar independent body.
- 9.7 Where a determination is made under clause 9.5, the legal representation costs paid by the Council are to be repaid by the Councillor or employee in accordance with clauses 10.1 - 10.2.

## **10.0 REPAYMENT OF LEGAL REPRESENTATION COSTS**

- 10.1 A Councillor or employee whose legal representation costs have been paid by the Council is to repay to the Council:
- (a) all or part of those legal costs, in accordance with a determination made under clause 9.7; and
  - (b) if the Councillor or employee receives monies from costs orders, damages, or any settlement, in respect of the matter for which the Council has paid legal representation costs then the Councillor or employee is to repay such sum to the Council up to the amount of legal representation costs that have been paid by the Council under this policy.
- 10.2 The Council may take action in a court of competent jurisdiction to recover any monies due and owing to it by a Councillor or employee under this policy.

## **11.0 DEFINITIONS**

- 11.1 **approved lawyer** is to be -
- (a) a certified practitioner under the *Professional Act 2008* (Qld);
  - (b) from a law firm on the Council's panel of legal service providers, unless the Council considers that this is not appropriate in the circumstances; and
  - (c) as otherwise approved in writing by the Council or the CEO under delegated authority.
- 11.2 **Councillor or employee** means an employee of the Council or a current or former Councillor or non-elected member of a Council committee.
- 11.3 **legal proceedings** may be civil, criminal or investigative being an inquiry or statutory, administrative or regulatory investigation.
- 11.4 **legal representation** is the provision of legal services, to a Councillor or employee, by an approved lawyer that acts in respect of:
- (a) a matter or matters arising from the performance by a Councillor or employee of their Council functions and duties; and

Item 7.1 Policy on the Provision of Legal Assistance for Councillors and Employees

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- (b) legal proceedings involving a Councillor or employee that have been, or may be, commenced.

11.5 **legal representation costs** are the costs, including reasonable professional fees and disbursements, that are properly incurred in providing the approved legal representation and the associated legal costs arising therefrom.

11.6 **legal services** includes advice, representation or the preparation of documentation that is provided by an approved lawyer.

11.7 **payment** by the Council of the legal representation costs may be either by:

- (a) a direct payment to the approved lawyer; or
- (b) a reimbursement to the Councillor or employee.

## 12.0 POLICY REVIEW

12.1 This policy is to be reviewed on a three yearly basis or more often as required.



## **SCHEDULE 1**

### **APPLICATION FOR LEGAL ASSISTANCE**

**FROM:** Name of Councillor or Employee

- Current Position
- Current Department or entity
- Position at the time of the incident
- Department at the time of the incident
- Address
- Telephone
- Fax
- Email
- Include brief details of assigned duties and functions
- If applicable, include details of legal representatives

**TO:** Name of Decision Maker

- Position
- Department or entity
- Address

#### **Details of matter**

I am applying for Legal Assistance in relation to the following matter/s:

Civil Proceeding

Details of Civil Proceeding:

Date served or received:

#### **Undertakings by Councillor or employee:**

1. I have diligently and conscientiously endeavoured to carry out my Council functions and duties in good faith.
2. I have not been convicted of a criminal offence nor had a finding of official misconduct against me in relation to this matter.
3. I am / am not aware of any criminal, official misconduct or disciplinary proceedings being brought against me in relation to this matter. Include details if applicable.
4. I have attached a statement in support of my application setting out all relevant facts and demonstrating that my conduct as a Councillor/employee meets the requirements of this policy.
5. I have attached a copy of any relevant documents (e.g. claim, application, subpoena, notice, or other legal documentation).
6. I agree to provide any further information requested by the decision maker and to keep the decision maker informed of any change in circumstances which may affect my application.

I agree that any grant that I receive of legal assistance under this policy will be subject to any terms and conditions placed on the grant by the relevant decision maker as well as the terms and conditions of the Policy on the Provision of Legal Assistance for Councillors and Employees.

Signature of Councillor/Employee:

Date:

## COUNCILLOR EXPENSES REIMBURSEMENT POLICY

### Preface:

#### 1.1 Legislative requirements:

Section 250 of the *Local Government Regulation 2012* requires that a local government must adopt an expenses reimbursement policy which may be amended by resolution at any time.

In summary the regulation states:

- The *expenses reimbursement policy* is a policy providing for —
  - (a) payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors;
  - (b) provision of facilities to councillors for that purpose.
- As soon as practicable after a local government adopts or amends its expenses reimbursement policy, the local government must—
  - (a) ensure a copy of the policy may be inspected and purchased by the public at the local government's public office; and
  - (b) publish the policy on the local government's website.

The price for purchasing a copy of the policy must be no more than the cost to the local government of making the copy available for purchase.
- A local government can not resolve that a meeting at which a proposed expenses reimbursement policy is discussed (including its adoption or amendment, for example) be closed.

**Definitions**

**CEO:** Council's Chief Executive Officer.

**Expenses:** These expenses relate to actual expenses deemed necessary and required for the business of Gympie Regional Council. In addition, expenses are payments reasonably incurred, or to be incurred, in connection with Councillors discharging their duties. The expenses may be either reimbursed to Councillors or paid direct by Council. Expenses are not included as remuneration. All expense amounts quoted throughout the policy are ex GST.

**Facilities:** Facilities provided to Councillors are the "tools of trade" required to enable them to perform their duties with relative ease and at a standard appropriate to fulfil the community expectation of their role.

**Official Council Business:** Activities conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements or achieve business objectives for the Council. Official Council business should result in a benefit being achieved either for the local government and/or the local community: This includes:

- Attendance at Council, Committee and Briefing Meetings;
- Attendance at prescribed Local Government training/workshops, seminars and conferences;
- Attendance at civic ceremonies and community events where a formal invitation has been received inviting Councillors in their capacity to undertake official duty;
- Attending public meetings, annual meetings or presentation dinners where invited as a Councillor;
- Attending meetings of community groups where invited to speak about Council programs or initiatives;
- Attending private meetings with constituents, where arranged through official council channels and details of discussions are documented in official records or diaries;
- Attending Civic Reception functions on behalf of the Mayor; and
- Attending organised meetings/inspections/community consultations pertaining to Committee responsibilities.

**Private Use of Council Vehicle:** Use of a Council vehicle for other than official Council business is private use. For the purposes of this policy only, however, private use does **not** include:

- Travel between a Councillor's home and official Council business;
- Any incidental deviations from the direct travel route where the distance travelled is not material (eg. a Councillor who is attending official Council business could stop enroute at the corner store, provided that the Councillor does not make a significant deviation from the most direct route.)

The home garaging of a Council vehicle is permitted.

**Professional Development**

## a) Mandatory Training:

Where one or more Councillors are required to attend training courses, workshops, seminars or conferences for skills development related to a Councillor's role. Examples of this type of training include Councillor induction, code of conduct, meeting procedures and legislative obligations. Attendance at conferences includes major industry events eg Australian Local Government Association (ALGA), Local Government Association of Queensland (LGAQ) and Australian Local Government Women's Association (ALGWA) or specific events that are relevant to all Councillors or Committee members.

## b) Discretionary training:

Where a Councillor identifies a need to attend a conference, seminar, workshop or training to improve skills relevant to their role as a Councillor, other than mandatory training, the Council may allow for the expenses to be covered to a limit of \$5,000 available to each Councillor during their current term in office. The Mayor or Chief Executive Officer is to approve the attendance of a Councillor to the conference, seminar, workshop or training prior to the expense being incurred.

**Policy****1.2 Statement of Principles**

Gympie Regional Council acknowledges the core principles underpinning the *Local Government Act 2009*, those being:

- (a) transparent and effective processes, and decision-making in the public interest;
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services;
- (c) democratic representation, social inclusion and meaningful community engagement;
- (d) good governance of, and by, local government;
- (e) ethical and legal behaviour of Councillors and local government employees.

Council has formulated this policy in line with the above principles.

**2.0 Expenses****2.1 Professional Development**

Council will reimburse expenses incurred for mandatory professional development; and discretionary professional development. Council will meet registration fees, course fees and entrance fees together with reasonable travel, accommodation and sustenance expenses.

- Registrations should, where practicable, be made in sufficient time to take advantage of "early bird" discounts.
- Councillors will provide a verbal or written report on the outcomes of any Professional Development.

**2.2 Travel as required to represent Council**

Councillors may incur travel costs to attend statutory Council meetings, committee meetings, briefings, and travel to attend conferences, training workshops and seminars.

- Any vehicle usage must comply with section 3.1 of this policy.
- If using their own private vehicles, Councillors are required to keep a log book with details to substantiate the relevance and distance of the travel. Where appropriate Councillor's private vehicle usage may be reimbursed by Council if the total travel claim does not exceed the cost of the same travel using economy flights plus the cost of all related taxi transfers.
- Councillors are to maintain the log book and are to calculate the amount of reimbursement in accordance with the scale prescribed by Directive Number 14/10 (or the most current directive) made pursuant to section 54(1) of the *Public Service Act 2008*.
- Travel between a Councillor's home and official Council business is included for the purpose of calculating any reimbursement applicable.
- From an insurance viewpoint Councillor's own vehicles should be covered by either a comprehensive or a third party property damage insurance policy. Councillors are required to produce evidence that the insurance policy has been endorsed to indemnify Gympie Regional Council. It is understood this is a standard type endorsement available on request from all insurance companies. Council will refund any endorsement fees.
- The amount reimbursed will be calculated on the actual mileage travelled by the Councillor.
- Councillors are required to travel via the most direct route using the most economical and efficient mode of transport.
- All Councillor travel approved by Council will be booked and paid for by Council. This will occur as soon as practicable after the decision to attend the event to ensure the most economical method of travel is attained.
- Airline tickets are not transferable and can only be procured for the Councillor's travel on Council business. They cannot be transferred to offset any other unapproved expenses (eg the costs of a spouse accompanying the Councillor).
- Economy class is to be used where possible unless a specific resolution of Council specifies another class.

**2.3 Accommodation**

Councillors may need to stay away overnight to attend to Council business, however for this to be considered as an expense of Council written approval must be obtained from the Mayor/CEO prior to incurring any expense.

When attending conferences, seminars, training workshops or courses, and where available, Councillors must utilize the package offered by the conference organisers, unless a more suitable or more economical venue convenient to the event can be obtained.

In all other cases, written approval must be obtained from the Mayor/CEO prior to the incurring of the expense for accommodation costs to be reimbursed.

All Councillor accommodation for Council business will be booked and paid by Council.

Council will pay for the most economical deal available, however where possible the standard for Councillors' accommodation should be four star rating.

## **2.4 Hospitality Expenses**

Councillors may have occasion to incur hospitality expenses while conducting Council business apart from civic receptions organised by Council.

The maximum amount of hospitality expenses which may be reimbursed:

- for Councillors is \$500 per financial year.
- for the Mayor is \$ 4,000 per financial year.
- Reimbursement for hospitality expenses may include alcoholic beverages when supply of such beverages meets established social customs.

## **2.5 Meal allowance**

Gympie Regional Council shall reimburse the cost of sustenance for Councillors who are travelling for Council business related reasons including professional development when:

- the Councillor incurs the cost personally and
- a meal is not provided within the registration costs of the approved activity/event or during a flight.

The amount reimbursed shall be:

- The actual amount, or ;
- For meals the following limits shall apply:
  - Breakfast \$25.00
  - Lunch \$30.00
  - Dinner \$45.00

No alcohol shall be paid for by Council as part of the meal allowance.

## **2.6 Incidental allowance**

Up to \$20 per day may be paid by Gympie Regional Council to cover any incidental costs incurred by Councillors required to travel and who are away from home overnight for official Council business.

Examples of incidentals include but may not be limited to: tea/coffee; newspapers; telephone.

Incidental expenses must be verified by providing receipts.

## **2.7 Travel Transfer Costs**

Any travel transfer expenses associated with Councillors travelling for Council approved business will be reimbursed.

Examples of travel transfer expenses include train, taxi, bus and ferry fares.

Cab charge vouchers may also be used where Councillors are required to undertake duties relating to the business of Council.

### **3.0 Facilities**

#### **Provision of Facilities**

All facilities provided to Councillors remain the property of Council and must be returned when a Councillor's term expires.

#### **Private Use of Council Owned Facilities**

The provision of facilities for use by Councillors is based upon the principle that *no private benefit is to be gained* from the facilities provided to Councillors.

The facilities are to be used for Council business only unless prior written approval has been granted by the Mayor or CEO.

### **3.1 Gympie Regional Council Office based Administrative tools**

For the Mayor specifically:

- An office.
- An administration officer for secretarial support.
- Use of a Council maintained vehicle as detailed below.

Mayor's Vehicle:

The Mayor shall be provided with use of a Council owned vehicle for use on Council business for each term of Council:

- The vehicle shall be a mid-large sized sedan or wagon with fuel efficient engine similar to a Hyundai i40 premium wagon.
- At all times the vehicle is to be driven by only the Mayor, the Mayor's spouse or partner, a Councillor or a Gympie Regional Council employee.
- In an emergency situation another person may drive the vehicle.
- Private use of the motor vehicle may be utilised by one of the following options:

**Option 1:** The Mayor may purchase private use rights of a motor vehicle for private use within Queensland subject to contribution of 2% of the base Mayoral salary.

**Option 2:** If option 1 is not chosen private use of the vehicle should be minimal and in line with the principle that no private benefit be gained from the facilities provided to the Councillors. Incidental private use of the Council owned vehicle is to be reimbursed to Council on a monthly basis.

Where Option 2 is chosen, the Mayor is to maintain a log book detailing all private usage. The amount of reimbursement to Council for private usage will be in accordance with the scale prescribed by Directive Number 14/10 (or the most current directive) made pursuant to section 54(1) of the Public Service Act 2008.

- Fuel for the Council owned vehicle will be provided by Council.

- Car parking at the local government office premises and when away from that premises reimbursement of parking costs paid by the Mayor when attending to official Council business.
- Council will be responsible for the ongoing maintenance and wear and tear costs of the Council owned vehicle.
- Any fines incurred while travelling in a Council owned vehicle or a privately owned vehicle while attending to Council business will be the responsibility of the Mayor or other driver if applicable.
- It is the Mayor's responsibility to ensure that he/she or any other driver as is applicable, are legally licensed to drive the Council vehicle or to drive a private vehicle while attending to official Council business.
- Gympie Regional Council will accept no responsibility for unlicensed or illegal driving matters.

For all Councillors:

- Communal office space - with an office provided in Gympie, Imbil library, Kilkivan Branch office and Tin Can Bay library and basic stationery for use in that office.
- Postage for items of Council business.
- Name badge
- Safety equipment (eg safety helmet, vest, shoes, safety glasses where necessary).
- 3G Internet access and broadband dependant on location.
- Email access.
- Publications.
- Stationery.
- Shared access to office equipment.

For Councillors (excluding the Mayor):

- A Council maintained vehicle for Council business, as detailed below.

Councillor Vehicle (excluding the Mayor):

Each Councillor (excluding the Mayor) shall be provided with use of a Council owned vehicle for use on Council business for each term of Council:

- The vehicle shall be to a maximum standard of an entry level mid size AWD sports utility vehicle diesel automatic (SUV).
- At all times the vehicle is to be driven by a Councillor or Gympie Regional Council employee.
- The Councillor's spouse or partner may drive the vehicle only at such a time as the Councillor is incapacitated or in such other circumstances as would reasonably require that the Councillor's spouse or partner drive the vehicle.
- In an emergency situation another person may drive the vehicle.
- Private use of the motor vehicle may be utilised by one of the following options:



**Option 1:** A Councillor may purchase private use rights of a Council vehicle for private use within Queensland subject to contribution of 2% of the base Councillor salary.

**Option 2:** If option 1 is not chosen private use of the vehicle should be minimal and in line with the principle that no private benefit be gained from the facilities provided to the Councillors. Incidental private use of the Council owned vehicle is to be reimbursed to Council on a monthly basis.

Where Option 2 is chosen, the Councillor is to maintain a log book detailing private usage. The amount of reimbursement to Council for private usage will be in accordance with the scale prescribed by Directive Number 14/10 (or the most current directive) made pursuant to the section 54(1) of the Public Service Act 2008.

- Fuel for the Council owned vehicle will be provided by Council.
- Car parking at the local government office premises and when away from that premises reimbursement of parking costs paid by Councillors while attending to official Council business.
- Council will be responsible for the ongoing maintenance and wear and tear costs of the Council owned vehicle.
- Any fines incurred while travelling in a Council owned vehicle or privately owned vehicle while attending to Council business will be the responsibility of the Councillor or other driver if applicable.
- It is the Councillor's responsibility to ensure that he/she or any other driver as applicable, are legally licensed to drive the Council vehicle or to drive a private vehicle while attending to official Council business.
- Gympie Regional Council will accept no responsibility for unlicensed or illegal driving matters.

#### Permanent use of a private vehicle by a Councillor in place of a Council supplied vehicle

A Councillor may choose to use their own privately supplied vehicle in place of accepting a Council supplied vehicle for use on Council business for each term of Council. In such circumstances an annual allowance of \$8000, payable on a fortnightly pro-rata basis, will be paid to the Councillor to cover all costs associated with the supply and use of the private vehicle. The allowance is to cover costs including but not limited to fuel, oils, tyres, insurance, registration, depreciation, hire of a replacement vehicle if required, repair, maintenance and any other costs associated with the supply and use of the private vehicle.

A Council supplied vehicle will not be made available to a Councillor for use on Council business where an annual allowance is paid to the Councillor for use of a privately supplied vehicle.

### **3.2 Home Office:**

Council shall provide each Councillor with:

- A mobile computer device with appropriate software and accessories as decided by the CEO.
- A smart phone. Call costs of up to \$90 per month will be paid for by Council. Councillors will be invoiced periodically for any excess call costs incurred above the monthly allowance where applicable.
- Multi-function printer and consumables.
- Basic stationery.
- Maintenance of Council owned equipment.

### **3.3 Legal Costs and Insurance Cover:**

Council may decide to cover costs incurred through any inquiry, investigation, hearing or legal proceeding into the conduct of a Councillor, or arising out of or in connection with, the Councillor's performance of his/her functions. All requests from Councillors for legal assistance will be dealt with in accordance with Council's Policy on the Provision of Legal Assistance for Councillors and Employees (GRC013).

Councillors may be covered under Council insurance policies while discharging civic duties. Specifically insurance cover may be provided for public liability, professional indemnity, Councillor's liability, personal accident, international and domestic travel insurance.

### **3.4 Other:**

The Chief Executive Officer will provide an administration process to facilitate payment of private reimbursement costs to Council.



